

Rules and Regulations of the Board of Park Commissioners City of Lancaster, Ohio

The Board of Park Commissioners for the City of Lancaster, State of Ohio, pursuant to Chapter 755 of the Ohio Revised Code, hereby adopts the following rules and regulations (hereinafter "Rules") for the management, protection and control of the parks under its control and authority:

Section 1—Definitions

As used in these Rules, the following definitions shall apply:

- (A) **"Animal"** means any species of the animal kingdom, including but not limited to quadrupeds, birds, fish, reptiles, amphibians and insects.
- (B) **"Commission"** means the Board of Park Commissioners for the City of Lancaster, State of Ohio.
- (C) **"Feeding"** means to leave, give, place, expose, deposit, scatter or distribute any edible material, manufactured or natural, with the intention of feeding, attracting or enticing.
- (D) **"Fish" (or "Fishing")** means 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 the taking of a fish or not.
- (E) **"Gross vehicle weight rating"** means the value specified by the manufacturer as the maximum loaded weight of a single or a combination vehicle. The gross vehicle weight rating of a combination vehicle is the gross vehicle weight rating of the power unit plus the gross vehicle weight rating of each towed unit.
- (F) **"Motor vehicle"** means any vehicle propelled or drawn by power other than muscular power.
- (G) **"Motorboat"** means any watercraft propelled by any mechanical device, electric motor or internal combustion engine.
- (H) **"Operate"** means to cause or have caused movement of a vehicle, streetcar, or trackless trolley.
- (I) **"Park"** means any land or water area owned, leased or otherwise under the control of the Commission.

- (J) **“Parks Department”** means the Lancaster Parks and Recreation Department, including but not limited to any programs, facilities, public park lands, waterways, easements, right-of-ways, and any other land as approved by the authority of the Commission.
- (K) **“Park waters”** means streams, rivers, lakes, ponds, marshes, watercourses, waterways, and other bodies of water, natural or human-made, that are situated wholly or partially within any park.
- (L) **“Peace officer”** means a parks department employee qualified to enforce the rules and regulations of the parks department and every other law enforcement officer employed by the City of Lancaster or State of Ohio, or a political subdivision thereof, including, but not limited to, state highway patrol officers, sheriffs, deputy sheriffs, constables and Division of Wildlife game protectors.
- (M) **“Person”** means every natural person, firm, co-partnership, association or corporation.
- (N) **“Recreation trail”** means a public trail that is used for hiking, bicycling, horseback riding, ski touring, canoeing, or other non-motorized forms of recreational travel and that interconnects parks, forests, wildlife areas, nature preserves, scenic rivers, or other places of interest.
- (O) **“Roadway”** means an open way that is improved, designed, or ordinarily used for vehicular travel.
- (P) **“Superintendent”** means the Superintendent of the Lancaster Parks and Recreation Department.
- (Q) **“Vehicle”** means everything on wheels or runners, including motorized bicycles, but does not mean electric personal assistive mobility devices, vehicles that are operated exclusively on rails or tracks or from overhead electric trolley wires, and vehicles that belong to any police department, municipal fire department, or volunteer fire department, or that are used by such department in the discharge of its functions.
- (R) **“Watercraft”** means any of the following when used or capable of being used for transportation on the water: (1) a vessel operated by machinery either permanently or temporarily affixed; (2) a sailboat other than a sailboard; (3) an inflatable, manually propelled boat that is required by federal law to have a hull identification number meeting the requirements of the United States coast guard; or (4) a canoe or rowboat.

- (S) **“Wildlife”** means all animals that are not human and have not been domesticated or tamed and are living unconfined in a natural environment, including both game and non-game species.

Section 2—Interpretation.

In the interpretation of these Rules, their provisions shall be construed as follows:

- (A) "Rules" shall mean "rules and regulations";
- (B) Any terms in the singular shall include the plural;
- (C) Any term in the masculine shall include the feminine and the neuter;
- (D) No provision hereof shall make unlawful any act necessarily performed by any officer or employee of the Parks Department in the line of duty or work as such, or by any person, his agents or employees, in the proper and necessary execution of the terms of any agreement with the Parks Department;
- (E) If any part, section, subdivision, paragraph or provision of these Rules shall be determined to be invalid, such determination shall apply to the particular part, section, subdivision, paragraph or provision, and all other provisions of these Rules shall remain valid and in effect.

Section 3—Authority

These Rules are adopted pursuant to the Authority vested in the Commission by Chapter 755 of the Ohio Revised Code and Chapter 931 of the Codified Ordinances of the City of Lancaster.

Section 4—Hours of Operation

- (A) The Superintendent may open or close any park, parks department facility, or any portion thereof for park management needs, safety concerns, or for the public good.
- (B) Except as provided below, all parks will open at dawn and close at dusk.
 - (1) **Rising Park.** The Superintendent may extend the hours of operation for any Rising Park shelter house until 10:00 P.M. This extension may be limited to certain persons and shall be by reservation only.
 - (2) **Ice Skating.** The Superintendent may extend the hours of operation for any park until 10:00 P.M. for the limited purpose of ice skating.

- (3) **Olivedale Senior Center.** The Superintendent or his designee shall, from time to time, set the hours of operation for the Olivedale Senior Center.
- (4) **Alley Park and Nature Center.** The Superintendent or his designee shall, from time to time, set the hours of operation for Alley Park and Nature Center.
- (5) **Swimming Pools.** The Superintendent or his designee shall annually schedule the opening date and closing date, as well as the hours of operation, for park swimming pools. Unless otherwise stated by the Superintendent, park swimming pool hours shall be as follows:
 - (a) Tiki Pool: 12:00 P.M. -- 7:00 P.M. (Monday – Saturday)
1:00 P.M. -- 7:00 P.M. (Sunday)
 - (b) Miller Pool: 12:00 P.M. -- 7:00 P.M. (Monday – Saturday)
1:00 p.m. -- 6:00 P.M. (Sunday)

Park pools may be rented by members of the general public before or after normal hours of operation, subject to approval by the Superintendent or his designee, but in no case may such rental extend beyond 10:00 P.M.

Section 5—Permissible Activities and Events

- (A) Parks are constructed and maintained for the use of the public on equal terms, and no person shall be granted restricted or special privileges relating to the use of any park based upon race, creed, gender, disability, national origin or religious affiliation.
- (B) No person shall perform any musical or theatrical performance without prior written approval from the Superintendent.

Section 6—Vehicles, Horses and Planes

- (A) These rules are in addition to and supplement the state and local traffic laws which are in force and incorporated herein.
- (B) No person shall operate a motor vehicle at a speed in excess of fifteen (15) miles per hour in any park.
- (C) No person shall operate a motor vehicle in any park which is producing an unusual amount of smoke or noise or in such a way as to create unnecessary noise or smoke from the motor vehicle.

- (D) No person shall leave a motor vehicle parked in any park after its closing time, nor shall any person leave a motor vehicle parked in any place not designated for stopping or parking of motor vehicles, in any place marked with a traffic control device as a "No Parking" zone, alongside any other motor vehicle stopped or standing at the edge or curb of any roadway, or in a manner which will obstruct any barrier, gate, or pedestrian walkway. The time, place and manner of all permissible parking zones shall be designated by the Superintendent.
- (E) Whenever a peace officer finds a vehicle stopped, parked or standing in an area or manner that is in violation of Section 4(D) above, or finds a vehicle unattended upon or within the right of way of any roadway where such vehicle clearly obstructs pedestrian or vehicular traffic, or otherwise deems a vehicle to be hazardous to property or people, that peace officer may arrange for the removal of such vehicle to the nearest parking lot or to a place for holding such vehicles. The costs and risks of any vehicle removal under this section shall be borne by the owner of the vehicle.
- (F) No person shall operate a motor vehicle within any park area except on roadways, driveways, trails, paths, alleys and other such thoroughfares which are designated or posted for motor vehicle traffic. No person shall drive around any barrier or gate which is across a road or trail, nor shall any person drive a motor vehicle upon such barricaded or closed thoroughfare.
- (G) No person shall operate a motor vehicle with a gross vehicle weight rating of more than one ton (2000 pounds) within any park unless prior written permission is granted by the Superintendent.
- (H) No vehicle shall be permitted to stand upon any park roadway or recreation trail to the obstruction or the inconvenience of other vehicles.
- (I) No person shall operate a motor vehicle in any park in such a manner that the vehicle is so rapidly accelerated or started from a stopped position that the rubber tires of such vehicle squeal or leave tire marks on the roadway, commonly called "peeling."
- (J) No person shall operate a vehicle, without due regard for the safety and rights of pedestrians and drivers and occupants of all other vehicles so as to endanger the life, limb or property of any person in any park.
- (K) No person shall repair any motor vehicle in or upon any park except in areas designated by the Superintendent for that purpose.

Section 7—Protection of Natural and Ecological Environment

- (A) No person shall injure, deface, disturb or damage any park property or part thereof, including but not limited to trees, shrubs, wildflowers or other plants, or animals; provided, however, that the removal of non-native (alien or exotic) species by a peace officer is permitted for accepted land management practices.
- (B) No person shall remove any fossils or minerals from any park without prior written permission from the Superintendent.
- (C) No person shall bury, embed, or plant any vegetation or other material in any park without prior written approval from the Superintendent.
- (D) When walking or riding a vehicle, horse or other animal on a designated hiking trail, walking trail or designated recreational area, no person shall leave the hiking trail, walking trail or designated recreational area without prior written approval from the Superintendent.

Section 8—Animals

- (A) No person who is the owner or handler of an animal shall refuse or fail to keep such animal on a leash in hand, said leash being of a length not exceeding six feet from hand to animal, and under control at all times while that animal is in any park.
- (B) Any animal found at large may be seized and disposed of as provided by law or ordinance covering the disposal of stray animals on highways or public property then in effect.
- (C) No person who is the owner or handler of an animal shall allow that animal, whether leashed or not leashed, to enter any park waters without approval from the Superintendent.
- (D) The owner or handler of any dog, or other animal, found to be damaging or destroying park property will be held liable for the full value of the property damaged or destroyed in addition to the penalty imposed for a violation of this section.
- (E) No person shall hunt, pursue with dogs, trap, molest, harm, harass, injure or disturb any wild animal, or otherwise take any wild bird or animal, in any park except as provided for in Section 6(G) below.
- (F) No person shall rob or molest any bird nest, or otherwise take the eggs of any bird, within any park except as provided in Section 6(G) below.

- (G) Trapping and removal of non-native animals within a park is permitted by peace officers to preserve native wildlife and habitats or for reasons of public safety, and is likewise permitted, with prior written approval from the Superintendent, for purposes of scientific research provided approved guidelines are followed including use of humane live trapping methods and release of the animals.
- (H) No person shall fish in park waters in violation of any posted sign.
- (I) No person shall hunt fish with a bow and arrow in any park.
- (J) No person shall possess or shoot a crossbow in any park.
- (K) No person shall ride a horse, mule, donkey, cattle or other animal in any park without obtaining prior written approval from the Superintendent.
- (L) No person shall possess an animal that is destructive to wildlife in any park.
- (M) Nothing in this section shall be construed so as to allow a person to bring into any park an animal or pet in conflict with local health department guidelines or laws relating to the preservation of public safety and order.
- (N) No person who is the owner or handler of an animal shall permit that animal to be present in any area designated or posted as a park play area.
- (O) The parks department shall have the right to impound or destroy any abandoned, feral, or diseased animal.
- (P) No person shall for any reason leave, place or distribute food items or nature of any kind in any public park, with an intent to feed wildlife or farm animals, this section does not apply to wildlife and farm animals kept and used by the parks department for education and study purposes.

Section 9—Personal Conduct

- (A) Sleeping or protracted lounging on park seats or benches is prohibited.
- (B) No person shall engage in loud, boisterous, or threatening behavior, or use abusive, insulting or indecent language, or engage in behavior that would otherwise constitute a violation of Section 2917.11 of the Ohio Revised Code, in any park.
- (C) No person shall remove, destroy, break, injure, mutilate or deface any structure, monument, statue, vase, fountain, wall, fence, railing, vehicle, bench, tree, shrub, fern, plant, flower, rock face, or other property in any park.

- (D) No person, other than a peace officer, shall remove or disturb any tree, shrub, plant or wildlife in any park.
- (E) Picnics are permitted within a park only at facilities and in areas specifically designated for that purpose by the Superintendent and posted accordingly by signs.
- (F) No person shall engage in lewd, lascivious, or indecent behavior in any park, nor shall a person commit an indecent, immodest or filthy act in any park.
- (G) No person shall throw, case, or shoot any stone, missile, pellet, BB, bolt or other projectile capable of causing bodily injury in any park.
- (H) No person shall place or display with an intent to sell any goods, merchandise or other articles in any park.
- (I) No person shall place any straw, dirt, chips, paper, shaving, shells, ashes, swill, garbage, or other rubbish, even if the same is not offensive to health, upon any park land.
- (J) No person shall climb a tree within any park.
- (K) No person shall walk, stand or sit upon the monuments, vases, fountains, railings, fences or gun carriages in any park.
- (L) No person shall engage in any game of chance or other gambling venture within any park.
- (M) No person shall cause, or create a substantial risk of physical harm, to any person or property by use of any weapon, stick, stone or missile.
- (N) No person shall disturb or molest any wild or domestic animal, fowl, or fish within any park, except that children thirteen years of age and less will be permitted to fish in Rising Park pond.
- (O) No person shall stand upon, climb, or scale any protective railing or fence in any park.
- (P) Except for within the designated Flat Rocks Climbing Area of Keller-Kirn Park, no person shall climb or rappel any rock escarpment or other natural feature situated within any park without first receiving prior written approval from the Superintendent.

- (Q) No person shall hit, strike or drive a golf ball within any park without prior written approval from the Superintendent.
- (R) No person shall use a mechanical device designed to detect metal alloys (commonly known as a “metal detector”) in any park.

Section 10—Intoxicating Liquor; Controlled Substances

- (A) No person shall sell or offer for sale any intoxicating liquor or alcoholic beverage in any park.
- (B) No person shall consume or possess an alcoholic beverage in any park, with the exception of Zane Square Park (which includes Fountain Square, the Bandstand, and Veterans Square) provided that there is an authorized Outdoor Refreshment Area event in progress and all state and local laws, rules, regulations, and restrictions regarding the sale, consumption, and possession of alcohol are being followed.
- (C) No person, while voluntarily intoxicated, shall engage in conduct likely to be offensive or to cause inconvenience, annoyance, or alarm to persons of ordinary sensibilities in any park.

Section 11—Power Models and Toy Engine Units

- (A) No person shall operate, or permit another to operate, any engine-driven model airplane, vehicle, or watercraft within any park without obtaining prior written approval from the Superintendent.

Section 12—Camping

- (A) No person shall establish, erect, or maintain a camp, temporary lodging, or sleeping place within any park without prior written approval from the Superintendent.

Section 13—Fires

- (A) No person shall start a fire in any park unless the flames are contained in a metal unit designed for such purpose.
- (B) The Superintendent may, at his discretion, prohibit or permit fires for limited periods of time when necessary for the protection of park property.
- (C) All fires shall be properly contained and extinguished by the person or persons starting or using the same before leaving the immediate vicinity of the fire.

- (D) No person shall collect wood in any park without prior written approval from the Superintendent.
- (E) No person shall place portable stoves or grills in shelters or on combustible picnic tables in any park.
- (F) No person shall deposit burning material or hot ashes on grass or plants or in refuse containers in any park.

Section 14—Commercial Activities

- (A) No person shall engage in commercial activity in any park, including but not limited to selling or offering for sale any goods, food, or beverage, without prior written approval from the Superintendent.
- (B) No person shall solicit fares, money or other things of value in any park.
- (C) No person, other than participating teams at lighted ball-fields, shall solicit subscriptions in any park.
- (D) No person, other than a peace officer, shall use any sound amplification device without prior written approval from the Superintendent.

Section 15—Erecting and Attaching Signs

- (A) No person shall place any structure, sign, bulletin board or advertising device in any park without prior written approval from the Superintendent.
- (B) No person shall attach any notice, bill, poster, sign, wire, rod, or cord to any shrub, fence, fountain, wall, post or structure in any park without prior written approval from the Superintendent.
- (C) The Superintendent may give permission for the erection of temporary decorations on occasions of public celebrations or holidays, or for temporary signs and displays promoting community health or welfare projects.
- (D) No person shall injure, deface or destroy any sign or notice posted by any park personnel or peace officer.

Section 16—Water Activities

- (A) Other than a park pool, no person shall wade, swim, or bathe in any pond, lake, fountain, or other park waters.

- (B) No person shall operate watercraft in any pond, lake, fountain, or other park waters without prior written approval from the Superintendent.
- (C) No person shall stand or walk upon any ice formed upon any park waters without prior written approval from the Superintendent. If a sign is posted by the Superintendent indicating the ice is not safe, no one shall be permitted thereon.
- (D) No person shall cut, destroy or disfigure any ice formation within or upon any park waters.

Section 17—Fireworks and Explosives

- (A) No person shall possess, ignite or detonate any fireworks or explosive device in any park.

Section 18—Fishing

- (A) Fishing is allowed in designated park waters by pole and line method only.
- (B) No person shall fish in park waters without the appropriate state fishing license.
- (C) The Superintendent may, at his discretion, designate park waters for catch and release fishing only.

Section 19—Employee Exemption

- (A) Peace officers, to the extent necessary for the performance of their authorized duties, shall be exempt from the provisions of these rules.
- (B) The Superintendent may, from time to time, designate a peace officer or other parks department employee to exercise any authority bestowed upon him pursuant to these rules.

Section 20—Violation of Rules; Removal from Park

- (A) A peace officer or designated volunteer with the parks department may order any person violating a provision of these rules to immediately leave any park and bar that person from entering any park for a twenty-four (24) hour period.
- (B) In addition to any other penalty provided under these rules, the Superintendent may prohibit a person who has violated these rules from entering any park for a period of up to twelve months. Any person who enters or remains on park grounds, having been previously barred from park property pursuant to this

section, may be referred to the appropriate authorities for criminal trespass charges at the discretion of the Superintendent.

Section 21 – Superintendent Authority and Exemption

- (A) The Superintendent shall have the authority to make exceptions to any of these park rules for demonstrated management needs, safety concerns, or for reasons of the public good.
- (B) All such exceptions shall be in written form.