

ORDINANCE NO 2006-11

AN ORDINANCE OF THE CITY OF SPRINGVILLE, ALABAMA TO ESTABLISH RULES AND REGULATIONS AT CITY PARKS AND OTHER PUBLIC PROPERTY AND TO ESTABLISH CRIMINAL PENALTIES FOR VIOLATIONS THEREOF

WHEREAS, the City of Springville is committed to serving park visitors with integrity, fairness and respect:

WHEREAS, it has become necessary and desirable to consider adopting rules to provide for the safe enjoyment of the City's Public Parks and recreational areas by residents and guests while fostering a stewardship ethic and encouraging the protection of its resources; and

WHEREAS, the Mayor and City Council are of the opinion that the following rules be applicable to use of and conduct within all areas of the Public Parks owned or maintained by the City of Springville; and

WHEREAS, it is the Mayor and City Council's intent that park visitors follow these rules at all times while using the City's Public Parks; and

WHEREAS, it is the intent of the Mayor and City Council's that implementation of these rules will provide for the orderly and safe use of the Public Parks.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Springville, Alabama as follows:

Section 1: Definitions.

As used herein, the following term(s), whether singular or plural, shall be given the following respective meanings:

"Public Park" shall mean any land or facility owned or operated by the City of Springville and used as a park, playground, recreational facility, athletic facility, or other recreational activity or purpose.

Section 2: Alcoholic Beverages / Controlled Substance Prohibited.

- (a) It shall be unlawful to possess or consume any alcoholic beverage at any public park owned, operated or maintained by the City of Springville.
- (b) No person shall possess or consume any controlled substance of which constitutes a crime under federal, state or local law.

Section 3: Additional Rules Regarding the Use of Public Parks.

- (a) No person shall remain in or enter into a park before or after the posted hours of the park, except as authorized by park rules, city parks will be open from **5:00 AM until 11:00 PM** daily.
- (b) Motor vehicles and non-motorized vehicles must be driven and parked only in designated areas. Damage to vehicles is the sole responsibility of the vehicle owner, and not the City of Springville or the Springville Youth Association.
- (c) In Order to constitute a violation of Section 2(b) of this Ordinance, the City Council of the City of Springville shall determine those public properties (other than public parks) where the possession or consumption of alcoholic beverages and or controlled substances shall be prohibited. After such determination by the City Council, the City of Springville shall conspicuously post signs on those public properties (other than public parks) where the possession or consumption of alcoholic beverages and or controlled substances are prohibited. Such signs shall be posted at the entrance to all such public properties and at such other places on or throughout such public properties as shall be reasonably necessary in the sole opinion of the City Council.
- (d) No person shall operate an ATV, ORV, motorcycle, mini-bike, go-cart, golf cart, skateboard, roller-skates, in-line skates, bicycles or similar devices/ cycles/vehicles in any park except to provide access for disabled persons. Children under 10 years of age may ride bicycles and tricycles on the walking track when accompanied by a parent or adult.
- (e) All posted speed limits will be enforced.
- (f) No person shall start or maintain a fire except in a picnic stove or other areas specifically approved and designated for the starting and maintaining of a fire. All fires must be extinguished before leaving the park.
- (g) No person shall possess or use a firearm , explosive material, dangerous substance, or

any device which discharges projectiles by means of air pressure, explosive device, chemical reaction or similar means, in any facility, unless carried by a duly authorized law enforcement officer.

- (h) Disruption, fighting, argumentative and abusive behavior will not be tolerated, and is grounds for expulsion from all City Parks.
- (i) No person shall deposit or abandon any litter, garbage, sewage, refuse, trash, waste or similar material in any park except in receptacles. No person shall deposit such material in a receptacle, if the material was generated outside the geographical boundaries of the facility.
- (j) Domestic pets are permitted in Big Springs Park, only. In addition, the following shall apply to any domestic pet:
 - (1) All dogs must be legally licensed and vaccinated and to show proof if necessary.
 - (2) Dogs must be under control of their handlers and in view of their handler at all times.
 - (3) Handlers must have possession of the dog at all time.
 - (4) Handler is limited to a maximum of two dogs.
 - (5) Handlers are responsible for any injuries caused by the dogs under their control.
 - (6) Handlers must pickup after their pets.
- (j) **NON-SMOKING AREAS:**

The baseball/softball park shall be smoke free, except in designated areas.

Section 4: Penalties.

A person who violates any provision of these rules may be summarily evicted from the park. A person who shall violate any provision of this ordinance shall, upon conviction thereof, be punished by imprisonment of not more than six

(6) months, or by fine not to exceed five hundred and no/100 dollars (\$500.00), or both.

Section 5: Severability Clause.

It is hereby declared to be the intention of the City Council of the City of Springville, that the sections, paragraphs, sentences, clauses, and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of same shall be declared unconstitutional or otherwise invalid by the valid judgment or decree of any court of competent jurisdiction, such clauses, phrases, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in the ordinance of any such unconstitutional or invalid phrase, clause, sentence, paragraph or section.

Section 6: Conflicting Ordinances.

That all ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

Section 7: Publication.

This Ordinance shall become effective upon its passage and publication as provided by law.

APPROVED and ADOPTED this 21st day of August, 2006.

CITY OF SPRINGVILLE, ALABAMA

By: _____

Richard Buckner, Mayor

ATTEST:

**Brenda Roberts, City Clerk or
Lauri G. Jones, Deputy Clerk**

I, Brenda Roberts, City Clerk for the City of Springville hereby certify that this is a true and exact copy of an Ordinance adopted by the City Council of the City of Springville at a regular meeting held the 21st day of August, 2006. The same now appears in the Ordinance book of the City of Springville and was posted in three places being Springville City Hall, Springville Public Works and Springville Post Office.

Attest:

Brenda Roberts, City Clerk