

Ordinance No. _____

IT IS HEREBY ORDAINED BY THE MAYOR AND CITY COUNCIL OF CARTERSVILLE, GEORGIA THAT THE CITY OF CARTERSVILLE CODE OF ORDINANCES, CHAPTER 15 – PARKS AND RECREATION. ARTICLE I. – IN GENERAL., SEC. 15-4. HOURS OF USE OF PUBLIC PARKS IS HEREBY AMENDED BY DELETING SAID SECTION IN ITS ENTIRETY AND REPLACING AS LISTED BELOW; SEC. 15-5. PLAYING OR PRACTICING GOLF OR DRIVING GOLF BALLS IS HEREBY AMENDED BY DELETING SAID SECTION IN ITS ENTIRETY AND REPLACING AS LISTED BELOW; AND SEC. 15-6. THROWING MISSILES IS HEREBY AMENDED BY DELETING SAID SECTION IN ITS ENTIRETY AND REPLACING AS LISTED BELOW:

1.

Sec. 15-4. Hours for public parking.

- (a) It shall be unlawful for any person to be or to park any vehicle in any public park of the city or upon any roadway or parking lot in any public park between the hours of 12:00 a.m. and 5:00 a.m. daily without permission from the parks and recreation department.
- (b) Subsection (a) shall not apply to thoroughfares that are part of the system of streets and highways of the city.

2.

Sec. 15-5. - Additional Rules and regulations for parks owned and operated by city.

(a) *Adopted.* There shall be a set of rules and regulations developed to set standards of conduct in the parks and recreational facilities owned or operated by the City of Cartersville. These rules shall be designed to assure the safety and enjoyment of park participants in addition to all other rules and ordinances adopted by the City of Cartersville.

- (1) No person shall serve, consume, or transport in open containers any alcoholic beverage within a city park or recreation facility except in designated event venues during city sponsored festivals. For purposes of this section, the department of parks and recreation shall define "event venue" for each such event.
- (2) It shall be unlawful for any person to use tobacco products within a city park. Examples of tobacco products include, but are not limited to, cigarettes, e-cigarettes, cigars, chewing tobacco, snuff, pipes, etc.
- (3) The use of bicycles on sidewalks and trails is prohibited within city parks, except as follows:
 - a. Bicycles, including class 1 and 2 electric bicycles, may be used at a maximum speed of 15 miles per hour on the Etowah River Walk, Pine Mountain Recreation Area, and Pettit Creek Trail marked roads, driveways, or parking areas.

- b. Children under the age of six may use bikes with training wheels on park trails, when accompanied by an adult.
- (4) The use of skateboards is prohibited in city parks except in areas expressly designated for the use of skateboards.
- a. Designated areas will be posted with proper signage.
- (5) Park hours are set according to park categories and are posted at each park. Park categories and a listing of all park hours can be found on the City of Cartersville's website. Park categories and their normal respective park hours are also provided below:
- a. Active parks: 6:00 a.m. to 11:00 p.m., during Spring, Summer, and Fall, and 6:00 a.m. to 10:00 p.m. during Winter; or as may otherwise be posted or changed by the Parks and Recreation Director.
 - b. Etowah River Walk, Pine Mountain Recreation Area, Pettit Creek Trail, Dellinger Park Vita Course, and Cartersville Sports Complex Walking Trail: Dawn to dusk.
 - c. Neighborhood parks: Dawn to dusk.
 - d. Downtown parks: Dawn to midnight.
- (6) Littering, vandalism, and the damage or removal of city property is prohibited.
- (7) All pets must be on-leash and under physical control at all times, except at designated off-leash areas. Additionally, park guests must adhere to the following:
- a. No pets or animals are allowed on athletic fields;
 - b. Animals are prohibited inside buildings, in city swimming areas, the areas inside fencing around pools, and in concession and restroom facilities at swimming pools;
 - c. This section does not prohibit persons with disabilities from bringing service animals as defined under the Americans with Disabilities Act (ADA) into any such areas or into any city park or area owned or operated by the city for recreational purposes;
 - d. Any person owning, keeping, possessing or harboring any dog or cat shall promptly remove and dispose of all feces left by the dog or cat on any public parks, and recreation facilities, except in forest areas, not including trails and improved property; and
 - e. Any person, firm or corporation violating any provision of this article shall be fined not less than fifty dollars (\$50.00) nor more than one hundred dollars (\$100.00) for each offense.

- (8) All organized programs and activities must be approved by the city.
- a. Organized assemblies or groups of 25 or more persons are prohibited, unless approved by prior issuance of a permit by the Parks and Recreation Director.
 - b. When using an athletic field, a group of ten or more persons and private instruction require prior issuance of a permit by the Parks and Recreation Director.
- (9) It shall be unlawful for any person to build or maintain a fire in any park, except in city-provided pavilion grills.
- (10) The following are prohibited, except by permit issued by the city:
- a. Hunting;
 - b. Camping, urban camping, and/or tents;
 - c. Open fires, fireworks, and/or explosives;
 - d. Golfing, including practice driving, chipping, and putting;
 - e. Archery;
 - f. Soliciting, vending, peddling, or selling;
 - g. Cutting of trees, shrubs, or other plantings;
 - h. Removal or attachments of any kind to trees, plants, or structures;
 - i. Public address systems, loudspeakers, or amplifying devices, except City owned;
 - j. Overnight parking;
 - k. ***Drones***, unmanned aerial vehicles, rockets, or model aircraft;
 - l. ***Paramotors, and paragliders***, *whether powered or non-powered*;
 - m. Inflatables;
 - n. Petting zoos;
 - o. Metal detecting;
 - p. Construction of any structure (temporary or permanent); or
 - q. Throwing bottles, cans, stones, sticks or other missiles.
- (11) Disorderly conduct is not permitted in any city park or any other area owned or operated by the city for recreation purposes. For purposes of this section, disorderly conduct includes any conduct or behavior tending to a breach of the public peace, such as, but not limited to:
- a. Engaging in fighting or threatening, violent or tumultuous behavior;
 - b. Jostling or roughly crowding persons unnecessarily;
 - c. Creating a hazardous condition by any act which serves no legitimate purpose;
 - d. Causing or risking public inconvenience, annoyance or alarm; or
 - e. Making an obscene communication or display.
- (b) *City of Cartersville Trail System and designated parks.* For all purposes of this section, the City of Cartersville Trail System including, but not limited to: Etowah River Walk, Pine Mountain Recreation Area, Pettit Creek Trail, Dellinger Park Vita Course, and Cartersville Sports Complex Walking Trail shall be deemed as a park.

(c) *Enforcement.*

- (1) All city law enforcement officers, city officials, and other city officers are authorized, empowered, and directed to enforce compliance with this section.
- (2) Nothing in this section shall prevent the enforcement of city ordinances and regulations or state statutes or codes in any park or recreation facility owned or operated by the city.
- (3) Any person who violates any provision of this article shall be guilty of a misdemeanor and, upon conviction, shall be fined according to the penalties described in section 1-6, or sentenced to community service pursuant to Sec. 1-6.

(d) *Public notification.*

- (1) The Parks and Recreation Director shall reproduce the rules in a format suitable for public distribution. Such copies of the park rules and regulations shall be available to the public at all city recreation buildings and other city locations, as deemed necessary by the Parks and Recreation Director.
- (2) The Public Works Director shall have the rules and regulations reproduced on all-weather signs and shall post the signs in the city's parks. Locations of such signs shall be determined by the Parks and Recreation Director and shall be placed in plain public view.

3.

Sec. 15-6. – Reserved.

4.

It is the intention of the city council and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of Ordinances, City of Cartersville, Georgia, and the sections of this ordinance may be renumbered to accomplish such intention.

BE IT AND IT IS HEREBY ORDAINED

FIRST READING: _____

SECOND READING: _____

MATTHEW J. SANTINI, MAYOR

ATTEST: _____

JULIA DRAKE, CITY CLERK