

Ordinance 14-2019
Passed September 10, 2019

AN ORDINANCE TO AMEND PLYMOUTH CODIFIED ORDINANCE CHAPTER 96, PARKS AND RECREATION, SECTIONS 96.01, 96.02 AND 96.03, AND TO ADOPT SECTIONS 96.04 AND 96.05, AND DECLARING AN EMERGENCY.

WHEREAS, there is a need to update Village Park Regulations for the upcoming summer and fall public use of Village parks.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF PLYMOUTH, COUNTY OF RICHLAND/HURON, STATE OF OHIO:

1. THAT Section 96.01 of the Plymouth Codified Ordinances (PCO) is amended to read as follows:

§ 96.01 CLOSING TIME OF PARKS AND RECREATIONAL AREAS.

All village parks, ball fields and other recreational places and activities shall be closed between dusk to dawn each and every day of the week, except to supervised groups having authorization from the Mayor.

2. THAT Section 96.02 of the PCO is amended to read as follows:

§ 96.02 RESERVATION OF TABLES IN MARY FATE PARK.

The charge to reserve tables inside the pavilions of Mary Fate Park shall be determined from time to time by Village Council.

3. THAT Section 96.03 of the PCO is amended to read as follows:

§ 96.03 MARY FATE PARK PERPETUAL CARE FUND.

- (A) There is hereby established a perpetual care fund in the village which shall be known as the Mary Fate Park Perpetual Care Fund.
- (B) All income derived from gifts, donations, devises and bequests and designated for perpetual care of Mary Fate Park shall be deposited in the Mary Fate Park Perpetual Care Fund and shall be perpetually and forever maintained in such Fund. The principal of such Fund shall never be dissipated or used for any other purpose.
- (C) The Mary Fate Park Perpetual Care Fund shall be deposited in the Mary Fate Park Perpetual Care Fund Account, which shall be maintained in the name of the village in a bank deposit separate and distinct from all other funds of the village.
- (D) An accounting or record shall be kept by the Fiscal Officer specifying all deposits, investments and withdrawals made by the Fiscal Officer.
- (E) The Fiscal Officer shall invest the moneys in the Fund from time to time in interest bearing obligations of the village, state and federal governments, in accordance with the laws of the state and at the direction of Council.
- (F) Interest income or other increments shall be paid into the Park Operation Fund annually by the Fiscal Officer and the Fiscal Officer is hereby authorized to disburse such funds to pay operating expenses.

4. THAT Section 96.04 of the PCO is added to and amends the PCO and reads as follows:

§ 96.04 REGULATIONS FOR USE OF VILLAGE PARKS.

- (A) Permitted Uses: Social, civic, entertainment, recreation, education and benevolent non-profit activities and such other activities as are approved by the Village Administrator and/or Council.
- (B) Prohibitions: Unauthorized gambling, alcoholic beverages, firearms, and other weapons (except for law enforcement officers within the scope of their duties), loitering, trespassing, disorderly conduct, and illegally loud noise, are prohibited.
- (C) Reservation of Facilities: Reservations must be made by written application, and will be accepted and approved on a first come, first serve basis. When renting the Scout Hut a key must be obtained from the Utility Office on the Friday before the rental date. The key must be returned in the night drop or in person by the time Village offices open Monday morning.
- (D) Responsibilities of Person or Group Reserving Facility: The person or organization making the reservation assumes responsibility for any damages that may occur. Damage and/or other violation of rules established may result in denial of the use of the facilities in the future.
- (E) Usage Fees: Council, by motion, shall establish a schedule of fees for the use of the facilities, which fees are subject to change from time to time, by motion of Council.
- (F) Damages to Facility: Renter agrees to pay for repair of all damages and breakage and replacement cost for lost or destroyed equipment. The Village cannot be held responsible for any lost or stolen items. This includes items left outside OR inside.
- (G) Decorations: Decorating of facilities is allowed; however, must be cleaned up properly including the removal of any tape, staples, push-pins, etc.
- (H) When clearly inappropriate, these regulations shall not be applicable to a concessionaire, permittee, or other person under contract with the Village who is acting within the scope of the contract or permit.
- (I) Unless otherwise directed by the Mayor, Village Administrator, Park Committee, or Chairman, all Village parks shall be open for the enjoyment of the public daily from dawn to dusk (seasonally) except for supervised groups having authorization from the Mayor.
- (J) It shall be unlawful within any Village park to publicly solicit unauthorized subscriptions, engage in selling, offering for sale any item, service, labor and perform any gainful occupation, service, or labor for another.
- (K) It shall be unlawful to leave, throw, or drain upon the land or waters of any park any garbage, rubbish, trash, junk paper, can, bottle, or other offensive debris or substance. Whenever any renter fails to remove all trash or causes any damage to the pavilion or surrounding grounds, the Village reserves the right to refuse to rent to that person, organization or corporation in the future. Such failure will also result in loss of deposit.
- (L) It shall be unlawful to climb or walk upon any picnic table; to climb fences or

buildings or to use any park facility or play equipment in a manner beyond its safe capacity or intended use.

- (M) It shall be unlawful to establish or maintain any camp trailer within any Village park or to be present after closing hours without written permission from the Mayor. Application for any temporary camping trailer permit must be submitted to the Mayor at least two weeks in advance.
- (N) It shall be unlawful to build or maintain a fire in any Village park except for grills, receptacles, or fireplaces provided by the Village for that purpose.
- (O) Any animal brought into any Village park shall be under the complete control of its owner or handler at all times by leash or other reasonable tether. It is the responsibility of the handler to clean up and properly dispose of any waste generated by the animal.
- (P) It shall be unlawful to remove, destroy, damage, or deface any public or utility property or sign posted by the Village, or to enter upon any place which has been posted "No Admittance" or "Keep Out" or other similar warning.
- (Q) It shall be unlawful to operate a motor vehicle within any park at a speed in excess of 15 m.p.h.

5. THAT Section 96.05 of the PCO is added to and amends the PCO and reads as follows:

§ 96.05 PENALTY.

Whoever violates any regulation contained in Section 96.04 shall be guilty of a minor misdemeanor and upon a second or subsequent conviction within one year of the first, a misdemeanor of the fourth degree.

6. THAT the original Sections 96.01, 96.02 and 96.03 of the PCO are repealed.

7. THAT it is hereby determined that this Ordinance is an emergency measure necessary for the preservation of the public peace, health, safety and welfare of the residents of this Village and for the further reason that there is an immediate need to update the Village Park Regulations for the 2019 park usage season, and this Ordinance shall therefore go into immediate effect provided it receives a two-thirds (2/3) vote of all members elected to this Council, otherwise it shall go into effect in thirty (30) days if passed by a majority vote of Council.

PASSED: September 10, 2019

Timothy Reckelen
Mayor

ATTEST: Doreen Cameron
Village Fiscal Officer

September 10, 2019
Date

APPROVED AS TO FORM:

Jon K. Burton
Jon K. Burton, Solicitor