

ORDINANCE No. 1925

**AN ORDINANCE TO AMEND ORDINANCE
NO. 1923, CLOSING PUBLIC PARKS AT NIGHT,
ESTABLISHING ADDITIONAL RULES FOR PARKS
IN THE CITY OF PRICHARD, ALABAMA**

Sponsored by: Councilman Troy L. Ephraim

**NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF
THE CITY OF PRICHARD, ALABAMA, as follows:**

SECTION 1. Section 1 of Ordinance No. 1923 is hereby amended to read, as follows:

“SECTION 1: Park hours, animals, weapons, littering, alcoholic beverages and profane or obscene language in public parks. It shall be unlawful for any person:

- (a) To be upon the grounds of any public park within the City of Prichard during the hours of darkness (which is defined as the period from one hour after sunset until sunrise) unless such person is at the time a participant or spectator of an activity officially sanctioned by the City.
- (b) To keep, feed, maintain or harbor an animal on or upon the grounds of any public park within the City of Prichard. Harboring shall include knowingly allowing an animal to remain on the grounds of any public park. Employees of the city, as designated by the Mayor, are hereby authorized and empowered to enter upon any public park and to take up and impound any animal, which is observed by such employee to be running at large.
- (c) To possess or carry any weapons, firearms, fireworks, or explosives devices within the area of any public in the City of Prichard.
- (d) To use any athletic fields within in any public park within the City of Prichard for practices for organized sports without having first obtained an approved reservation therefore.

- (e) To camp upon any of the public parks within the City of Prichard without a permit issued by the City of Prichard.
- (f) To throw or deposit litter in or upon the grounds of any public park within the City of Prichard except in public receptacles or in authorized private receptacles for collection.
- (g) To possess or consume alcoholic beverages of any kind upon the grounds of any public park within the City of Prichard.
- (h) To operate any motorized vehicle at a speed in excess of fifteen (15) miles per hour on or upon the grounds of any public park within the City of Prichard.
- (i) To park any vehicle in any areas of any public park within the City of Prichard except those areas designated for parking, and only during hours that the facility is open.
- (j) To operate any motor bikes, dirt vehicles or dirt bikes, bicycles, or skateboards on jogging tracks or ball fields on or upon the grounds of any public park within the City of Prichard.

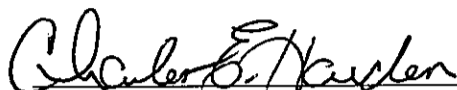
SECTION 2. All other parts of Ordinance No. 1923 shall remain in full force and effect.

SECTION 3. The Mayor is hereby authorized to have signs prepared and posted in all public parks within the City of Prichard giving notice of the prohibitions herein contained and warning that violations will be prosecuted pursuant to this ordinance.

SECTION 4. This ordinance shall become effective immediately upon its adoption and publication as required by law.

ADOPTED this the 22nd day of July 2004.

APPROVED:


Charles E. Harden, Mayor

ATTEST:


Darlene Palmer Lewis, City Clerk

ORDINANCE NO: 1925-A

**AN ORDINANCE CLOSING PUBLIC PARKS AT NIGHT;
ESTABLISHING RULES AND REGULATIONS FOR PUBLIC
PARKS IN THE CITY OF PRICHARD, ALABAMA; AND
REPEALING ORDINANCE NOS. 1923 AND 1925**

**NOW THEREFORE BE IT ORDAINED BY THE CITY OCUNCL OF THE CITY
OF PRICHARD, ALABAMA, AS FOLLOWS:**

SECTION 1. Repeal of Ordinance Nos. 1923 and 1925. Ordinance No. 1923 adopted April 11, 2004 and Ordinance No. 1925 adopted July 22, 2004 are hereby expressly repealed and of no further force and effect.

SECTION 2. Park hours, animals, littering, alcoholic beverages and conduct including profane or obscene language in public parks. It shall be unlawful for any person:

- (a) To be upon the grounds of a public park within the City of Prichard during the hours of darkness (which is defines as the period from one hour after sunset until sunrise) unless such person is at the time a participant or spectator of an activity officially sanctioned or permitted by the City of Prichard.
- (b) To keep, feed, maintain or harbor an animal on or upon the grounds of any public park within the City of Prichard. Harboring shall include knowingly allowing an animal to remain on the grounds of any public park. Employees of the city, as designated by the Mayor, are hereby authorized and empowered to enter upon an public park and to take up and impound any animal, which is observed by such employee to be running at large.
- (c) To possess or carry and weapons, firearms, fireworks or explosive devices with the area of any public park in the City of Prichard.
- (d) To use any athletic fields within any public park with the City of Prichard for practices of organizes sports without having first obtained an approved reservation therefor.
- (e) To camp upon any of the public parks within the City of Prichard without a permit issued by the City of Prichard.

- (f) To throw or deposit litter in or upon the grounds of any public park within the City of Prichard except in public receptacles or in authorized private receptacles for collection.
- (g) To possess or consume alcoholic beverages of any kind upon the grounds of any public park with the City of Prichard.
- (h) To operate any motorized vehicle at a speed in excess of fifteen (15) miles per hour on or upon the grounds of any public park within the City of Prichard.
- (i) To park any vehicle in any areas of any public park with the City of Prichard except those areas designated for parking and only during hours that the facility is open.
- (j) To operate any motor bikes, dirt vehicles or dirt bikes, bicycles, or skateboards on jogging tracks or ball fields or upon the grounds of any public park within the City of Prichard.
- (k) To grill over grass without protective surfaces or dump Hot Coals upon the ground or into any city trash receptacle. For purposes of this ordinance, Hot Coals shall mean any charcoal or wood coal which emit heat sufficient to cause a grass fire or sufficient to cause paper to be set afire when coming into contact therewith. All hot coals are to be cooled and removed with grills from the parks.
- (l) To paste, glue, tack or otherwise post any sign, placard, advertisement or inscription whatsoever upon and public park or grounds of any public recreation facility in the City of Prichard, unless authorized in writing by the Director of Parks and Recreation.

SECTION 3. Park Rules and Regulations. The following rules and regulations shall apply to all public parks and recreation facilities in the City of Prichard, Alabama:

- (a) Any individual or organization must obtain a permit from the City Clerk's Office before using any of the city parks for any event.
- (b) Permits are issued for "In Season" sports only and for specific times and dates.

- (c) The person who submits the applications for a permit on behalf of an organization is personally responsible for insuring that all parks and recreation department rules and regulations are enforced.
- (d) Large groups, 50 or more must have at least 1 uniformed police officer on duty during the game or event. Groups of 100 or more must have at least two (2) uniformed police officers on duty during the game or event. Payment for uniformed officers of the Prichard Police Department must be made at the City Clerk's Office. Names of officers must be provided to the Director of Parks and Recreation before every game or event.
- (e) The keys to all municipal facilities will be distributed to the responsible individual for the association or group using municipal facilities. City personnel will unlock and lock the material before and after each game or event.
- (f) No person shall operate or handle food from a concession stand without a food handlers permit issued by an authorized authority. Certification of food handlers permit (copy) must be turned in to the Director of Recreation prior to operation. Operators must have food handler's permit with them during operation. Any person or persons found without a valid food handler's permit working the concession stand will immediately result in the concession being closed.
- (g) Concession stands must be cleaned after each usage. No items are to be left inside the concession stands that were not there prior to use (i.e., food, utensils, etc.).
- (h) No parks concessions or bathrooms are to be utilized for storage during or after the season. All personal items are to be taken or removed after each game by the responsible party. Any items left, the city will not be responsible for their loss or the theft of such private property.
- (i) No association is in control of any city park. Upkeep of the grounds such as mowing is the responsibility of the City of Prichard. General maintenance of removing trash and litter from the grounds is the responsibility of the responsible individual/group. All groups using the parks must leave them in the same condition as they found them. If a clean-up deposit is forfeited due to noncompliance, the person, group or association will not be permitted to use the grounds again until another deposit is paid.

- (j) In the event that a park is being used by two or more associations or groups, the associations or groups are responsible for meeting and working out their schedules as it relates to practices and cleanups. If one or all of the associations or groups fail to come to a mutual agreement, the parks and recreation director will meet with the associations/groups and make a final decision.
- (k) The permits are for the usage of the field and concession stand only. Other areas of the park can be utilized by the general public.
- (l) No private individual or group is authorized to assess fees and fines as it relates to the city parks.
- (m) Permits may be revoked, at any time, by the parks and recreation department for violation of these rules, regulations and any city ordinance, or for other good cause shown.
- (n) A copy of each team's schedule shall be forwarded to the parks and Recreation Director at least 3 weeks prior to the first scheduled game or event.
- (o) The Parks and Recreation Director can, at any time, direct associations or groups to come before the City Council for violation of any of the aforementioned rules and the City Council shall determine whether the association or group may continue usage of the park or facility.

SECTION 4. The Mayor of the City of Prichard is hereby authorized to have signs prepared and posted in all public parks within the City of Prichard giving notice of the prohibitions herein contained and warning that violations will be prosecuted pursuant to this ordinance.

SECTION 5. A violation of the provisions of Section 2 of this ordinance shall be punishable by a fine not exceeding \$500.00 per violation or by imprisonment up to 6 months or by both fine and imprisonment.

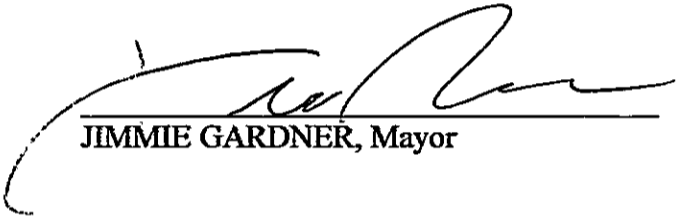
SECTION 6. If any provision, clause, sentence, or paragraph of this Ordinance or the application thereof to any person or circumstances shall be held invalid, that invalidity shall not affect the other provisions of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

SECTION 7. This ordinance, and the repeal of Ordinance Nos. 1923 and 1925, shall become effective immediately upon its adoption and publication as required by law.

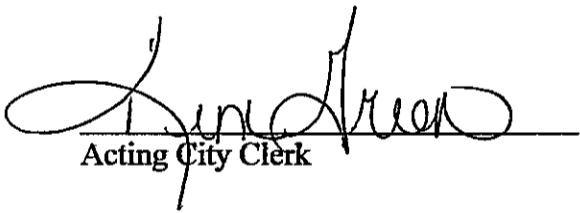
ADOPTED this the 2nd day of March, 2017.

DERRICK I. GRIFFIN, Council President

APPROVED this the 2 day of March, 2017.


JIMMIE GARDNER, Mayor

ATTEST:


Acting City Clerk

Print name: Kirk Green