

ORDINANCE _____

ORDINANCE TO AMEND CHAPTER 28 OF THE CODE OF THE CITY OF LAWRENCEVILLE, GEORGIA RELATED TO PARKS AND RECREATION TO UPDATE PROVISIONS RELATED TO PARKS AND RECREATION AND FOR OTHER PURPOSES

The City Council of the City of Lawrenceville, Georgia hereby ordains that the Code of the City of Lawrenceville, Georgia shall be amended as follows:

Section 1:

That Sec. 28-1, related to Definitions, is hereby amended by deleting the definition of Director and replacing the language to read as follows:

Sec. 28-1. Definitions.

Director means either the City Manager or the Director of the Gwinnett County Department of Community Services. In the case of park facilities owned and operated by the City, the term "Director" means the City Manager. In the case of park facilities owned or operated by Gwinnett County, such as the Historic Courthouse and Rhodes Jordan Park, the term "Director" means the Director of the Gwinnett County Department of Community Services or authorized designee.

Section 2:

That Sec. 28-2, related to Enforcement of chapter, is hereby amended by deleting Sec. 28-2 in its entirety and replacing the language to read as follows:

Sec. 28-2. Enforcement of chapter.

This chapter shall be enforced by any authorized law enforcement officer of the city, any official appointee of the Lawrenceville Police Department, or any Gwinnett County law enforcement officer unless otherwise stated. Where there has been a violation of any provisions of this chapter, the law enforcement officer in his discretion may issue a citation, warning and/or order the person to leave the park or recreation area.

Section 3:

That Sec. 28-34, related to Possession, use or consumption of alcoholic beverages, is hereby amended by deleting Sec. 28-34 in its entirety and replacing the language to read as follows:

Sec. 28-34. Possession, use, or consumption of alcoholic beverages.

It shall be unlawful for any person to possess, use, sell, or consume any alcoholic beverage in a park or recreation facility, other than, an indoor publicly-owned civic and cultural center or when approved, by permit, in the entertainment district, at the Lawrenceville Lawn, Gwinnett Historic Courthouse, Lawrenceville Female Seminary, Bicentennial Plaza, Isaac Adair House and Preservation Lawn, or other City of Lawrenceville owned property.

Section 4:

That Sec. 28-35, related to Vehicles restricted, is hereby amended by deleting Sec. 28-35 in its entirety and replacing the language to read as follows:

Sec. 28-35. Vehicles restricted.

It shall be unlawful for any person to drive any unauthorized vehicle in a park or recreation facility except upon designated roadways and parking areas maintained for vehicular traffic. Approved personal mobility devices for those persons with disabilities are allowed on pedestrian trails and walkways or when permitted and approved by the director. Law enforcement, other public safety officials, and city or county parks and recreation employees whose duties require them to drive maintenance vehicles and equipment shall be exempt from the limitations set forth in this section. All persons operating any vehicle in a park or recreation facility upon roadways designated and maintained for vehicular traffic must operate such vehicle in a safe manner and must obey all posted speed limits and traffic signs. It shall be a violation of this article for any person to operate any vehicle in a park and/or recreation facility at an excessive speed, in a reckless and unsafe manner, or in violation of posted traffic signs.

Section 5:

That Sec. 28-36, related to Parking restricted, is hereby amended by deleting Sec. 28-36 in its entirety and replacing the language to read as follows:

Sec. 28-36. Parking restricted.

It shall be unlawful to park a vehicle in a park or recreation facility except in those areas designated by the appropriate signs as vehicle parking areas or in marked parking spaces. It shall be unlawful to leave a vehicle standing or parked in a park or recreation facility during hours when the park or recreation facility is closed or during overnight hours from 11:00 pm to 7:00 am. It is unlawful for any person to park a vehicle in a parking space or location designated for handicapped parking unless the vehicle properly displays a handicapped parking permit. In all such instances, the vehicle may be towed and impounded from the park or recreation facility at the owner's expense.

Section 6:

That subsection (b)(2) of Sec. 28-43, relating to Dog park rules, is hereby amended by deleting subsection (b)(2) in its entirety and replacing the language to read as follows:

Sec. 28-43. Animals.

(b) *Dog park rules.*

- (2) The following are prohibited in the dog park and will subject a dog to removal from the park and will subject the dog owner and/or handler to the issuance of a warning or citation from an animal control officer.
 - a. A dog who appears to be aggressive, sick, injured, in heat, or has or appears to have a contagious health condition. All dogs must be current on vaccinations.
 - b. A dog who is exhibiting aggressive behavior as described herein in section 28-43(a)(3) toward a person or other dog;
 - c. A dog who while unprovoked, has inflicted any physical injury on a person or another dog while in the dog park, or while in the larger park wherein the dog park is contained;
 - d. A dog wearing one or any combination of the following collars: spiked, choke or pronged;
 - e. Any dog on a leash that is longer than six feet in length or on a retractable leash;
 - f. A dog that is in heat;
 - g. A dog that is less than four months old;
 - h. Dog treats or any type of food;
 - i. Dog toys or any type of toys;
 - j. Vehicles or bicycles;
 - k. Smoking, food, and glass containers;
 - l. Excessive barking such that another user of the dog park complains to the park staff or to an Animal Control Officer, or if witnessed by an Animal Control Officer without any such complaint;
 - m. Digging holes;
 - n. Any animal other than a dog;

- o. Any child under the age of ten years.

Section 7:

That subsection (b)(8) of Sec. 28-43, relating to Dog park rules, is hereby amended by deleting subsection (b)(8) in its entirety and replacing the language to read as follows:

Sec. 28-43. Animals.

(b) *Dog park rules.*

- (8) The City, including its agents, officials, and employees, shall not be liable for any injuries sustained by any dog or person in the use of any dog park. All persons and dogs enter and use the dog park at their own risk. Agility components are for dogs only.

Section 8:

That subsection (b)(9) of Sec. 28-43, relating to Dog park rules, is hereby amended by deleting subsection (b)(9) in its entirety and replacing the language to read as follows:

Sec. 28-43. Animals.

(b) *Dog park rules.*

- (9) All owners must supervise their dog(s) at all times and must properly dispose of their dog's waste.

Section 9:

Except as specifically amended as set forth above, all other sections, subsections, sub-subsections, etc. of Chapter 28 shall remain materially unchanged and in full force and effect.

Section 10:

All ordinances, regulations, or parts of the same in conflict with this Ordinance are hereby rescinded to the extent of said conflict and only to the extent of said conflict.

Section 11:

If any section, article, paragraph, sentence, clause, phrase, or word in this ordinance or application thereof to any person circumstance is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this

ordinance; and the City Council hereby declare it would have passed such remaining portions of the ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

Section 12:

This ordinance shall become effective upon its adoption by the City Council.

IT IS SO ORDAINED this _____ day of February, 2025.

David R. Still, Mayor

Attest:

Karen Pierce, City Clerk