

CHAPTER 23: PUBLIC PARKS, PLAYGROUNDS, AND RECREATION CENTERS

Section

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Section 23-101 Development of Municipal Recreation Programs

The authority to develop programs of recreational activities and services designed to meet the leisure time interest and needs of all municipal citizens is hereby granted to and vested in the park and recreation board, which board shall have the power to purchase, maintain and equip parks, playgrounds, recreation centers, and the buildings associated therewith, and to develop, maintain, and operate all types of recreation facilities, as provided in Chapter 64, Title 36 of the Official Code of Georgia Annotated.

Section 23-102 Regulations Governing Use of Public Parks and Facilities

1. **Use of Grounds and Facilities in General.** Each person, firm, or corporation using the public parks and grounds shall cleanup all debris, extinguish all fires when such fires are permitted, and leave the premises in good order and the facilities in a neat and sanitary condition.
2. **Prohibited Acts.** It shall be unlawful for any person, firm, or corporation using such parks, grounds, or facilities to either perform or permit to be performed any of the following acts:
 - A. To willfully mark, deface, disfigure, injure, tamper with, or displace or remove, any buildings, bridges, tables, benches, fireplaces, railings, paving or paving material, waterlines or other public utilities or parks or appurtenances thereof, signs, notices, or placards whether temporary or permanent, monuments, stakes, posts, or other boundary markers, or other structures or equipment, facilities or park property or appurtenances whatsoever, either real or personal;
 - B. To throw, discharge, or otherwise place or cause to be placed in the waters of any fountain, pond, lake, stream, bay, or other body of water in or adjacent to any park or any tributary, stream, storm sewer, or drain flowing into such waters, any substance, matter or thing, liquid or solid, which will or may result in the pollution of said waters;
 - C. To damage, cut, carve, transplant, or remove any tree or plant or any part thereof;
 - D. To hunt, molest, harm, frighten, kill, trap, chase, tease, shoot, or throw missiles at any animal, reptile, or bird or remove or have in his possession the young of any wild animal, or the eggs, nest, or young of any other animal;
 - E. To bring in or dump, deposit, or leave any bottles, broken glass, ashes, paper, boxes, cans, dirt, rubbish, waste, garbage, refuse, or other trash. No such refuse or trash shall be placed in any waters in or contiguous to any park, or left anywhere on the grounds thereof, but shall be placed in the proper receptacles where these are provided; and where receptacles are not so provided, all such rubbish or waste shall be carried away from the park by the person responsible for the presence of same, and properly disposed of elsewhere;
 - F. To disturb the peace, or use any profane or obscene language;
 - G. To endanger the safety of any person by any conduct or act;
 - H. To commit any assault or battery, or engage in fighting;
 - I. To carry, possess, or drink any alcoholic beverage in the park;
 - J. Violate any rule for the use of the park, made or approved by the park and recreation board;
 - K. To prevent any person from using any park, or any of its facilities, or interfere with such use in compliance with this Chapter and with the rules applicable to such use;

- L. To swim, bathe, or wade in any waters or waterways in or adjacent to any park, except in such waters and at such places as are provided therefor, and in compliance with such regulations as are herein set forth or may be hereafter adopted;
- M. To dress or undress on any beach, or in any vehicle, toilet, or other place, except in such bathing houses or structures as may be provided for that purpose;
- N. To possess or use any fireworks, explosives, firecrackers, firearms, bows and arrows, spring guns, air rifles, slingshots, or any device which discharges projectiles by any means; and
- O. To refuse to cease the violation after notice.

3. **Hours of Operation.** The public parks shall be open daily to the public during the hours of sunrise to sunset; and it shall be unlawful for any person or persons other than Town personnel conducting Town business therein to occupy or be present in such parks during any other hours.

Any section or part of a park, or an entire park, may be declared closed to the public by the Mayor and Town Council at any time and for any interval of time, either temporarily or at regular or stated intervals.

4. **Group Activity.** Whenever more than three (3) members of any group, association, or organization desire to use any park facility for a particular purpose, such as picnics, parties, or theatrical or other entertainment performances, a representative of such group, association, or organization shall first obtain a permit from the Mayor and Town Council for such purpose.

The Mayor and Town Council shall grant the application for a permit if it appears that the group, association, or organization will not interfere with the general use of the park by individual members of the public, and if the said group, association, or organization meets all other reasonable conditions which may be imposed by the Mayor and Town Council.

Such application may contain a requirement for an indemnity bond to protect the Town from any liability of any kind or character and to protect Town property from damage.

5. **Picnic Areas and Use.** No person in a park shall use any portion of the picnic areas, or of any of the buildings or structures therein, for the purpose of holding picnics to the exclusion of other persons, nor shall any person use such areas and facilities for an unreasonable time if the facilities are crowded.

6. **Other Regulations.**

- A. **Games.** It shall be unlawful for any person to take part in or abet the playing of any games involving thrown or otherwise propelled objects such as balls, stones, arrows, javelins, or model airplanes except in areas set apart for such forms of recreation. The playing of rough or potentially dangerous games such as football, baseball, and soccer is prohibited except on the fields, courts, or areas provided therefor.
- B. **Camping.** It shall be unlawful for any person to set up tents, shacks, or any other temporary shelter for the purpose of overnight camping, nor shall any person leave in a park after closing hours any movable structure or special vehicle to be used, or that could be used, for such purpose, such as a house-trailer, camp-trailer, camp-wagon, or the like.
- C. **Fires.** It shall be unlawful for any person to build or attempt to build a fire except in such areas and under such regulations as may be designated by the Fire Chief. No person shall drop, throw, or otherwise scatter lighted matches, burning cigarettes, or cigars, tobacco paper, or other inflammable material within any park area or on any highway, road, or street abutting or contiguous thereto.
- D. **Animals.** It shall be unlawful to bring any dangerous animal into any park, and it shall be unlawful to permit any dog to be in any park unless such dog is on a leash not more than four feet (4') long.
- E. **Automobiles.** It shall be unlawful to drive or park any automobile except on a street, driveway, or parking lot in any park; or to park or leave such vehicle in any place other than one established for public parking.
- F. **Sales.** It shall be unlawful for any person to vend, sell, peddle, or offer for sale any commodity or article within the park unless such person possesses a license issued by the Town.
- G. **Alcoholic Beverages.** It shall be unlawful for any person within any park to have in his or her possession, custody, or control any alcoholic beverage of any kind whatsoever.
- H. **Signs.** It shall be unlawful for anyone to paste, glue, tack, or otherwise post any sign, placard, advertisement, or inscription whatever, nor shall any person erect or cause to be erected any sign

whatever on any public lands or highways or roads adjacent to a park, except that these provisions shall not apply to any properly authorized government official in pursuit of any official duty.

Section 23-103 Acquisition of Real Property, by Purchase or Gift, to Be Used as a Park or Recreational Area

A county, municipality, local board of education, or public authority created by local or general law may not accept a gift of or otherwise acquire real property which is intended to be used for a park or recreational area unless, prior to such acceptance or acquisition, such political subdivision or authority retains an environmental health engineer for a phase 1 environmental assessment to examine the property for contaminants, hidden methane gas, and similar hazards which would be dangerous to public use of such property and receives a report regarding any discovered dangers. If such report discloses significant dangers, the property shall not be accepted or acquired unless the danger is eliminated; otherwise, such property may be accepted or acquired.

At least every twenty (20) years after property has been accepted or acquired pursuant to the above paragraph, the political subdivision or authority shall retain an environmental health engineer to retest the property for hazards.