

RESOLUTION NO. 4440

RESOLUTION TO APPROVE, ADOPT, AND ENACT REVISED RULES AND REGULATIONS OF THE FRANKLIN COUNTY METROPOLITAN PARK DISTRICT; REPEALING RESOLUTIONS IN CONFLICT THEREWITH; AND AUTHORIZING THE REQUIRED PUBLICATION

BE IT RESOLVED, Columbus and Franklin County Metropolitan Park District (“Metro Parks”), by and through the Board of Park Commissioners, resolves that in accordance with authority granted in Section 1545.09 of the Ohio Revised Code, the use of the Parks, reservations, parkways, boulevards, grounds, recreation areas, nature preserves, buildings, shelters, and other lands, structures, and areas owned or controlled by Metro Parks shall be under and subject to the rules and regulations as set forth and adopted herein and the Executive Director and such authorized and duly appointed employees of Metro Parks shall be charged with the obligation and duty to enforce such Rules and Regulations as herein adopted. Further, any person violating any of such rules and regulations shall be deemed guilty of a misdemeanor, and upon conviction shall be assessed penalties for misdemeanors in accordance with the Ohio Revised Code 1545.99, provided however nothing contained herein shall prevent violators from being charged or penalized under other provisions of the Ohio Revised Code, municipal ordinance or other applicable laws, rules or regulations.

Metro Parks Rules and Regulations

The following terms as used in the Rules and Regulations herein shall mean:

“Executive Director” means the chief executive officer of Metro Parks as appointed by the Park Board.

“Metro Parks” means the Columbus and Franklin County Metropolitan Park District, which is established and authorized in accordance with Ohio Revised Code (ORC) Chapter 1545.

“Park” means any area administered and managed by Metro Parks including land held in fee simple, leased, or otherwise controlled by Metro Parks.

“Park Board” means the Board of Park Commissioners of the Columbus and Franklin County Metropolitan Park District, or its designated representative.

“Park Manager” means an employee of the Metro Parks appointed in the classification of Park Manager, Assistant Park Manager, Area Manager, Public Gardens Manager or Assistant Public Gardens Manager.

“Park Officer” means a commissioned law enforcement officer of Metro Parks as defined in ORC Sections 2901.01(k)(s) and 1545.13.

“Person” or “Persons” means persons or corporations except employees or agents of the Metro Parks acting in their official capacity.

“Posted” means and requires that the Park shall display appropriate regulations and operational policies at a location and in such a manner that they are reasonably accessible to Park visitors during regular hours of operations.

“Ranger” means any employee classified as a Ranger, Part-time Ranger, Park Officer or any other person duly designated by the Park Board.

“Traffic control device” means the same as defined in ORC Section 4511.011(QQ).

1.0 Protection of Natural and Archeological Features

1.1 Defacement, Destruction, or Removal of Natural and Archeological Features

Persons shall utilize any Park in such a way as to not injure, deface, destroy, or remove any tree, flower, shrub, or other vegetation, or fruit or seed thereof, nor shall any rock or mineral or any historical or archeological artifact or feature be removed, destroyed or disturbed except as authorized by a special permit issued by the Executive Director or in keeping with operational policies which allow such activity in general picnic and other regularly mowed areas.

1.2 Use of Nature Trails and Multi-Use Trails

Persons shall remain on the official, designated, or improved trails while visiting natural areas of the Park, unless involved in a Metro Park program involving off-trail activity or in accordance with a special or general permit issued by the Executive Director. The Executive Director may issue a general permit to designate areas in a Park where off-trail activities are permitted. Areas in the natural areas may also be designated by the Park Manager for special uses including geocaching and similar recreation activities consistent with established policies and procedures.

2.0 Littering and Facility Cleanliness

2.1 Littering, Dumping, Garbage, Sewage, and Noxious Material

Persons shall not bring into, leave behind, or dump any material of any kind in any Park except the refuse, ashes, garbage, and other material of a picnic, camp, or other permitted activity unless specific written permission from the Executive Director has been granted. Such material shall be deposited in receptacles provided for such purposes.

2.2 Facility Cleanliness

Persons reserving any Metro Parks facility, structure, or area, shall ensure that the facility is left in a sanitary and clean condition and that Person shall accept liability for any breakage, destruction, or removal of Park property by any member of their group as a condition of receiving the applicable permit.

3.0 Firearms or Other Dangerous Weapons

No Person except duly authorized Metro Parks employees, law enforcement officers, or Persons engaged in hunting in accordance with Rules 10.1, 10.2 and 10.3 shall carry or discharge or otherwise use a firearm of any description, explosive substance, firework, air or gas gun, bow, crossbow, or other missile throwing device, pistol, switchblade or hunting knife, dagger, metal knuckles, slingshot, boomerang or other dangerous weapon within the Park, except that firearms or weapons may be permitted for the purpose of educational or cultural programs through the issuance of a special permit by the Executive Director. Persons possessing a valid license issued under ORC 2923.125 or ORC 2923.1213 may carry a concealed firearm within the Park except inside any government building located on the Park, and subject to any other restrictions imposed by law. Under no circumstances shall a Person so licensed carry such a weapon other than in a concealed manner. When approached by a ranger or other law enforcement officer for a law enforcement purpose, said Person shall immediately notify the ranger or other law enforcement officer that he possesses a valid concealed carry permit and is also carrying a concealed firearm. Said Person shall cooperate and follow instructions provided by the ranger and other law enforcement officers.

4.0 Peace and Good Order

4.1 Noise

Persons may use a public address device, radio, compact disc player, tape recorder, musical instrument, or other sound-producing device in the Park at a volume that is not audible from fifty or more feet away.

4.2 Special Events and Special Permits

No Person shall conduct, sponsor, or promote any special event, concert, theater, athletic event, or other public activity in a Park without obtaining a special permit from the Executive Director. No event or activity sponsored or promoted by a Person or organization shall be permitted if the Executive Director or his/her designated representative finds and determines it will constitute hazards and dangers to the personal safety of the participants or other Park visitors, cause a serious threat of damage to Park facilities or natural resources, endanger peace and good order in the Parks, interfere with the regular and normal use of the facilities and activities by Park visitors, or is inconsistent with the appropriate use of the Park as defined herein or by policy or directives of the Board of Park Commissioners. The Executive Director may issue special or general permits authorizing activities in accordance with the rules and regulations established herein. An appeal of the decisions of the Executive Director in regard to the issuance of special or general permits may be made in writing to the Park Board within 15 days of the Executive Director's decision.

4.3 Use of Fee Facilities

Persons may occupy or use any facility for which a fee is customarily charged and a fee schedule has been established by resolution of the Park Board by paying that fee to Metro Parks and obtaining a permit for the use of the facility. At the discretion of the Executive Director usage fees may be waived or reduced. Fees paid for the use of a facility may be refunded in accordance with established refund policies.

4.4 Use of No-Fee Facilities

Picnic shelters and tables in non-reserve areas are available on a first come-first serve basis and may not be held for longer than one hour prior to arrival of the group. Metro Parks employees may remove any materials, supplies, and decorations left unattended.

4.5 Use of Intoxicants

No Person shall consume or display the presence of any alcoholic beverage, beer, wine, malt liquor, malt beverage, intoxicating liquor, or liquor in any other Park facility or area except as may be permitted through a special or general permit authorized by the Executive Director and in accordance with the statutes of the State of Ohio. Beer and wine may be sold and consumed in the Blacklick Woods Metro Golf Courses Activities Building, including the dining room patio, with the specific authorization of the Executive Director and in accordance with the statutes of the State of Ohio.

4.6 Generators

No Person shall operate a generator within the Park without the expressed permission of the Park Manager or the Executive Director.

5.0 Advertising and Signs, Commercial Soliciting or Unlawful Sales, Decorations

5.1 Advertising and Signs

Persons shall not post any sign, advertisement or notice within the Park, except reasonable freestanding directional signs on the day of an event provided such signs are removed at the conclusion of the event. Such signs shall not be affixed to trees and shall only be placed in areas designated by the Park Manager.

5.2 Decorations

Persons may attach decorations to shelter houses or other reserved facilities or signs provided by Metro Parks for the purpose of identifying group locations using only masking tape or other non-marring adhesive. Decorations shall be removed upon vacating the shelter house or reserved facility. Decorations shall not be attached to other Park facilities or features including, but not limited to, signs, gates, and trees.

5.3 Commercial Soliciting or Unlawful Sales

Persons shall not beg, hawk, peddle, solicit, sell or offer for sale any article, object, privilege, or service within the Park without the express written consent of the Executive Director.

6.0 Compliance with Orders of Metro Parks Employees

6.1 Orders by Employees and Failure to Obey

Park employees are authorized to issue reasonable orders or directives to Park visitors when in the employee's opinion an activity being conducted by the visitor constitutes a hazard, endangers the personal safety of the participant or other Park visitors, commits a nuisance or obstruction in the Parks, causes a threat of damage to Park facilities or natural resources, or endangers peace and good order in the Parks. No Person shall use abusive, profane, or insulting language toward or harass any employee of Metro Parks while performing their duties. Persons violating Metro Parks Rules and Regulations may be directed to leave the Park for the remainder of the day by a Park Manager, Park Officer, or Ranger. Persons shall comply with any reasonable order or directive given in the performance of duty by any Park Manager, Park Officer, or Ranger.

6.2 Permits

No Person shall fail to comply with the fee requirement or other terms and conditions of Metro Parks permits. No Person shall fail to present a permit upon request to any Park Manager, Park Officer, Ranger or law enforcement officer for verification.

7.0 Camps and Camping

Persons shall not establish or maintain any camp or other temporary lodging or sleeping place within the Park unless said Person is in a designated camping area in accordance with Metro Parks policies or has obtained a special permit from the Executive Director.

8.0 Fires

No Person shall start a fire in the Park except small fires for cooking in Metro Parks or privately owned grills or in areas designed and designated for such purpose. The Park Manager or the Executive Director may prohibit fires or smoking for limited periods at any location or for any purpose when necessary for the protection of Park property or the safety of Park visitors.

9.0 Hours of Operation and Closed Areas

9.1 Hours of Operation

The Executive Director shall establish the hours of operation for each Park. Each Park or facility shall post opening and closing hours and no Person shall enter or remain within the

Park during hours when the Park is closed unless they are participating in an authorized Metro Parks' program or activity, are members of a group which has reserved a facility beyond normal operating hours, or have permission of the Park Manager or the Executive Director.

9.2 Special Closing of Areas

The Executive Director or Park Manager may close areas of the Park that have been determined to be hazardous for public use because of weather, water, fire, construction, or other situations involving public health, safety, or welfare, or to ensure the safety and good order of the Park, or to facilitate the management and protection of natural resources within the Park. No Person shall be permitted to enter, remain, stop, or Park within the areas of any Park that have been closed without written permission from the Executive Director.

10.0 Hunting, Trapping, Fishing, Collecting, Harassing, Harming, or Feeding Wildlife

10.1 Hunting, Trapping, Collecting, Harassing, Harming Wildlife

Persons shall not hunt, pursue with dogs, or in any way harass or harm any wild bird or other animal found within the confines of any Park except in public hunting areas designated by the Board and in accordance with the statutes of the State of Ohio or in accordance with a special permit issued by the Executive Director. No Person shall rob, harass, or disturb any nest or den, or take the eggs or young of any bird or other animal, or collect or trap any wild bird or other animal without a special permit issued by the Executive Director and in accordance with other applicable statutes. Unless otherwise defined in these rules and regulations, the definitions set forth in Section 1531.01 of the Ohio Revised Code are incorporated herein and made a part hereof.

10.2 Battelle Darby Creek Public Hunting Area Special Regulations

It shall be lawful to hunt game birds and game quadrupeds in the area designated on the Hunting Area Map on file at Battelle Darby Creek Metro Park. The official Hunting Area Map indicates areas of the Park that are open and closed to hunting and any restrictions on hunting in the Park. The area(s) of the Park where hunting is allowed is hereby designated a "Public Hunting Area". Persons who have obtained the proper state and federal license(s) shall be permitted to access and hunt all legal species except badgers, coyotes, crows, fox and groundhogs in accordance with the state and federal statutes and wildlife orders. No Person shall engage in practice shooting or field trial activities nor shall any Person possess or discharge a center fire rifle. Dogs are permitted off leash in the Public Hunting Area except during deer gun season. The Public Hunting Area at Battelle Darby Creek Metro Park shall remain open for Persons actively engaged in hunting or fishing at all times unless Posted otherwise.

10.3 General Public Hunting Area Regulations

Except as otherwise specified, all other state and federal wildlife orders and statutes shall be applicable in any public hunting area managed by Metro Parks. No Person shall hunt within

any area Posted or marked with signs showing “No Hunting”, Safety Zone – No Hunting”, or “No Hunting and No Trapping”.

10.4 Safety Zones

Except for Metro Park employees working in their official capacity, no Person shall at any time take, hunt, trap, kill, pursue, or shoot at any wildlife and/or wild animals by any means within 400 feet of any picnic area, trail, construction area, service area, residence, barn, shelter house, restroom, parking lot, building or other structure or shoot on, from, or across any road or driveway.

10.5 Feeding of Animals

No Person, other than Park personnel engaged in official duties, may feed any wild bird or other animal found within the confines of the Park.

10.6 Fishing, Hours and Prohibited Equipment

Fishing shall be permitted in the Park except in such Park waters as the Executive Director deems advisable to restrict fishing, the use of certain fishing equipment, hours of fishing or age of user, and such restrictions shall be Posted. All other state and federal fish and wildlife statutes shall be applicable.

10.7 Incorporation of State Wildlife Laws and Orders

Unless specifically addressed, these rules and regulations are in addition to and supplement the state wildlife orders and laws which are in force and which are made a part hereof.

11.0 Bringing of Plants or Animals into the Park

11.1 Pets Permitted

No Person shall bring into the Park any animals except domestic dogs or cats, which are permitted only in the picnic areas, parking areas, roadways, and on designated pet trails. Said pets shall be controlled at all times and on a leash not more than six feet long. The Executive Director may designate areas in any Park where domestic dogs are permitted off leash, provided that the dog is under verbal control at all times. Pets owners shall clean up any manure generated by their pet in the Park and shall properly dispose of the manure in receptacles provided for such purpose.

11.2 Releasing of Plants and Animals Prohibited

Persons shall not release any wild or domestic animal or plant, or culture any seed or vegetation of any type in any Park without the written permission of the Executive Director.

11.3 Horseback Riding

Horses and horseback riding shall be permitted only in designated areas of the Park. No Person except law enforcement personnel shall ride or bring into any Park any horse, mule, or pony, except in areas designated for such use by the Executive Director.

12.0 Abandoned Personal Property

Personal property, which has been left in the Park may be removed by Park personnel and stored in a place of safekeeping. Upon proper description and identification, the owner may reclaim said property within ninety days and after paying any applicable storage fees. Items not claimed within ninety days shall become the property of the Park Board and shall be disposed of as outlined by operational policy.

13.0 Swimming and Flotation Devices Prohibited.

Swimming, wading and the use of any inner tube ring, buoy, raft, air mattress, beach ball or similar novelty device of inflatable air cell construction, or any plastic foam flotation device is prohibited within the ponds and lakes and nonnavigable streams and creeks managed by Metro Parks, except in areas designated by the Executive Director.

14.0 Golfing

14.1 Golf Course Requirements

All players shall abide by the operational policies adopted for the Metro Parks Golf Courses.

14.2 Practice Golf

Persons shall not hit a golf ball or practice golf except at the Metro Parks Golf Courses.

15.0 Boating

15.1 Boating Areas

Boating shall be permitted only in areas designated by the Executive Director.

15.2 Motor Boats Prohibited

Boats driven or propelled by motors shall not be operated upon any lakes, ponds, or other bodies of water owned or under the control of the Park Board except by Park employees or emergency personnel, or with the written permission of the Executive Director.

15.3 Incorporation of State Watercraft Laws

Unless specifically addressed, these rules and regulations are in addition to and supplement the State Watercraft Laws which are in force and which are made a part hereof.

16.0 Winter Sports Activities

Sledding, ice skating, cross country skiing, and other winter sports activities shall be permitted only in designated areas and subject to Posted operational policies.

17.0 Non-registered Motor Vehicles and Non-motorized Transportation

17.1 Non-registered Motor Vehicles

Persons shall not operate, within any Park, any motor vehicle that is not customarily registered with the Department of Motor Vehicles of the State of Ohio and designated for highway travel.

17.2 Non-motorized Transportation

Bicycles, roller skis, roller skates, roller blades, skateboards, and other means of locomotion which are not specifically regulated by the Ohio Revised Code shall only be used in areas so designated by the Executive Director through a general permit or as approved by the Park Manager.

18.0 Traffic

18.1 Use of Trails and Walks

Persons shall not operate motorized vehicles including electric personal assistive mobility devices on multi-use trails, bridle paths, footpaths, or bicycle paths, except Park employees or emergency service personnel in the performance of their official duties or except as necessary for transportation by Persons with disabilities. Persons shall not use any portion of any Park for purposes of travel except drives, roadways, paths, walks, and trails established for such purposes or as permitted in Section 1.2 of these regulations.

18.2 Trail Regulations

Persons shall obey all Traffic control signs, lane markings, devices, and Posted operational policies on trails.

18.3 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. Park Managers shall have the authority to order roads or drives closed during the process of construction, reconstruction, or repairs or when in their opinion conditions render travel either unsafe or unduly destructive of the road.

18.4 Motor Vehicle Speed Limit

No Person shall operate a motor vehicle upon roadways under the supervision of the Metro Parks at a greater rate of speed than twenty-five (25) miles per hour or at a greater speed than will permit him to bring it to a stop within the assured clear distance ahead. Whenever the Executive Director shall determine, upon the basis of an engineering and traffic investigation, that the speed of twenty-five (25) miles per hour is greater than is reasonable or safe under the conditions found to exist at any intersection, playground, picnic area, or other place upon any part of the roads or drives under the supervision of Metro Parks, said Executive Director shall determine and declare a reasonable and safe prima facie speed limit thereat, which declaration and determination so made shall be effective when appropriate signs giving notice thereof are erected.

18.5 Operation in Willful or Wanton Disregard of Safety

Persons shall not operate vehicles within the Park in a reckless manner or without due regard for the safety of others so as to endanger the life, limb, or property of any Persons in the lawful use of the Park.

18.6 Parking

Persons shall not park or store any motor car, motor vehicle, bicycle, wagon, or other vehicle within any traveled roadway in any Park 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, except at the direction of a Metro Park employee.

18.7 Storage of Vehicles

Persons shall not leave any motor vehicle, wagon, or other vehicle within the Park after closing hours except in an emergency and only after obtaining permission from the Park Manager or a Park Officer. Any vehicle left in the Park after closing hours without permission may be removed from the Park at the owner's expense.

18.8 Commercial Vehicles

Except by authority of special permit granted by the Executive Director, or except for authorized deliveries of materials and supplies to Metro Parks, no agricultural tractor, commercial tractor, commercial car, or semi-trailer as defined in ORC Section 4501.01(C) (D) (J) or (P) shall be operated by any Person over any road or drive within any Park.

18.9 Repairs to Vehicles

Repairing or servicing of vehicles is prohibited within the Park except in emergency and upon notification of a Ranger.

18.10 Incorporation of State Traffic Laws

These rules are in addition to and supplement the State of Ohio traffic laws that are in force and made a part hereof.

19.0 Aircraft

Any aircraft, airships, hot-air balloons, ultra-light aircraft, hang gliders, or any other structure or machine designed to travel through the air may not ascend or descend in the Park except in an emergency or with the prior written permission of the Executive Director.

20.0 Special Facility Regulations and Permits

Certain Park areas or facilities require additional regulations that are necessary for visitor safety and resource protection. The Executive Director may adopt special regulations and such regulations shall be Posted at these special areas or facilities. These regulations may include a permit requirement that may be issued by the Executive Director or his designee. Persons shall comply with all special facility regulations and permit requirements.

BE IT FURTHER RESOLVED, by the Board of Park Commissioners that all provisions of these rules and regulations shall be in full force and effect commencing on and after 12:01 a.m. Eastern Standard Time on August 1, 2004 and all rules and regulations and parts thereof established prior to this date which are inconsistent with any provisions of these rules and regulations are hereby repealed as of the effective date of these rules and regulations. The approval, adoption, and enactment of these rules and regulations shall not be construed to relieve any Person from punishment or prosecution for an act committed in violation of any rule or regulation prior to the effective date; and

BE IT FURTHER RESOLVED, the Executive Director is hereby authorized and directed to cause these rules and regulations to be published and to give notice of the approval, adoption, and enactment of these rules and regulations in the manner prescribed in Sections 1545.09 and 731.21 of the Ohio Revised Code.

Adopted this 8th day of June 2004.

BOARD OF PARK COMMISSIONERS
Columbus and Franklin County
Metropolitan Park District

Chair

Attest: _____

Executive Director
