

ORDINANCE NO. 2016-04

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 1064 OF THE CODIFIED ORDINANCES OF THE CITY OF MONROE TO UPDATE THE REGULATIONS AS IT RELATES TO MUNICIPAL PARK FACILITIES.

WHEREAS, the existing regulations are outdated as they do not address all municipal parks, cause delays in the use of the parks, and do not reflect current practices.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MONROE, STATE OF OHIO, THAT:

SECTION 1: Chapter 1064 is hereby amended and supplemented to read as follows:

"1064.01. - Purpose.

The purpose of this chapter is to establish the basis upon which the use, maintenance and operation of City-owned parks shall be carried out.

1064.02. Definition.

For purposes of this Chapter parks shall mean real property, or portion thereof, owned by the City of Monroe used and open to the public for pleasure, exercise, kept in its natural state to protect plants and animals, recreation, events, and sports. Parks shall not include the log cabin and the area around the log cabin, owned by the Monroe Historical Society, located in the Monroe Community Park.

1064.03. - General rules.

The following general rules shall apply to all users of the parks:

- (a) No alcoholic beverages shall be permitted in any park except for certain events as approved by Council.
- (b) No gambling shall be permitted in any park.
- (c) No motor vehicles (cars, motorcycles, mini-bikes, trail bikes or ATV vehicles) shall be permitted off the designated roadway or parking areas except during certain events with the recommendation of the Park and Recreation Board and approval of the City Manager. If approval is received, no vehicle will be driven over 10 MPH.
- (d) No bicycles shall be permitted on the infields of any of the ball diamonds.
- (e) No profane or abusive language shall be permitted.
- (f) No disorderly conduct shall be allowed.

1064.04. - Hours of operation.

- (a) Except as noted herein, the general hours of operation of all parks shall be from dawn to dusk.

1064.05. - Group usage; scheduling of park facilities.

The parks may be made available to various groups subject to these rules and regulations and subject to any other special rules established by the Park and Recreation Board.

- (a) The use of the parks is a privilege, and may be withdrawn if any group fails to meet the standards set forth herein.
- (b) Any group may be denied use of the parks if the City Manager deems it in the best interest of the City to do so.
- (c) Official municipal-related activities and meetings shall have first call on all parks.
- (d) With the exception of official municipal-related activities and meetings, the assignment of parks shall be based upon order of request and on the group priorities established herein. In all instances, the requesting party shall submit a signed request for the use of the parks. This request shall be written and shall state the nature of the use, the date or dates requested, the specific area of the park, and any additional information requested by the Park and Recreation Board. Any use which shall extend for more than a two-day period shall be approved by the Park and Recreation Board. Any use for a one or two-day period may be approved by the City Manager or designee. The following shall be used by the Park and Recreation Board and the City Manager to establish priorities for scheduling:
 - (1) First priority shall be granted to local sports groups recognized and designated by the Park and Recreation Board. The schedules shall be approved by the Park and Recreation Board following submittal of a written request. These requests shall include a financial statement showing the group's prior years of operation.
 - (2) Second priority shall be to any resident groups. Resident groups shall be defined as those groups whose membership is open to Monroe residents and whose members reside within the municipality or, in the case of a business-related or sponsored group, the business is located within Monroe.
 - (3) Third priority shall be to nonresident groups, which shall be defined as groups comprised of members who reside outside of Monroe or a business-related or sponsored group where the business is located outside of Monroe.
- (e) In order to establish a one or two-day reservation for the use of the parks, a group request must be submitted to the City Manager or designee at least two weeks in advance of the requested date. If no higher priority group has requested use for the dates in question, the City Manager may issue permission. A schedule of reservations shall be maintained and available at the municipal offices during regular business hours.
- (f) Any group using the parks shall be responsible for returning the property to the municipality in the same condition as received, normal wear and tear accepted. This includes clearing the area of all trash, garbage, paper, boxes, cartons, cans, containers, litter, etc. generated by the approved use. The City will furnish adequate trash receptacles.
- (g) Any group using the parks shall hold the City of Monroe harmless and indemnify the City of Monroe for any claims and damages arising out of its use or occupancy of the facilities. Groups or associations granted permission to use the parks for a regular season schedule shall maintain during their use a general liability insurance policy naming the City of Monroe as an additional insured in an amount of at least \$1,000,00 aggregate on the approved use. A copy of the policy or certificate must be filed with the City Manager or designee prior to the approved use.
- (h) Any group using park facilities shall be required to meet all requirements under any federal or state laws pertaining to the Americans with Disabilities Act (ADA) and the various civil rights acts.

- (i) No group shall engage in any business in the parks that violate any existing state or federal law or municipal ordinance or in such a manner as to constitute any hindrance for other park patrons engaged in lawful activities.
- (j) No group shall make any temporary or permanent improvements or changes to the parks without written approval of the City Manager.

1064.06. - Concession stands.

Each year following the close of the sports season, the Park and Recreation Board shall consider granting permission to operate a concession stand for the following year.

- (a) Any group interested in being considered for permission to operate a concession stand must submit a written request along with a financial statement for the preceding year.
- (b) The group selected must agree to meet all requirements established by the board of health and any other state or federal agencies with jurisdiction.
- (c) In selecting the group to operate a concession stand, the Park and Recreation Board shall consider the nature of the group, the use of any funds generated and the past record of the group. The Park and Recreation Board may, from time to time, make such requirements as it deems necessary for the efficient operation of a concession stand.
- (d) Any group utilizing a concession stand shall maintain the inside of the concession stand and shall be responsible for the repair, upkeep and replacement of all fixtures, appliances, and all equipment necessary for storage, preparation and serving of food and drinks in a clean, safe, sanitary manner commensurate with similar City facilities in compliance with City, County, and State statutes and ordinances and acceptable to applicable agencies.
- (e) A \$100.00 deposit is required for use of a concession stand. The deposit shall be returned within 30 days after the termination of the agreement provided it was cleaned, left in an orderly fashion, all keys were returned, and no damage has occurred.

1064.07. - Utilities, Seed, Chemical, and Fertilizer.

- (a)
- (c) Use of utilities within any park area shall be controlled by the City Manager or designee. Normally these shall be provided by the City, but special requirements may need to be reimbursed at the discretion of the Park and Recreation Board.
- (d) Control of seed, chemical and fertilizer applications shall be made under the supervision of the City Manager or designee

1064.8. - Fees, deposits and charges.

The Park and Recreation Board of the City of Monroe shall, from time to time, recommend adoption by City Council a schedule of fees, deposits and charges which shall apply to the use of park facilities. These fees, deposits and charges may be waived by the City Manager under policies established by the Park and Recreation Board.

1064.99. - Penalty.

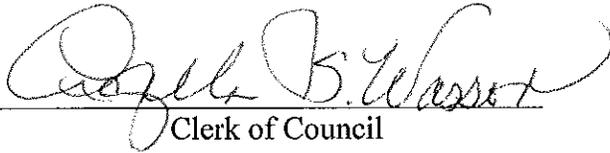
Whoever violates or fails to comply with any of the provisions of this chapter, for which no penalty is otherwise provided, is guilty of a minor misdemeanor and shall be fined not more than \$100.00."

SECTION 2: This measure shall take effect and be in full force from and after the earliest period allowed by law.

PASSED: March 8, 2016

ATTEST:

APPROVED:


Clerk of Council


Mayor

First Reading: February 23, 2016

"I, the undersigned Clerk of Council of the city of Monroe, Ohio, hereby certify the foregoing (ordinance or resolution) was published as required by Section 7.16 of the Charter of the City of Monroe.

This legislation was enacted in an open meeting pursuant to the terms and provisions of the Ohio Law, Section 121.22 of the Ohio Revised Code.


Clerk of Council
City of Monroe, Ohio