

**Village of Spencerville
Parks and Recreation Department
Bylaws and Rules**

1.0 DEFACEMENT, DESTRUCTION, REMOVAL, OR DISTURBANCE OF EQUIPMENT, AND NATURAL FEATURES.

- 1.1 Defacement, destruction, removal.
No person shall remove, injure, deface disturb or destroy any part of any Park nor any building, sign, equipment or other property found therein; nor shall any tree, flower, shrub or other vegetation or part thereof, or rock or other mineral be removed, injured or destroyed. Collection of natural materials is prohibited except for educational purposes and scientific study by written permit form the Administrator.
- 1.2 Defacement of roadway surface.
No person shall intentionally accelerate a motor vehicle causing the rubber tires to spin, mark or deface any Park roadway surface.

2.0 LITTER, DUMPING, GARBAGE, REFUSE, SEWAGE AND WASTE MATERIAL.

- 2.1 Litter, garbage, refuse, sewage, and waste material.
No person, without the specific written consent of the Administrator, shall deposit, permit or suffer to be deposited, in any part of any Park, any litter, garbage, refuse, ashes, sewage, materials whatsoever, otherwise than in receptacles or pits provided for such purposes.
- 2.2 Dumping.
No person shall bring into or cause to be brought into any Park from outside Park boundaries, any garbage, refuse, ashes, sewage or waste materials for depositing in any manner within any Park except the garbage, refuse, ashes, or other materials of a picnic, camp, or other activity permitted within any Park, nor dump any earth within any Park.
- 2.3 Stream Litter.
No person shall, either within or without any Park, discharge into, throw, cast, lay, drop or leave in any river, brook stream, storm sewer, or drain into or through any Park or into any river, to any river, brook, or stream flowing into or through any Park, any substance, matter or thing, either liquid or solid, which may or shall result in the pollution of the river, brook or stream within any Park, to such an extent as to reasonably or improperly prevent or interfere with the conservation of the natural resources of any Park, by preventing, interfering with, or lessening, to an

improper or unreasonable degree, the use of said river, brook, or stream for recreational or other proper Park uses, or to endanger the health of visitors in any Park in the proper use and enjoyment of the same.

3.0 FIRES.

3.1 Rules for using fires.

No person shall start a fire in any Park except small fires for cooking purposes in the Park grills, or privately owned grills, or fires in places or designated areas approved for such purpose, without written consent from the Administrator. The Administrator may at his discretion prohibit fires or smoking for limited periods at any location or for any purpose when necessary for the protection of park property. All fires shall be put out by the person or persons starting or using the same before leaving the immediate vicinity of the fire. The dumping of hot ashes or fire from portable picnic grills onto the grass, plants, or into trash receptacles is prohibited.

4.0 HUNTING, FISHING, TRAPPING, AND MOLESTING WILDLIFE.

4.1 Hunting, trapping, and molesting wildlife.

No person within the confines of any Park, unless authorized by written permit of the Administrator, shall hunt, pursue with dogs, trap, molest, harm, harass, injure, or take any wild bird or animal found within the confines of any Park, or therein rob or molest any bird nest or take the eggs of any bird.

4.2 Fishing.

No person shall fish in any waters in any park in a manner contrary to regulations resolved by the Council or in water where fishing is prohibited by the council.

5.0 DOMESTIC ANIMALS.

5.1 Herding, grazing, driving, permitting to run at large.

No person shall herd, graze, drive or permit to run at large within any Park, any cattle, horse, mule, donkey, goat, swine, sheep, or any other animal, or any poultry or other fowl, without written consent from the Administrator.

5.2 Dogs, cats and other household pets.

Any person who brings any dog, cat or other household pet or domestic animal to any park property shall keep said pet on a leash and/or caged at all times. The person responsible for any pet, as explained above, shall be required to clean up any excrement left by said pet, and dispose of it properly.

5.3 Horseback riding.

No person except authorized agents of the Village of Spencerville shall ride any horse or other animal within any Park, except upon designated bridle paths or in Parks designated and established for horseback riders and in accordance with the rules adopted by the council.

6.0 WEAPONS, FIREARMS, FIREWORKS, EXPLOSIVES, AND BOWS AND ARROWS.

6.1 Weapons, firearms, fireworks, explosives.

No person, except Law Enforcement Officers, and authorized employees or agents of the Village of Spencerville, shall possess a firearm, deadly weapon, dangerous ordnance, blowgun, air rifle, sling shot, or missile throwing device, within any Park, or discharge any firearm, deadly weapon, dangerous ordnance, fireworks, explosives, sling shot, or air rifle therein, without specific written permit from the Administrator.

6.2 Bows and arrows.

No person shall have or possess on park property a bow, crossbow or blowgun intended to shoot arrows or darts nor release an arrow or dart from a bow, blowgun, crossbow, longbow, or other weapon, within or into any Park other than in areas designated by the Administrator.

7.0 DISORDERLY CONDUCT.

A. No person shall recklessly cause inconvenience, annoyance or alarm to another, by doing any of the following.

- (1.) Engaging in fighting, in threatening harm to persons or property, or in violent or turbulent behavior;
- (2.) Making unreasonable noise or offensively coarse utterance, gesture, or display, or communicating unwarranted and grossly abusive language to any person;
- (3.) Insulting, taunting, or challenging another, under circumstances in which such conduct is likely to provoke a violent response;
- (4.) Hindering or preventing the movement of persons on a public street, road, highway, or right of way, or to from, within, or upon public or private property; so as to interfere with the rights of others, and by any act which serves no lawful and reasonable purpose of the offender;

(5.) Creating a condition which is physically offensive to persons or which presents a risk of physical harm to persons or property, by any act which serves no lawful and reasonable purpose of the offender.

B. No person, while voluntarily intoxicated shall do either of the following:

(1.) In a public place or in the presence of two or more persons, engage in conduct likely to be offensive or to cause inconvenience, annoyance, or alarm to persons of ordinary sensibilities, which conduct the offender, if were not intoxicated, should know is likely to have such effect on others;

(2.) Engage in conduct or create a condition which presents a risk of physical harm to himself or another, or to the property of another.

7.1 Failure to obey.

No person shall fail to comply or refuse to comply with any reasonable order relating to the regulations, directions, or control of traffic or to any other order, lawfully given by any Law Enforcement Officer or any other official in the lawful execution of their office.

7.3 Unlawful Assemblage.

No person or persons shall collect in bodies or crowds for unlawful purposes or in riotous assemblage or with intent to annoy, harass, or inflict property damage or bodily injury upon another person, persons or park property.

7.4 Assault.

No person shall willfully assault or commit bodily injury upon another while within any Park, or be engaged in, or abet, or aid in any fight, quarrel or other disturbance.

7.5 Abusive Language.

No person shall use obscene, profane or abusive language while in any Park.

7.6 Noisy and/or boisterous conduct.

A. No person shall indulge in any noisy, or boisterous conduct, nor shall any person use any sound amplification device audible more than twenty (20) feet from the device without written consent from the Administrator.

- B. No person, while voluntarily intoxicated shall do either of the following:
- (1.) In a public place or in the presence of two or more persons, engage in conduct likely to be offensive or to cause inconvenience, annoyance, or alarm to persons of ordinary sensibilities, which conduct the offender, if were not intoxicated, should know is likely to have such effect on others;
 - (2.) Engage in conduct or create a condition which presents a risk of physical harm to himself or another, or the property of another.
- 7.7 Solicit unlawful sales.
No person shall sell or offer for sale any article, thing, privilege or service within any Park, without a permit from the Administrator and no person shall do any begging, hawking, peddling, or solicitation therein.
- 7.8 Loitering.
No person or group of persons shall loiter in or near any building, toilet, or structures; nor loiter in or near a motor vehicle or vehicles, or on or about a motorcycle or cycles, or on or about bicycles within any Park.
- 7.9 Games of chance.
No person shall play at games of chance within any Park.
- 7.10 Beer and Intoxicating Liquor.
No person or persons shall possess nor consume an open container of beer intoxicating liquor or other alcoholic beverage within any park without the written permission granted by the Council.
- 7.11 Controlled Substance.
No person shall possess, obtain, nor use a controlled substance, nor use a controlled substance, as defined by Section 2925.01 of the Ohio Revised Code, within any Park.
- 7.12 Harmful intoxicants.
No person shall sniff, breathe, or otherwise use in any way other than the intended use by the manufacturer, any product containing a harmful intoxicant as defined by Section 2925.01 of the Ohio Revised Code, within any Park.
- 7.13 Indecent conduct and Exposure.
No person shall appear in any Park in a state of nudity, or commit, perform, or engage in any lewd, lascivious, obscene, or indecent act or

behavior, and no person shall make any indecent exposure of his or her person.

7.14 Solicitation.

No person shall solicit sexual acts or solicit or ask anyone to commit, perform, or engage in any lewd, lascivious, obscene, or indecent act or behavior.

8.0 PRESERVATION OF GOOD ORDER IN THE PARKS.

8.1 Unlawful Public Events.

No individual or organization shall have, conduct, sponsor, or promote any public activity in the Parks of the Village of Spencerville without prior written authorization from council. No event or activity sponsored or promoted by any individual or organization shall be permitted if in the opinion of the Council it will constitute hazards and dangers to the personal safety of the participants or other Park visitors; endangers peace and good order in the Parks; interferes with the regular and normal use of the facilities and activities by Park visitors; or which is inconsistent with the use of any Park lands for Park purposes.

9.0 POSTING, DISPLAYING SIGNS.

9.1 Posting, Displaying Signs Prohibited.

No person shall expose, distribute or place any sign, advertisement, circular, notice or statement, or display any banner, emblem or design, within any Park, without written authorization from the Administrator.

9.2 Painting or defacing Park Buildings or Property.

The unauthorized painting or defacing of park property, buildings equipment or signs shall be strictly prohibited. Violators shall be subject to a fine of \$500 for the first and each subsequent offence.

10.0 CAMPS AND CAMPING.

10.1 Camping, Lodging Without Permission.

No person shall establish or maintain any camp or other temporary lodging place within any Park, without written authorization from the Administrator.

13.0 SNOWMOBILES, SLEDDING, SKIING, AND SKATING.

13.1 Snowmobiles Permitted in Designated Areas Only.

No person shall operate a self-propelled vehicle, which is designated to travel on snow, or ice covered surfaces within any Park other than in areas designated by the Administrator as "Snowmobile" areas.

- 13.2 Sledding, Skating, and Skiing.
No Person shall sled, ski, or ice skate within any Park in areas designated by the Administrator as unsafe.

14.0 TRAFFIC.

- 14.1 Speed.
No person shall drive or propel or cause to be driven or propelled along or over any road within any Park any vehicle at a greater rate of speed than 10(ten) miles per hour, or at a speed that will permit stopping said vehicle within the assured clear distance.
- 14.2 Parking.
No person shall park or store any motor car, motor vehicle, motorcycle, bicycle, wagon or other vehicle within any traveled roadway in any Park, or at any location where posted signs prohibit parking, or upon any sod, gravel or other surface not specifically designated for parking, except in places and at such times as designated by the Administrator for such purposes. There shall not be overnight parking allowed in any Park.
- 14.3 Purpose of Way.
No portion of any Park shall be used for purpose of way, except drives, roadways, paths, walks, and trails established for such purposes, and footpaths or walks designated and established for pedestrian travel shall not be used for vehicular travel.
- 14.4 Reckless Driving.
No person shall drive or propel any vehicle along or over any Park road in a reckless manner without due regard for the safety of pedestrians and drivers, and all other occupants of any vehicles.
- 14.5 Unauthorized Vehicles.
No person shall drive or propel, or cause to be driven or propelled, along or over any Park road, any truck, commercial car, trailer, semi trailer, pole trailer, bus, or commercial tractor, unless authorized by the Administrator to make deliveries within any Park, or unless engaged in work in any Park that has been contracted for with the Administrator, or unless delivering or picking up persons using a truck or trailer as transportation to or from any Park area.
- 14.6 Go-karts, All terrain Motor Vehicles and Non-registered Motor Vehicles.
No person shall operate within any Park a go-kart, all-terrain motor vehicle or motor vehicle normally considered a race car or any other type of motor vehicle which is not customarily registered with the Department

of Motor Vehicles, or those not permitted for use on public highways in accordance with the Ohio Department of Highway Safety.

14.7 Posted Traffic Regulations.

No person shall drive or propel any vehicle along or over any Park road without complying with all traffic signs and all posted traffic regulations.

14.8 No person shall test or repair any vehicle or mechanical device in any Park.

15.0 ENCROACHMENT ON PARK PROPERTY.

15.1 Encroachment Prohibited.

No person or persons shall willingly encroach upon lands owned or administered by the Village of Spencerville.

16.0 HOURS OF USE AND CLOSING OF PARKS.

16.1 Dark to 7:00 a.m. Curfew.

No person shall be permitted to remain within the confines of any Park between dark and 7:00 a.m. prevailing local time without specific written permission from the Administrator.

16.2 Temporary Closing.

The Administrator may temporarily close, alter, modify or control entry or use upon any lands or waters or any portion thereof when it has been deemed necessary by him and in his absolute discretion for public safety, conduct, health, or order.

16.3 Special Curfew During Open Hours.

No person shall be permitted to remain within the confines of any Park which has been closed by the Administrator, Law Enforcement Officer, or other official in the execution of their office.

17.0 SELECTION OF CONTRACTORS AND HIRING FOR SPECIAL SERVICES.

In hiring or contracting for professional, technical, consulting, or other special services, Council of the Village of Spencerville may, after considering the competence, ability, and availability of any person, firm, or corporation, and the recommendation of the Administrator approve the hiring of any such person, firm, or corporation, and authorize the contract therewith. Such contract may be in the form of a written acceptance of a proposal submitted to the Administrator such person, firm, or corporation.

18.0 TERMS.

“Park” means any land owned and/or administered by the Village of Spencerville Parks and Recreation Department. This includes but is not limited to Old Acadia Park, Village Park, Neidhart Park and Veteran’s Memorial Park.

“Council” means the Village Council of the Village of Sencerville.

“Administrator” means the Village Administrator of the Village of Spencerville.

“Person” means natural persons and/or corporations.

20.0 CLOSURE OF PARKS WITHOUT NOTICE.

The Council or Administrator of the Village of Spencerville may, without notice and at his, her or their absolute discretion, close any park or portion or area thereof or limit the use of any park or portion thereof, for any reason relating to the health, safety, welfare, or security of patrons, employees or property, or for park maintenance or preservation of property, condition, environment or habitat.

21.0 VIOLATION OF PARK RULE PENALTIES.

Any person violating any of the foregoing bylaws, rules and regulations and any amendment or additions thereto, shall be deemed guilty of a misdemeanor and upon conviction, shall be fined in any sum not as specified herein, not less than One Hundred Dollars (\$100.00). In the event of vandalism or destruction of park property, the person and / or persons convicted shall be responsible for all costs to repair/replace damaged property. In the event that the person and/or persons responsible for the damage/destruction is a minor, the financial responsibility shall rest with the parent and/or guardian.

22.0 EFFECTIVE DATE.

These bylaws, rules and regulations shall take effect and be in force from and after the earliest period allowed by law. ORC 1125(21)122.