

Rules—Montgomery County Public Works Department Park Rules & Regulations

PARK RULES AND REGULATIONS OF MONTGOMERY COUNTY PUBLIC WORKS DEPARTMENT

SECTION 1. AUTHORITY

The following Rules and Regulations have been adopted pursuant to Section 301.26 of the Ohio Revised Code in order to improve, operate, and protect parks, parkways, and forests, and provide an agency for their administration.

SECTION 2. DEFINITIONS

- a) *Department* shall mean the Montgomery County Public Works Department.
- b) *Park* shall mean any land or water area owned, leased, or otherwise controlled by the Montgomery County Public Works Department which are used for recreational activities.
- c) *Board* shall mean the Board of County Commissioners of Montgomery County.
- d) *Director* shall mean the Director of the Montgomery County Public Works Department.
- e) *Law Enforcement Agent* shall mean a security officer contracted by the Department to enforce these Rules and Regulations, and every law enforcement officer of the State of Ohio or of any political subdivision thereof, including but not limited to, state highway patrolmen, sheriffs, deputy sheriffs, constables, conservancy district employees qualified under Section 2901.01 of the Ohio Revised Code, and Division of Wildlife game protectors.
- f) *Person* shall mean any individual, company, partnership, corporation, or association, or any combination of individuals, or any employee, agent or officer thereof.
- g) *Park waters* shall mean any lake, pond, reservoir, stream, channel, lagoon, or other body of water, or thereof, whether natural or artificial, located in or adjoining a park.
- h) *Fish or fishing* shall mean taking or attempting to take fish by any method, and all other acts such as placing, setting, drawing, or using any device commonly used to take fish whether resulting in such taking or not.
- i) *Animal or animals* shall mean quadrupeds, dog, bird, fish, reptiles, amphibians, and insects.
- j) *Motor vehicle* shall mean any vehicle propelled or drawn by power other than muscular.
- k) *Vehicle* shall mean everything on wheels.
- l) *Motorboat* shall mean any watercraft propelled by any mechanical device, electric motor, or internal combustion engine.

SECTION 3. REMOVAL OR DESTRUCTION OF PROPERTY AND NATURAL FEATURES

- a) No person shall remove any property from a park which is owned, leased, or otherwise controlled by the Department without written authorization from the Director.
- b) No person in a park shall write upon, cut, mutilate, deface, or damage in any manner any building, equipment, or other property which is owned, leased, or otherwise controlled by the Department.
- c) No person in a park shall dig, move, or carry away any rock, stone, sod, sand, earth, tree, wood, shrub, plant, flower, nut or other seed except with written authorization from the Director.
- d) No person in a park shall trample upon, injure, destroy, break, cut, chop or deface in any manner any stone, tree, wood, shrub, plant or flower.

- e) No person in a park shall install or plant any material except with written authorization from the Director.
- f) No person in a park shall climb or rappel any rock escarpment or other natural feature.
- g) No person in a park shall walk or ride any vehicle off of any designated hiking or walking trail or designated recreational area except with written authorization from the Director.

SECTION 4. DEPOSIT OF MATERIAL

- a) No person shall bring into a park any trash materials, garbage, ashes, or other noxious waste material.
- b) No person in a park shall deposit or discard, intentionally or unintentionally, any trash materials, garbage, ashes or other noxious or waste materials, other than in receptacles provided for the disposal of such materials.
- c) No person shall deposit or discard or cause to be discarded, intentionally or unintentionally, adjacent to a park any paper, garbage, ashes, refuse, or noxious or waste material which may blow, wash, or be transported by any other means into a park.
- d) No person in a park shall discharge, throw, drop, or cause to flow into any park waters any noxious or deleterious substance, either solid or liquid, which may render park waters harmful or inimical to the public health or to animal life.

SECTION 5. PROTECTION OF ANIMALS: HUNTING AND FISHING

- a) No person in a park shall hunt, trap or any other way abuse, molest, injure, pursue, or destroy any animal or animal habitation or move, injure or destroy any bird nest or egg.
- b) No person in a park shall fish in park waters at a time or in a manner, prohibited by Chapter 1533 of the Ohio Revised Code as now in effect or as hereafter amended.
- c) No person in a park shall fish in park waters in violation of any sign or signs prohibiting fishing or a manner thereof.
- d) No person in a park shall fish in park waters where a fee for such fishing is charged by the Department without paying such a fee.
- e) No person in a park shall have in his/her possession an animal of any kind unless the animal is controlled by a leash or lead (leash/lead not to exceed a maximum of 8 feet in length) or unless the animal is kept in a vehicle or suitably caged.
- f) No person in a park shall abandon an animal.
- g) No person in a park shall have in their possession or shoot a crossbow.

SECTION 6. PERSONAL CONDUCT

- a) No person in or adjacent to a park shall conduct himself by word or by act, in a riotous, disorderly, boisterous, threatening, or other manner so as to disturb the peace and good order in a park.
- b) No person in or adjacent to a park shall operate or play a radio, television, musical instrument, or amplifying or sound equipment so as to disturb the peace and good order, except with written authorization from the Director.
- c) No person in a park shall solicit or procure participants for, engage in, or promote any game which is played for money or other thing of value except with written authorization from the Director.

- d) No person in a park shall use insulting, abusive, threatening, profane, or indecent language.
- e) No person in a park shall loiter in the vicinity of a restroom, and no person shall enter a restroom facility provided for the exclusive use of the opposite sex.
- f) No person shall loiter in or adjacent to any park lands or facilities. No person shall sit upon, stand around, or otherwise loiter within twenty (20) feet of the exterior of any parked vehicle.
- g) No person in a park shall resist, obstruct, or abuse a law enforcement agent while such law enforcement agent is engaged in the lawful execution of his/her duties.
- h) No person in a park shall willfully assault or commit bodily injury upon another, or engage in, abet or aid in any fight, quarrel, or other disturbance.
- i) No persons or groups of persons shall assemble in or adjacent to a park for any unlawful purpose, or in riotous assemblage, or with intent to annoy, harass, or inflict property damage or bodily injury upon another person, or inflict damage to a park.
- j) No person in a park shall solicit or attempt to solicit to engage in an act of sex perversion, or solicit or request another to commit, perform, or engage in any lewd, lascivious, obscene, or indecent act or behavior.
- k) No person in a park shall appear in a state of nudity, or in attire normally worn only by the opposite sex, or make any indecent exposure of his or her person.
- l) No person in a park shall sell or offer for sale any intoxicating liquor or alcoholic beverage, except with written authorization from the Director.
- m) No person in a park shall be intoxicated or be under the influence of any intoxicating liquor or alcoholic beverage.
- n) No person in a park shall possess, sell, or offer for sale any type of narcotic, drug, opiate, or hallucinogen, or any equipment for administering such narcotics, drugs, opiates or hallucinogens.
- o) No person in a park shall smoke, drink, have injected or inject into himself, or otherwise use any type of narcotic, drug, opiate, or hallucinogen.
- p) No person in a park shall be under the influence of any type of narcotic, drug, opiate, or hallucinogen.
- q) No person in a park shall consume, possess, or display the presence of any alcoholic beverage in a park, except within a reserved building or area and with written authorization from the Director. For the purpose of this Section, the term "alcoholic beverages" shall mean beer and/or intoxicating liquor as defined in Section 4301.01 of the Ohio Revised Code, and the term "reserved building or area" shall mean a building or area within a park the use of which, pursuant to written authorization from the Director, has been temporarily reserved by a person or persons to the exclusion of the general public.

SECTION 7. FIRES

- a) No person in a park shall start or maintain a fire except in a place or at a site designated for that purpose, and such a fire must be properly contained and extinguished before leaving.

- b) No person in a park shall collect wood in a park for any purpose, except with written authorization from the Director.
- c) No person in a park shall place portable stoves or grills in shelters or on picnic tables.
- d) No person in a park shall deposit burning material or hot ashes on grass or plants, or in refuse receptacles.
- e) No person in a park shall build a fire at a time or period when the Director has prohibited the building of fires.

SECTION 8. CAMPING

- a) No person in a park shall establish or maintain any camp or other temporary lodging or sleeping place without written authorization from the Director.

SECTION 9. FIREARMS AND WEAPONS

- a) No person in a park, except law enforcement agents, shall carry on or about their person firearms of any description, knives, bows and arrows, crossbows, air or gas guns, missiles, boomerangs, slingshots or other missile-throwing devices, or other dangerous weapons or devices; provided, however, that bows and arrows may be carried in areas designated by the Director for their use.
- b) No person, except law enforcement agents, shall discharge into a park a firearm, arrow, air or gas gun, missile, slingshot or other missile-throwing device, or any other dangerous weapons or devices; provided, however, that arrows may be shot in areas designated by the Director for their use.
- c) Firearms, bows and arrows, crossbows, knives, air and gas guns, missiles, slingshots and other missile-throwing devices, snares and traps, and other dangerous weapons and devices brought into a park may be confiscated by law enforcement agents.

SECTION 10. COMMERCIAL ACTIVITIES

- a) No person in a park shall sell or offer for sale any article, privilege, or service, except with written authorization from the Director.
- b) No person in a park shall beg, peddle or solicit for money, a privilege or a service.
- c) No park shall be used for commercial purposes, except with written authorization from the Director.

SECTION 11. ERECTING AND ATTACHING SIGNS

- a) No person in a park shall erect a sign or attach a sign to property owned or controlled by the Department, nor shall any person display any placard, notice, advertisement, circular, banner, or statement of any kind, except in areas designated by the Director, other than a permanent sign on a vehicle.

SECTION 12. HORSES

- a) Horses are not permitted in a park, unless authorized by the Director.

SECTION 13. HOURS OF USE

- a) No person shall enter a park or remain in a park before or after posted hours of operation, except with written authorization from the Director.
- b) *Park's Operating Hours:*

*April 1 through October 31 – 7:30 a.m. to dark (exceptions are Art Van Atta 7:30 a.m. to Midnight for softball)
November 1 through March 31 – 7:30 a.m. to 3:30 p.m. (weather permitting)*

SECTION 14. BOATING

- a) No person in a park shall operate a boat or watercraft on any park water, except that designated by the Director.
- b) All watercraft and operators shall comply with the requirements of Sections 1547 and 1548 of the Ohio Revised Code when using any park waters under the jurisdiction of the Department.
- c) No person in a park under sixteen years of age shall operate any watercraft upon park waters unless such a person is under the direct visual and audible supervision during such operation of person over the age of sixteen years.
- d) No person in a park shall operate a watercraft on park waters in such a manner as to endanger the operator or any other person, or any property.

SECTION 15. FIREWORKS AND EXPLOSIVES

- a) No person in a park shall have in their possession or ignite or detonate any fireworks or explosives, except with written authorization from the Director.

SECTION 16. TRAFFIC

- a) All motor vehicles and operators shall comply with the requirements of all Sections of the Ohio Revised Code pertaining to motor vehicles and operators, while using Department roads.
- b) **Driving in Permitted Areas.** No person in a park shall operate a vehicle except on roads provided for such vehicles.
- c) **Reckless Operation.** No person in a park shall operate a vehicle in such a manner as to endanger the operator or any other person, or any property.
- d) **Barricades.** No person in a park shall drive around, cause to be moved, or damage any barricade or barrier so placed to temporarily or permanently close a road or an area to traffic.
- e) **Speed.** No person in a park shall operate a vehicle in excess of the posted speed limit.
- f) **Parking.** No person in a park shall park any vehicle except in places designated for this purpose.
- g) **After-Hours Parking.** No person shall leave a vehicle in a park before or after a park's hours of operation as posted.
- h) **One-Way Roads.** No person in a park shall drive a vehicle on a road or path in a direction other than that indicated by traffic signs.
- i) **Trucks.** No person in a park shall drive a truck, tractor, or other vehicle which is being used for the transportation of goods or materials, over any park road authorization from the Director.
- j) **Safety and Load Limits.** No person in a park shall operate a vehicle when such vehicle fails to comply with the equipment load restrictions contained in Section 4513.01 to 4513.34 inclusive, of the Ohio Revised Code, as now in effect or hereafter amended.
- k) **Impounding Vehicles.** Vehicles in a park in violation of these Park Rules and Regulations shall be removed or caused to

be removed by law enforcement agents to a location, in or outside of park, where the same may be kept until the owners or their authorized representatives obtain an order from the Director releasing such vehicles to the owners thereof or their authorized representatives.

- l) No person in a park shall consume any beer or intoxicating liquor while driving or parking a motor vehicle.
- m) No person in a park shall *intentionally* accelerate a motor vehicle causing the rubber tires to mark or deface park roadway surfaces.

SECTION 17. POWER MODELS AND TOY ENGINE UNITS

- a) No person in or adjacent to a park shall operate any engine-powered model or toy airplane, boat, car, siren, or other noise making device except with written authorization from the Director.

SECTION 18. ACTIVITIES PROHIBITED

- a) No person in a park shall operate all-terrain vehicles, air balloons, hang-gliders, ultra light air craft, hover crafts, skateboards, roller skates, or metal detectors without authorization of the Director.
- b) No person in a park shall engage in swimming, wading, snorkeling, jet skiing, or scuba diving in park waters without authorization of the Director.
- c) No person in a park shall operate a snowmobile, or engage in sledding, skiing or ice skating, except in areas and at times designated by the Director.
- d) No person shall participate in any golfing activities on any park land.

SECTION 19. EMPLOYEE EXEMPTION

- a) Acts of employees of the department, to the extent necessary for the performance of their authorized duties, shall be exempt from the provisions of these Rules and Regulations.
- b) The Director may designate a Department employee or employees to exercise any authority permitted him under these Rules and Regulations.

SECTION 20. EJECTION FROM PARK

- a) Law enforcement agents may order any person violating any of the provisions of these Rules and Regulations to leave a park, and no person shall fail to obey such an order.
- b) Any person repeatedly violating these Rules and Regulations may lose the privilege of entering a park for a period of time as designated by the Director.

SECTION 21. FINES

- a) Pursuant to Section 755.13 of the Ohio revised Code, any person who violates any provision of these rules and regulations shall be fined not more than one hundred dollars for a first offense, and not more than five hundred dollars for each subsequent offense.