

Proposed Ordinance: #0-27-21
Subject Matter: Amendment to Chapter 66 of Code (Parks and Recreation)
Date Presented at Council Public Meeting: November 18, 2021

CITY OF FAYETTEVILLE
COUNTY OF FAYETTE
STATE OF GEORGIA

ORDINANCE NUMBER 0-27-21
CITY OF FAYETTEVILLE, GEORGIA

PREAMBLE AND FINDINGS

AN ORDINANCE OF THE CITY OF FAYETTEVILLE

WHEREAS, the City of Fayetteville (the “City”) has determined that to serve the needs of the community certain amendments are needed in the City’s Parks and Recreation Ordinance and Chapter 66 of the City’s Code; and

WHEREAS, the City of Fayetteville does hereby ordain the following amendments to Chapter 66, “Parks and Recreation”.

WHEREFORE THE CITY OF FAYETTEVILLE HEREBY ADOPTS AND ORDAINS THE FOLLOWING ORDINANCE:

ARTICLE ONE

The City of Fayetteville Parks and Recreation Ordinance, as codified at Chapter 66 of the City’s Code of Ordinances, is hereby amended by deleting the stricken (~~stricken~~) language and adding the double underlined (double underlined) language as follows:

Section 66-1.- Control of city parks and public property.

The city shall have control of Jack Day Park, Church Street Park, Patriot Park, Burch Park, May Harp Park, Dickson Springs Park, City Center Park and any other park or public property now or hereafter owned or operated by the city.

Section 66-2. - Entry after dark.

It shall be unlawful for any person to enter or be upon the grounds or premises of any city park or public property without proof of permission issued by the proper respective authority between 9:00 p.m. and 6:00a.m., except for Jack Day Park and ~~the Depot~~, City Center Park, where lighting is provided for nighttime activities, where it shall be unlawful for any person to enter or to be upon the grounds or premises between 12:00a.m. and 6:00a.m.

Section 66-3. - Alcoholic beverages prohibited.

The consumption of any alcoholic beverage is prohibited in any city park unless such alcoholic beverage is purchased from a vendor operating under a valid City of Fayetteville permit or if the alcoholic beverage is consumed at a special event or catered function permitted for the sale or consumption of alcohol.

Section 66-4. - Refuse and dumping.

All refuse shall be disposed of in a proper waste facility within the city parks. In the event that any city park does not maintain a waste facility, the refuse shall be disposed of at another suitable waste facility. At no time is littering and dumping permitted within a city park or on public property.

Section 66-5.- Dogs.

All dogs in city parks or public property shall be kept on leash unless located within the dog park at the City Center Park. and dog feces shall be collected and discarded by the dog owner. Dog waste shall be immediately removed by placing said matter in a closed or sealed container and thereafter disposing of it in a trash receptacle or other closed sealed refuse container.

Section 66-6.- Park trails.

The walking paths or trails located within any city park are only for use by pedestrians, persons who use a wheelchair and persons operating non-motorized vehicles. Motorized recreation vehicles such as dirt bikes or go-carts are prohibited within the city parks. Parking is only allowed in designated areas.

Section 66.7 - Fishing.

City parks which maintain ponds or lakes may be fished from a location along the shoreline or from a dock. All watercraft are prohibited within city parks.

Section 66-8.- Soliciting.

Soliciting of the sale of any service or good is not allowed in any city park without obtaining a permit from the city.

Section 66-9.- Organized events.

For the purposes of this Section 66-9 an “organized event” shall be defined as any event which is advertised by any media outlet, or any other method of advertising; any rally; the posting or handing out of flyers, papers, advertisements; any event where any participant implements the use of any sound amplification system device or plays amplified music; any gathering where alcohol is consumed; or any gathering sponsored by an organization.

Organized events are only permitted in the ~~Depot~~, Gazebo area of Jack Day Park, Church Street Park, Patriot Park, ~~Villages~~ Amphitheater, Holiday Dorsey-Fife House, City Hall and City Center Park and Dickson Springs Park. Organized events are not allowed within any other city park or on public property. This section shall not be construed to prohibit organized events at a licensed event center located on private or leased property within the City.

Section 66-10.- Camping prohibited.

Notwithstanding the provisions of any other ordinances, no person shall be allowed to camp or reside overnight with or without a recreational vehicle, tent, sleeping bag, vehicle or other structure at a city park or on public property.

Section 66-11.- Fires within the parks and on public property.

No outdoor cooking of food or outdoor fires or portable grills shall be permitted within the city parks or on public property, except in areas specifically designated by the city.

Section 66-12.- Posting signs.

No park visitor may affix any bill, sign or notice on any tree, building or fixture, or handouts to another person in any of the parks.

Section 66-13.- Model Airplane or drone flying.

No person shall engage in model airplane or drone flying in any public park unless the use is a contracted vendor flying on behalf of the City.

Section 66-14.- Enforcement.

Citations for violation of this chapter may be issued by the city manager or his/her designee, or a police officer of the city. The citation shall be returnable to and tried before the municipal court of the city. Any person, firm, or corporation violating any provisions of this chapter shall, upon conviction, be fined in an amount as authorized by the city's Charter.

ARTICLE TWO

This ordinance shall become immediately effective upon its second reading and adoption by the City Council.

ARTICLE THREE

The preamble of this ordinance shall be construed to be, and is hereby incorporated by reference as if fully set out herein.

ARTICLE FOUR

All ordinances and parts of ordinances in conflict herewith are expressly repealed.

BE IT RESOLVED, that the Mayor and Council of the City of Fayetteville, Georgia do hereby adopt the attached City of Fayetteville Ordinance.

SO RESOLVED, this 18th Day of November, 2021.

Edward J. Johnson, Jr., Mayor

Attest:

Anne Barksdale, City Clerk

Darryl Langford, Mayor Pro Tem

T. Joe Clark, Councilmember

Richard J. Hoffman, Councilmember

Paul C. Oddo, Jr., Councilmember

Scott Stacy., Councilmember