

CHAPTER 563
Park Conduct

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CROSS REFERENCES

Destruction of trees, shrubs, etc. - see Ohio R.C. 901.51;
GEN. OFF. 541.06

Department of Parks and Recreation - see ADM. Ch. 151

Disorderly conduct; intoxication - see GEN. OFF. 509.03

Littering - see GEN. OFF. 521.08

Weapons, explosives and fireworks - see GEN. OFF. Ch. 549

563.01 DEFINITIONS.

As used in this chapter, certain terms shall have the following meanings:

- (a) "Park" means any public land controlled or operated by the **DEPARTMENT OF Parks and Recreation** Department of the City, with the exception of public land holding a State liquor license.
- (b) "Director" means the Director of Parks and Recreation.
- (c) "Department" means the Gahanna **DEPARTMENT OF Parks and Recreation** Department
- (d) "Commission" **"BOARD"** means the Gahanna Parks and Recreation Commission.

BOARD

E) “SMOKING” MEANS INHALING, EXHALING, BURNING, OR CARRYING ANY LIGHTED CIGAR, CIGARETTE, PIPE, OR OTHER LIGHTED SMOKING DEVICE FOR BURNING TOBACCO OR ANY OTHER PLANT AND ELECTRONIC SMOKING DEVICES (ESD), SUCH AS E-CIGARETTES AND VAPE PENS.

(Ord. 6-84. Passed 2-7-84.)

563.02 DEFACEMENT, DESTRUCTION, REMOVAL OR DISTURBANCE.

(a) Property or Equipment. No person shall cut, injure, deface, destroy, disturb or remove any part of the park or building, sign, equipment or other property found therein.

(b) Natural Features. No person shall cut, injure, deface, destroy, disturb or remove any tree, flower, shrub or other vegetation, or fruit or seed thereof, nor shall any rock or mineral be removed, injured, destroyed or disturbed.

(Ord. 6-84. Passed 2-7-84.)

563.03 USE OF NATURE TRAILS AND OPEN AREAS.

No person shall leave the official or improved trails or open areas while such person is within the boundaries of the park, unless written special permission is obtained from the Director.

(Ord. 6-84. Passed 2-7-84.)

563.04 LITTERING; DUMPING.

No person, without the specific written consent of the Director, shall bring into, leave behind or dump any material of any kind in the parks except the refuse, ashes, garbage and other material of a picnic, camp or other permitted activity, and such material shall be deposited in receptacles or pits provided for such purposes.

(Ord. 6-84. Passed 2-7-84.)

563.05 FIREARMS; WEAPONS.

(a) No person, other than law enforcement officers, shall discharge a firearm of any description into or over a park.

(b) No person, other than law enforcement officers, shall bring into a park a firearm of any description. This section does not apply to bringing into a park a firearm as defined in R.C. § 2923.11 or those who possess a valid Concealed Handgun License (CHL) as defined in Ohio R.C. 2923.125 or restrict or otherwise nullify the duties of a licensed individual as defined in Ohio R.C. 2923.126, and nothing in this section shall be construed as a limitation on an individual's right to keep and bear arms under federal or state law.

(c) No person, other than law enforcement officers, shall carry an air or gas gun, bow, crossbow, fireworks, explosive device, or other missile-throwing substances into or over a park, or bring into a park any switchblade, or hunting knife, dagger, metal knuckles, slingshot, or other dangerous weapon.

(d) Sections (a), (b), or (c) do not apply to individuals participating in a permitted or sponsored event by the City who use firearms, air or gas guns, bows, arrows, and crossbows in accordance with such event.

(Ord. 0034-17. Passed 6-5-17)

563.06 DISORDERLY CONDUCT.

No person shall cause a public address device, radio, phonograph, tape recorder or musical instrument to be used in the parks at a volume audible beyond his immediate area.

(Ord. 6-84. Passed 2-7-84.)

563.07 SPECIAL EVENTS.

(a) No individual or organization shall conduct, sponsor or promote any special event, public meeting, concert, theater, athletic event or other public activity in the parks without prior authorization by the Director.

(b) No event or activity sponsored or promoted by an individual or organization shall be permitted if, in the opinion of the Director or ~~Commission~~ **BOARD**:

- (1) It will constitute hazards and dangers to the personal safety of the participants or other park visitors.
- (2) Endangers peace and good order in the parks.
- (3) Interferes with the regular and normal use of the facilities and activities by park visitors.
- (4) Is inconsistent with the use of the parks for park purposes.

(Ord. 6-84. Passed 2-7-84.)

563.08 INTOXICANT AND CHANCE

No person shall play at games of chance, consume or display the presence of beer, wine, malt liquor, malt beverage, intoxicating liquor or liquor in any park without prior authorization by the director under conditions deemed appropriate. (Ord. 0087-2009. Passed 5-4-09)

563.09 ABUSIVE LANGUAGE, CONDUCT.

No person shall use obscene, profane, or abusive language, or engage in any conduct that interferes with the peace or good order of the people within the park.

(Ord. 6-84. Passed 2-7-84.)

563.10 SOLICITING; UNLAWFUL SALES.

No person shall sell, offer or solicit for sale any goods or merchandise without a written permit from the Director.

(Ord. 6-84. Passed 2-7-84.)

563.11 ENTERING TOILET FACILITIES.

No person except park maintenance employees on duty shall enter a toilet room set aside for the opposite sex.

(Ord. 6-84. Passed 2-7-84.)

563.12 ADVERTISING; SIGNS.

No person shall expose, distribute, or place any sign, advertisement, circular, notice or statement or display any banner, emblem, or design within the parks without a specific permit from the Director.

(Ord. 6-84. Passed 2-7-84.)

563.13 ORDERS BY EMPLOYEES; COMPLIANCE.

(a) **DEPARTMENT OF Parks and & Recreation Department** employees are authorized to issue reasonable orders or directives to park visitors when, in their opinion, an activity being conducted by the visitor constitutes a hazard, endangers the personal safety of the participant or other park visitors, or endangers peace and good order in the parks.

(b) No person shall refuse to comply with any reasonable order or directive given in the performance of duty by any authorized agent of the **DEPARTMENT OF Parks and & Recreation Department**; nor shall any person commit a nuisance or obstruction or use abusive, profane or insulting language toward such employee of the **DEPARTMENT OF Parks and & Recreation Department**; and upon continued disregard of such lawful order, directive or prohibition, such person may be ejected from the park.

(Ord. 6-84. Passed 2-7-84.)

563.14 CAMPS AND CAMPING.

No person shall establish or maintain any camp or other temporary lodging or sleeping place within the park without a specific written permit from the Director.

(Ord. 6-84. Passed 2-7-84.)

563.15 FIRES.

No person shall start a fire in the parks except small fires for cooking in park grills or privately owned grills, or fires in the areas approved by the Director.

(Ord. 6-84. Passed 2-7-84.)

563.16 HOURS OF OPERATION.

(a) *Hours Closed.* No person shall be permitted to enter, remain, stop or park within the confines of a park or any other open space under the jurisdiction of the Department of Parks and & Recreation one-half hour after sunset to one-half hour before sunrise except as listed below.

(b) *Exceptions.*

- (1) Lighted facilities at Academy Park, ~~McCorkle Park~~, Friendship Park and Creekside Island will close at 11:00 p.m. and re-open one-half hour before sunrise.
 - (2) Creekside Park & Plaza will close at 11:00 p.m. for events and permitted park use. The grounds of the park may be used for egress by visitors from the Creekside complex businesses until 3:30 a.m. The park will re-open for all purposes one-half hour before sunrise.
 - (3) Persons participating in a scheduled Department of Parks ~~and~~ & Recreation Program or members of groups who have reserved facilities beyond normal operating hours are permitted in the parks after the closing hours stated in subsection (a) hereof. Parks are to remain open beyond hours stated for special events upon the authorization of the Director of the Department of Parks ~~and~~ & Recreation.
- (c) *Special Closing of Areas.* No person shall be permitted to remain, stop or park within areas of the parks which have been closed by the Director or other officials of the Department of Parks ~~and~~ & Recreation.
- (Ord. 0045-2008. Passed 3-3-08.)

563.17 HUNTING, TRAPPING, COLLECTING OR MOLESTING WILDLIFE.

No person shall hunt, collect, pursue in any manner, trap or in any other way molest any wild bird or other animal found within the confines of the parks, rob or molest any nest or den, or take or handle the eggs or young of any bird or other animal.

(Ord. 6-84. Passed 2-7-84.)

563.18 FISHING.

In all park creeks fishing shall be permitted subject to the statutes of the State. Fishing at any City owned park pond will be catch and release only except for special programming authorized by the Director ~~of Parks and Recreation~~.

(Ord. 0120-2014. Passed 9-15-14.)

563.19 PETS.

No person shall bring into the parks any pets except dogs or cats. Dogs and cats are permitted only in the open areas, parking areas, and roadways and shall be controlled at all times on a leash not more than six feet long. The Director ~~of Parks and Recreation~~, with the approval of the Parks Board, may designate certain areas of any park as animal free zones. These zones may be permanent, for specified periods of time, or for special events. Said areas will be posted with appropriate signage by the Parks and Recreation Department. Dogs are permitted to be off leash only within the fenced perimeters of a park specifically designated by the City **DEPARTMENT OF Parks and & Recreation** ~~Department~~ for the primary purpose of allowing dogs to engage in recreational and training activities. The owner of dogs and cats shall be responsible for the removal and proper disposal of any droppings left by said animal. (Ord. 0212-2006. Passed 10-23-06.)

563.20 RELEASING OF PLANTS AND ANIMALS PROHIBITED.

No person shall release any wild or domestic animal or plant, or culture any seed or vegetation of any type, in any of the parks without the written permission of the Director.

(Ord. 6-84. Passed 2-7-84.)

563.21 HORSEBACK RIDING PROHIBITED.

No person shall ride or bring into the parks any horse, mule or pony.

(Ord. 6-84. Passed 2-7-84.)

563.22 SWIMMING PROHIBITED.

Swimming is prohibited within the parks.

(Ord. 6-84. Passed 2-7-84.)

563.23 GOLFING.

No person shall hit a golf ball or practice golf except in areas where designated by the Director or his authorized agent.

(Ord. 6-84. Passed 2-7-84.)

563.24 BOATING.

Boating shall be permitted subject to the statutes of the State with all watercraft meeting the current Federal and/or State safety standards.

(ORC 1547 and 1548; Ord. 6-84. Passed 2-7-84.)

563.25 ENGINE POWERED MINIATURE MODELS AND TOYS.

Engine powered miniature model, and toy airplanes, **DRONES, HOVERBOARDS, SEGWAYS,** chemically powered rockets, boats, cars, sirens and other noisemaking devices are ~~not permitted~~ **PROHIBITED** to be operated within the confines of the parks, **OR ON TRAILS** except in areas designated by the Director. **FOR CITY SANCTIONED USE.**

(Ord. 6-84. Passed 2-7-84.)

563.26 TRAFFIC.

(a) Purposes of Way. No person shall use any portion of the parks for purposes of a passage way except drives, roadways, paths, walks, and trails established for such purposes. Paths established as foot paths, or bicycle paths shall not be used for motor vehicle traffic.

(b) Self-Propelled, Animal Drawn or Human-Propelled Vehicles. No person shall operate or cause to be operated any type of self-propelled vehicle or any vehicle which is moved by animal or human power over or upon any nature trail within the parks.

(c) Driving on Closed Roads or Drives. No person shall drive upon or along any park road or drive which has been closed and posted with appropriate signs or barricades. The Director or his authorized agent shall have the power to close any roads or drives within the parks when determined unfit for use. (Ord. 6-84. Passed 2-7-84.)

563.27 SPEED LIMIT.

No person shall drive or propel any vehicle or cause any vehicle to be driven or propelled along or over any road or drive within the parks at a greater rate of speed than ten miles per hour or the posted speed limit.

(Ord. 6-84. Passed 2-7-84.)

563.28 PARKING.

No person shall park or store any motor vehicle, bicycle, wagon or other vehicle within any traveled roadway in the parks or at any location where posted signs prohibit parking except in emergencies, or upon any sod, gravel or other surface not specifically designated as a "Parking Area".

(Ord. 6-84. Passed 2-7-84.)

563.29 STORAGE OF VEHICLES.

No person shall leave any motor vehicle, wagon or other vehicle within the parks after closing hours except in an emergency and only after obtaining permission from the Director or his authorized agent. Any vehicle left within the parks after closing hours without permission shall be removed from the park at the owner's expense.

(Ord. 6-84. Passed 2-7-84.)

563.30 SKATEBOARD PARK.

It is noted and shall be posted that "Use of this Facility may result in serious injury. Any use of this Facility is at your own risk and users assume the risk of any injury or damage".

The Base at Shull Park, Bike and Skate Escape, shall have the following additional rules and regulations, which shall be posted, over and above the other provisions of this chapter:

- (a) This Facility is designated for skateboarding, in line skating, human powered scooters, and BMX biking. Riding, operating, or utilizing any other devices in this Facility is not permitted.
- (b) Facility opens at dawn and closes at dusk.
- (c) Facility is not supervised.
- (d) For your protection, safety equipment such as helmets, elbow pads, kneepads, wrist pads, and ankle pads are strongly recommended.
- (e) Certain weather conditions may create unsafe surfaces for skating.
- (f) Unauthorized obstacles, ramps, other equipment, or materials may not be added to the Facility.
- (g) Respect the neighborhood and all Facility users.
- (h) No alcohol, tobacco, drugs, loud music, profanity, fighting, graffiti, stickers, glass containers, motorized vehicles, or motorized scooters allowed.

- (i) Keep food, drink, and litter off the skate surface.
- (j) Use trash containers where provided.
- (k) Spectators are required to remain outside the riding area.
- (l) Parental supervision is strongly recommended for children 12 and under.
- (m) The City of Gahanna, **DEPARTMENT OF Parks and Recreation** ~~Department~~ reserves the right to close the facility for any circumstances deemed necessary.
- (n) Any person who does not follow these rules, has exhibited unsafe behavior, or whose conduct is in violation of the Gahanna Codified Ordinances or Ohio Revised Code will be compelled to leave the Facility and may be subject to prosecution.
- (o) To report equipment damage or unsafe conditions call 342-4250.
- (p) Abide by the rules of the Gahanna **DEPARTMENT OF Parks and Recreation** ~~Department~~.

The rules outlined above for the Skate Park shall take precedence for the Skate Park over the rules for other parks, if the rules conflict.
(Ord. 0243-2003. Passed 12-15-03.)

563.31 DOG PARK RULES

- A. YOU ARE RESPONSIBLE FOR ANY INJURIES CAUSED BY ANY DOG YOU BRING TO THE PARK. USERS OF THIS PARK DO SO AT THEIR OWN RISK. NEITHER THE CITY OF GAHANNA NOR THE GAHANNA DEPARTMENT OF PARKS & RECREATION SHALL BE LIABLE FOR ANY INJURY OR DAMAGE CAUSED BY ANY DOG AT THE PARK.**
- B. YOU MUST IMMEDIATELY PICK UP AND PROPERLY DISPOSE OF DOG WASTE.**
- C. YOU MUST FILL IN ANY HOLES DUG BY YOUR DOG(S).**
- D. THE DOG PARK IS FOR DOG EXERCISE AND SOCIALIZATION. NO OTHER USE IS ALLOWED. NO ANIMALS OTHER THAN DOGS ARE PERMITTED IN THE AREA.**
- E. ALL DOGS MUST DISPLAY PROPER LICENSE AND VACCINATION TAGS WHILE IN THE PARK.**
- F. DO NOT BRING AGGRESSIVE DOGS OR DOGS IN HEAT. DOGS MUST BE AT LEAST 4 MONTHS OLD.**
- G. DOGS MUST BE ON A LEASH OUTSIDE OF THE PLAYGROUND. YOU MUST IMMEDIATELY LEASH AND REMOVE YOUR DOG(S) AT THE FIRST SIGN OF COMBATIVE BEHAVIOR. DOG OWNERS MUST BE IN PARK WITH LEASH AT ALL TIMES.**
- H. YOU MAY NOT BRING MORE THAN 3 DOGS AT A TIME. YOU MUST CLOSELY SUPERVISE YOUR DOG(S) AND MAY NOT LEAVE YOUR DOG(S) UNATTENDED. DOGS MUST BE UNDER CONTROL AT ALL TIMES.**
- I. YOU MAY USE ONLY BITE-SIZED TREATS IN THE DOG PARK. NO OTHER FOOD IS ALLOWED.**
- J. CHILDREN UNDER 13 ARE NOT PERMITTED UNLESS ACCOMPANIED AND CLOSELY SUPERVISED BY AN ADULT.**
- K. YOU MUST ABIDE BY THE GAHANNA DEPARTMENT OF PARKS & RECREATION AND GAHANNA CODIFIED ORDINANCES.**

THE RULES OUTLINED ABOVE FOR THE DOG PARK SHALL TAKE PRECEDENCE FOR THE DOG PARK OVER THE RULES FOR OTHER PARKS, IF THE RULES CONFLICT.

563.32 SMOKE FREE ZONES.

- A) **IT SHALL BE UNLAWFUL TO SMOKE OR CARRY LIGHTED CIGARETTES, PIPES, CIGARS, OR OTHER LIGHTED SMOKING DEVICES FOR BURNING TOBACCO OR ANY OTHER PLANT AND ELECTRONIC SMOKING DEVICES, SUCH AS E-CIGARETTES AND VAPE PENS WITHIN DESIGNATED SMOKE FREE ZONES LOCATED IN PUBLIC PARKS LEASED OR OWNED BY THE CITY.**
- B) **IN ADDITION TO THE DEFINITIONS SET FORTH IN SECTION 563.01, THE FOLLOWING DEFINITIONS SHALL APPLY TO THIS SECTION:**
 - 1) **“PUBLIC PARKS LEASED OR OWNED THE CITY” SHALL MEAN ANY PLACE OR AREA WITHIN THE CITY OF GAHANNA UPON WHICH THE PUBLIC IS INVITED OR UPON WHICH THE PUBLIC IS PERMITTED AND WHERE CHILDREN GATHER FOR PLAY AND MORE LIMITED AREAS USED BY THE PUBLIC SUCH AS RESTROOMS, ATHLETIC FIELDS, TRAILS, AND SHELTER HOUSES.**
 - 2) **“SMOKE FREE ZONES” MEANS A FIFTY (50) FEET AREA DESIGNATED BY THE CITY AS SMOKE FREE INCLUDING, BUT NOT LIMITED TO, PLAYGROUNDS, ATHLETIC FIELDS, TRAILS, RESTROOMS AND/OR SHELTER HOUSES OR OTHER AREAS AS MAY BE DETERMINED BY COUNCIL FROM TIME TO TIME, LOCATED IN PUBLIC PARKS LEASED OR OWNED BY THE CITY.**

563.99 PENALTY.

Any person violating any provision of this chapter shall be guilty of a minor misdemeanor and, upon second offense shall be guilty of a misdemeanor of the fourth degree. (Ord. 0087-2009. Passed 5-4-2009.)