

ORDINANCE NO. 2020-1020-27

AN ORDINANCE TO TEMPORARILY AMEND TOWN CODE
SECTION 15-6 RELATED TO PARK HOURS

WHEREAS, on March 10, 2020 the Governor of North Carolina declared a State of Emergency to coordinate protective actions to address the Coronavirus Disease 2019 (COVID-19) public health emergency; and

WHEREAS, to slow the community spread of COVID-19 certain recommendations have been made, including, but not limited to, wearing of a face covering, maintain at least 6 feet social distancing, and avoid large gatherings; and

WHEREAS, with the COVID-19 pandemic many people are trying to find safe outdoor activities to keep active and healthy; and

WHEREAS, the Town of Apex desires to extend its park operating hours to allow greater use of the Town parks while enabling visitors to maintain social distancing and avoid large gatherings.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF APEX AS FOLLOWS:

Section 1. That Section 15-6 of the Town of Apex Code of Ordinances is hereby temporarily amended as shown immediately below with deletions being shown by struck-through text and additions being shown by underlined text:

- (a) Parks shall be open to the public daily during the times specified in this section. These times may be extended to accommodate programs offered by the town at the direction of the director of parks, recreation and cultural resources. Provided, however, the director of parks, recreation and cultural resources may close one or more parks or recreational facilities temporarily at any time if in the director's judgment a sufficient reason exists on account of severe weather or other emergency that would endanger persons using these facilities.
- (1) *Salem Pond Park, Apex Jaycee Park and Hunter Street Park:*
March through October—7:00 a.m. until 10:00 p.m.
November through February—7:00 a.m. until ~~8:00~~ 10:00 p.m.
Provided, however, the Rogers Family Skate Plaza located within the Hunter Street Park shall be open year round, 24 hours a day. These extended hours shall apply exclusively to the Rogers Family Skate Plaza and no other areas of Hunter Street Park.
- (2) *Kelly Road Park:*
March through October—7:00 a.m. until 10:00 p.m.
November through February—7:00 a.m. until ~~8:00~~ 10:00 p.m.
- (3) *Apex Community Park:*
March through October—6:30 a.m. until 10:00 p.m.
November through February—6:30 a.m. until ~~8:00~~ 10:00 p.m.

Provided, however, that Apex Community Park shall be open for purposes of public boating pursuant to subsection 15-7(l) and fishing pursuant to subsection 15-7(q) on the pond therein from 6:30 a.m. until sunset, as defined by the National Weather Service, unless otherwise ordered by the director of parks, recreation and cultural resources.

- (4) *West Street Park, Claremont Park, Sue Helton Park, Kelly Glen Park and Seagrove's Farm Park:*

March through October—7:00 a.m. until 8:00 p.m.

November through February—7:00 a.m. until ~~6:00~~ 8:00p.m.

- (5) *Nature Park and Seymour Athletic Fields:*

March through October—6:30 a.m. until 10:00 p.m.

November through February—6:30 a.m. until ~~8:00~~ 10:00 p.m.

Section 2. The Town Clerk and/or Town Manager are hereby authorized to renumber, revise formatting, correct typographic errors, to verify and correct cross references, indexes and diagrams as necessary to codify, publish, and/or accomplish the provisions of this ordinance or future amendments as long as doing so does not alter the terms of this Ordinance.

Section 3. Severability, Conflict of Laws. If this ordinance or application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given separate effect and to the end the provisions of this ordinance are declared to be severable. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 4. Effective Date. This ordinance shall be effective upon adoption and expires on March 1, 2021.

Introduced by Council Member: _____

Seconded by Council Member: _____

This the 20th day of October 2020.

Jacques K. Gilbert
Mayor

ATTEST:

Donna B. Hosch, MMC, NCCMC
Town Clerk

APPROVED AS TO FORM:

Laurie L. Hohe
Town Attorney