

**ORDINANCE NO. 8-09**

**AN ORDINANCE ADOPTING A POLICY FOR  
PUBLIC BEHAVIOR ON VILLAGE OF SPENCER  
PARK PROPERTY AND DECLARING AN EMERGENCY**

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Spencer,  
Ohio, three-fourths (3/4) of its members concurring herein as follows:

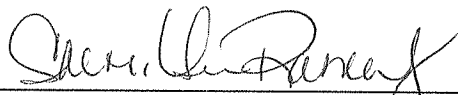
1. That Spencer Village Council hereby adopts the written policy for public behavior on Village of Spencer park property as set forth in "Exhibit A," attached hereto and incorporated herein.

2 That this Ordinance is hereby determined to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety of said Village and for the particular reason that it is necessary to adopt a written policy for the governance of behavior on Spencer Village park property for utilization by the Village of Spencer Police Department and that this Ordinance shall be in full force and effect from and after its passage.

PASSED: April 15, 2009

  
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TOMMY RAMEY, Mayor

ATTEST:

  
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SHERI RAMEY, Village Fiscal Officer

## **POLICY FOR PUBLIC BEHAVIOR ON VILLAGE OF SPENCER PARK PROPERTY**

The Spencer Village Council is responsible for determining rules for public behavior in the Spencer Village Parks that are necessary to:

1. Protect the rights of individuals with respect to use of the Spencer Village Park property.
2. Protect the rights of Village of Spencer employees and volunteers who conduct Village business without interference.
3. Ensure the use of Spencer Village Park facilities and services by the greatest number of individuals.
4. Preserve Spencer Village property and facilities from harm.
5. Ensure the safety of Village of Spencer patrons, employees, and volunteers.

The rules for public behavior are listed below. An individual who repeatedly violates the Village of Spencer Rules and Regulations shall be denied the privilege of access to the Spencer Village Parks by the Village of Spencer Council on recommendation of the Village of Spencer Police Chief. In case of emergency, the Police Chief may take immediate action and the Spencer Village Council shall take action as soon as possible afterward. Any individual whose privileges have been denied may have the decision reviewed by the Spencer Village Council. The Spencer Village Council authorizes the Spencer Village Police Chief to take reasonable law enforcement action with respect to individuals who violate these rules.

Spencer Village employees are authorized to bring to an individual's attention any act or omission which violates these rules and detracts from the decorum of behavior at the Village of Spencer Park properties. Such an individual will be asked to change the problem behavior to conform to the rules. If such change is not evident or forthcoming, that individual will be asked to leave the Village of Spencer property. Failure to leave, if asked, will result in the police being called. A violation of § 2911.21 of the Ohio Revised Code or §§ 131.06(A) or 131.06 (F) of the Ohio Basic Code will be considered if the individual does not leave of his/her own accord.

Any misconduct that hinders the use of the Village of Spencer Park properties or causes a nuisance is prohibited. Prohibited misconduct may include, but is not limited to:

1. Illegal activities.
2. Unreasonable loud or boisterous behavior.
3. Conversation that is unreasonable disturbing to other individuals or employees.

4. Profanity or other abusive language toward other Park patrons or Village of Spencer employees.
5. Abusing and/or damaging Park property, equipment, or materials.
6. Harassment of others, either verbally or through actions. Harassment may be, but is not limited to, initiating unwanted conversations, impeding access to Park property, or other actions another individual reasonably perceives to be hostile, threatening, or offensive.
7. Fighting on Village of Spencer property.
8. Possession, sale, or use of alcoholic beverages, illegal substances or paraphernalia on Village of Spencer property.
9. Unauthorized buying, selling, or soliciting for personal or commercial gain.
10. Using radios, tape players, or other personal listening equipment at a volume that is unreasonably offensive to other individuals.
11. Using the emergency exits at times other than during an emergency.
12. The Village of Spencer reserves the right to limit the number of individuals who may gather together where ingress and egress are blocked.
13. The Village of Spencer reserves the right to inspect all bags, purses, brief cases, packs, personal property, overcoats, and listening equipment for illegal materials.
14. Unauthorized use of any motor vehicle on the Park property outside of paved parking areas.