

Park Ordinances

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42-4.1 Definitions

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Alcoholic beverage means intoxicating beverage, malt beverage, wine or any other beverage containing any alcohol whatsoever.

Building means any structure attached to the ground which has a roof and which is designed for the shelter, housing or enclosure of persons, animals or property of any kind.

Litter means garbage, refuse, paper, rubbish, debris, trash and all other waste material whether natural or artificial.

Recreation facilities means all recreation areas in parks, including land, buildings, lakes swimming pools, and all other property and buildings owned, leased, or managed by the city, the designated agents or departments of the city.

Vehicle means any motor-driven equipment, automobile, truck, motorcycle, bicycle, skateboard, or scooter.

Weapon means firearm, rifle, pistol, revolver, pellet gun, bb gun or any weapon designed or intended to propel a shot, bullet, or other missile of any kind, or any device capable of discharging a projectile by air, spirit, gas or explosive, or any explosive substance or harmful solid, liquid, and gaseous substance, or any spear, arrow, bow and arrow, slingshot, crossbow, spear or spear gun, or an dirk, Bowie knife, switchblade knife, ballistic knife, or any other knife, straight-edged razor, spring stick, metal knuckles, blackjack, club or other bludgeon-type weapon, or any flailing instrument or any disk which is designed to be thrown or propelled and which may be known as a throwing star or oriental dart, or any weapon of like kind, and any stun gun, taser or similar device.

42-4.2 Personal Conduct

It shall be unlawful for any person to engage in any violent, abusive, loud, boisterous, vulgar, wanton, obscene or otherwise disorderly conduct, disturb or annoy others, or engage in any activity that could cause injury to other persons while on or in connection with a recreation facility. No person shall upon or in connection with a recreation facility by act or speech willfully or unreasonably hinder, interrupt or interfere with any duly permitted activity or unreasonably or willfully intrude on any areas or into the structures designated for the use of a certain person or persons to the exclusion of others by written permit of city staff.

42-4.3 Hours of Operation

(a) It shall be unlawful for any person or vehicle to enter or be within a recreation facility outside of the posted hours of operation unless approved by permit or unless such person is participating in authorized and scheduled programs, classes, special events or meetings.

(b) Park hours of operation are sunrise until 11:00pm, unless posted otherwise as authorized by staff.

42-4.4 Littering

It shall be unlawful for any person to throw or deposit litter on the grounds, streets, sidewalks, fountain, pond, lake, swimming pool, stream or other body of water in any recreation facility, except within public receptacles and in such a manner that the litter will be prevented from being carried or deposited by the elements upon any part of the recreation facility. Where public receptacles are not provided, all such litter shall be carried away from the park by the person responsible for its presence and shall be properly disposed of elsewhere. It shall be unlawful to take into, carry through, or put into a recreation facility, any litter generated outside the recreation facility.

42-4.5 Weapons

It shall be unlawful for any person to take on a recreation facility any weapon, or to shoot, use, carry or employ any weapon or similar device in a recreation facility.

42-4.6 Alcohol

It shall be unlawful for any person to possess, use, or consume any alcoholic beverage in a recreation facility. Possession, use and consumption of alcoholic beverages within the areas authorized by this section shall only be allowed at events specifically authorized and approved by the city and shall be subject to all rules, regulations and restrictions of law adopted by the city, specifically Article 1, Section 6-7 of the Alcohol Beverage Ordinance, and/or the state related to the possession, use and consumption of alcoholic beverages.

42-4.7 Annoying Noises

It shall be unlawful for any person to whistle, hiss or holler at another person in a boisterous or unbecoming manner or make any unnecessary or unusual noise, play any sound amplification device such as radios, television sets, public address systems, musical instruments, CD players and the like in such a way which either annoys, disturbs, injures or endangers the comfort, repose, peace or safety of other persons in a recreation facility, unless otherwise allowed by written permit of city staff.

42-4.8 Throwing Objects

It shall be unlawful for any person to throw any stone or missile at any person or at any public or private building in a recreation facility.

42-4.9 Fire

It shall be unlawful for any person to build or maintain a fire in a recreation facility except in designated areas which are clearly marked by signs or defined with fire rings or grills placed by city employees.

42-4.10 Damage/Removal of Park Property/Vegetation

It shall be unlawful for any person to deface, harm or damage any park buildings, wildlife, property, equipment or signs; or dig up, cut, damage or remove any trees, tree limbs, shrubbery, flowers, rocks, mulch, water, historical artifacts or other vegetation in a recreation facility.

42-4.11 Animals

(a) It shall be the duty of every animal owner or custodian whose animal is in a recreation facility to have physical control of the animal by leash or lead line at all times unless approved otherwise, by permit, by city staff.

(b) It shall be unlawful for any person with an animal, other than seeing-eye dogs as necessary, to access areas of a recreation facility which are restricted to animals.

(c) It shall be the duty of every animal owner or custodian of any animal whose animal is in a recreation facility to immediately and properly dispose of waste deposited by the animal.

(d) It shall be the duty of every animal owner or custodian of any animal whose animal is in a recreation facility to have in their possession proof of a current rabies vaccination for their animal.

(e) Every animal owner or custodian of any animal whose animal is in a recreation facility is subject to all rules, regulations, and restrictions of law adopted by the city, specifically the Animal Control Ordinance, and/or of the state related to animal control.

42-4.12 Vehicles Restricted

It shall be unlawful for any person to drive any motorized or electric vehicle in a recreation facility except upon roadways designated and maintained for vehicular traffic, and except upon walkways when permitted and approved by city staff.

42-4.13 Parking

It shall be unlawful to park a vehicle in a recreation facility except in those areas designated by the appropriate signs as vehicle parking areas or in marked parking spaces. It shall be unlawful to leave a vehicle standing or parked in a recreation facility during hours when the recreation facility is closed. In such instances, the vehicle may be towed from the recreation facility at the owner's expense.

42-4.14 Parking Limited

It shall be unlawful for any person to park in a recreation area if the owner of the vehicle is not utilizing the recreation facility unless authorized by city staff. It shall be unlawful

for persons to congregate within a parking area of a recreation facility so as to disrupt traffic or other persons, or so as to create a safety hazard.

42-4.15 Commercial Activity

It shall be unlawful for any person to sell or offer to sale any merchandise or operate or attempt to operate a concession or engage in any commercial activity in a recreation facility without written authorization of the city.

42-4.16 Golfing Regulated

It shall be unlawful for any person to practice, play or otherwise participate in the game of golf, except at a recreation facility designated for such use and only in accordance with the rules, regulations and restrictions promulgated by city staff.

42-4.17 Fishing/Swimming

It shall be unlawful for any person to launch or travel in watercraft, swim, bathe, wade, or fish in any body of water in a recreation facility unless designated for such use and then only in accordance with the rules, regulations and restrictions promulgated and posted at the recreation area.

42-4.18 Pyrotechnics

It shall be unlawful for any person to possess, display, use, set off or attempt to ignite any firecracker, fireworks, smoke bombs, rockets, black powder guns or other pyrotechnics, unless approved by written permit by city staff.

42-4.19 Engine Powered Models

It shall be unlawful for any person to start, fly or use any fuel powered engine, jet-type or electric powered model aircraft, boat or rocket or like powered toy or model, except at those areas designated by city staff for such use and then only in accordance with such rules, regulations and restrictions promulgated by city staff.

42-4.20 Hot Air Balloons

It shall be unlawful for any person to launch hot air balloons and hobby rockets from a recreation facility unless approved by written permit by city staff.

42-4.21 Dressing

It shall be unlawful for any person in a recreation facility to dress or undress on any bench, or in any vehicle, toilet or other place, except in such bathing houses or structures as may be provided for that purpose.

42-4.22 Parental Responsibility

Any parent, guardian, or other person or employer who has charge of, or control over, any child or employee under the age of fifteen (15) years and who knowingly and willfully allows such child or employee to operate any motor vehicle, including bicycles, motorcycles and motor scooters, propelled by motor power over and upon the streets and public places within the city contrary to the ordinance and laws of the city with regard to the operations of motor vehicles upon the public streets and public places of the city and with regard to the restrictions thereof and regulations thereof by city ordinances and laws, shall be guilty of a violation of this code.

42-4.23 Permits

Permits for special events in a recreation facility shall be obtained by application to the appropriate city staff person. Guidelines for the issuance of permits by the designated staff person include:

- (a) That the proposed activity or use of the recreation facility will not unreasonably interfere with or detract from the enjoyment of the recreation facility;
- (b) That the proposed activity or use of the recreation facility will not unreasonably interfere or detract from the promotion of public health, welfare, safety and recreation of a recreation facility;
- (c) That the proposed activity or use of the recreation facility is not reasonably anticipated to incite violence, crime, or disorderly conduct;
- (d) That the proposed activity or use of the recreation facility will not entail unusual, extraordinary, or burdensome expenses or policy operation by the city;
- (e) That the proposed activity or use of the recreation facility will not conflict with existing parks and recreation services;
- (f) That the proposed activity or use of the recreation facility desired has not been reserved for other use;
- (g) That the permitting person or persons will abide by all other state, city and parks and recreation laws, ordinances, rules and regulations and shall be liable for any loss, damage, or injury sustained by any person whatsoever by reason of negligence of the person or persons to whom such permit shall have been issued;
- (h) That the designated staff person shall have the authority to revoke any permit upon the finding of a violation of any laws, ordinances, rules or regulations or upon good cause shown; and
- (i) Persons may apply for a permit for a proposed activity or use of the recreation facility under the following categories: fundraising, special events, food service for approved activities, parades, and recreation facility rentals.

42-4.24 Violation of Facility Regulations

It shall be unlawful for any person to violate any rules or regulations relating to the use of the recreation facility as established by city staff or the city council.

42-4.25 Exemptions

Individual sections of this chapter shall not apply to employees of the city or their designees while performing their official duties.

42-4.26 Enforcement of Chapter

This chapter shall be enforced by any authorized law enforcement officer of the city police department. Where there has been a violation of any provisions of this chapter, the law enforcement officer in his discretion may issue a citation, warning and/or order the person to leave the park or recreation area.

42-4.27 Penalties for Violation of Chapter

Any person violating any provision of this chapter shall be fined in a sum not exceeding one thousand dollars (\$1,000) or may be confined to jail for a term not exceeding sixty (60) days, or both.

42-4.28 Severability-Savings Clause

If any provision of said Ordinance, as set forth above, shall be deemed unconstitutional or unenforceable by a court of competent jurisdiction then the remaining provisions shall survive and shall be given full force and effect.

42-4.29 Other Penalties

Nothing herein shall be construed to waive, relinquish, or diminish any other duly adopted rule, regulation, or law of the City of Suwanee or State of Georgia and all such citations shall be cumulative.