



ORDINANCE NO. 2012 - 18

AN ORDINANCE ESTABLISHING RULES AND REGULATIONS FOR THE USE OF THE PUBLIC PARK WITHIN THE VILLAGE OF DUNKIRK, OHIO AND REPEALING ALL ORDINANCES IN CONFLICT HEREWITH.

WHEREAS, the Village of Dunkirk, County of Hardin, State of Ohio, owns real estate which has been designated by the Village as a public park, and

WHEREAS, is deemed necessary for the safety and comfort of the citizens of the Village of Dunkirk, Ohio to adopt a set of rules and regulations for persons using the Village Park, and

WHEREAS, Section 723.01 et.seq., of the Revised Code of the State of Ohio provides a municipal corporation special power to regulate the use of the public highways, streets, avenues, alleys, sidewalks, public grounds, bridges, aqueducts, and viaducts within the municipal corporation.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF DUNKIRK, OHIO:

SECTION I. The Village Park shall be open each day from dawn through dusk unless approved otherwise by Village Council. It is unlawful for any person to remain in any park after the posted closing time, except when engaged in activities that are part of a recreational program approved by the Village Council. It is unlawful to stay on the park grounds when directed to leave by any member of the Dunkirk CIC, Village Council, Village Administrator, Village Mayor or any law enforcement personnel.

SECTION II. Park patrons are expected to clean up after themselves and those that accompany them. Trash and refuse generated from park use (i.e. picnics, barbecues, lunches, etc.) shall be deposited in receptacles provided for such purpose. It is unlawful to throw any refuse, litter, broken glass, crockery, nails, shrubbery, trimmings, junk or advertising material in any park or to deposit any such materials therein except in the trash receptacles. It is unlawful for any person to deposit any refuse brought from private property in receptacles in Village parks or facilities.

SECTION III. Use of park buildings, facilities, shelter houses, playground equipment, etc. is on a first-come, first-served basis unless previously reserved with the Village Administrator. Any group or person using a facility at the park will be expected to abide by the rules and regulations, all laws of the State of Ohio and the Village of Dunkirk, as well as leave the area they have used as clean and in as good condition as they found it. Any abuse of facilities will result in a fee to cover the cost of Park or Village personnel needed to put the facility back in proper order and/or to replace any damaged equipment.

SECTION IV. Dogs and other pets are permitted on the park grounds, however, they must be kept on a leash and under control of the owner. Any person with a dog or other pet in their possession in any park shall be responsible for both the conduct of the animal and for removal from the park, of feces deposited by such animal. The person with the dog or other pet must have in their possession the equipment required for removal of said feces.

SECTION V. Only highway licenses vehicles are allowed in the parks. Vehicles must enter and leave the parks through the designated areas only. Parking vehicles on the grass is not permitted unless directed by park personnel. Vehicles may not be operated at a speed of more than five (5) miles per hour. No vehicles are permitted on walkways or the walking path. This rule shall not apply to parks, maintenance, or emergency vehicles. A vehicles is defined in the Ohio Revised code, section 4501.01 as everything on wheels or runners, including motorized bicycles, but does not mean electric personal assistive mobility devices, vehicles that are operated exclusively on rails or tracks from overhead electric trolley wires, and vehicles that belong to any police department, municipal fire department, or volunteer fire department or that are used by such a department in the discharge of its functions.

SECTION VI. It is unlawful to possess or consume alcoholic beverages or drugs of abuse in any park.

SECTION VII. It is unlawful for any person except duly authorized law enforcement personnel to possess any firearm, fireworks, firecracker, explosive, air gun, sword, knife, bows and

arrows, BB gun/air rifle, or slingshot without obtaining a written permit from the Village Council.

SECTION VIII. It is unlawful to use, place, or erect any signboard, sign, billboard, bulletin board, post pole, or device of any kind for advertising in any park; or to attach any notice, bill, poster, sign, wire, rod or cord to any tree, shrub, railing, post or structure within any park; or to place or erect in any park, a structure of any kind without written consent of the Village Council. No solicitation, vending or advertising is permitted in the parks without written permission by the Village Council.

SECTION IX. Fire may be built only in grills or fireplaces and must be attended at all times. Park Patrons must completely extinguish all fires prior to leaving the park. Lighted matches, burning cigarettes or cigars, or other flammable material must be properly extinguished and are not to be thrown in any park area.

SECTION X. It is unlawful in any manner to tease, annoy disturb, molest, catch, injure, or kill, throw any stone or missile of any kind at or strike with any stick or weapon, any animal, bird or fowl; or to feed any animal, fowl or bird in any park except in areas designated by the Village Council.

SECTION XI. It is unlawful to remove, destroy, mutilate or deface any structure, monument, statue, vase, fountain, wall fence, railing, vehicle, bench, shrub, tree, fern, plat flower, lighting system or sprinkling system or other property lawfully in the park.

SECTION XII. It is unlawful to play car stereos, radios, boom boxes or other portable audio equipment so loudly that they interfere with normal conversations or cause annoying vibrations at a distance of seventy-five (75) feet or more.

SECTION XIII. It is unlawful to use abusive language or to conduct oneself in a manner that interferes with the reasonable use of a park by the general public. There is no fighting permitted in a park at any time.

SECTION XIV. It is unlawful to conduct any group rally in a park area or designated facilities where such activities will conflict, in any way, with normal park usage. To avoid conflict, permission for such activities must be obtained in advance from the Village Council.

SECTION XV. The Village Council shall cause signage to be erected in appropriate locations that communicates these rules and regulations to those persons who may use the Village Park.

SECTION XVI. All other ordinances of the Village of Dunkirk, Ohio in conflict with the herein stated are expressly repealed.

SECTION XVII. The penalty for violation of this ordinance shall be guilty of a minor misdemeanor. The Village Council also reserves the right to prohibit a person from entering, remaining upon the lands of or otherwise using the Village Park for violations of these rules.

Passed 4-0 Jan 7, 2013

ATTEST:


CLERK

VILLAGE OF DUNKIRK


MAYOR

CERTIFICATION

I, Phyllis Spencer, the Clerk of the Village of Dunkirk, Ohio, hereby certify that the foregoing is a true, accurate and correct copy of Ordinance No. 2012-18 passed by the Council of said Village and approved by the Mayor thereof on Jan 7, 2013, 2012.


CLERK