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GENERAL PROVISIONS

§ 92.01 HELMET REQUIREMENT.

(A) *Regulations.*

(1) Every person operating a bicycle, roller blades or skateboard on town property (including parks and greenways) shall wear a helmet of good fit, fastened securely, and:

(a) Meeting ANSI Z90.4 standards, as amended; or

(b) The Snell Foundation 1995 Standard for Protective Headgear for use in bicycling, or ASTM bicycle helmet standard, as the standards above may be amended.

(2) No person operating a bicycle on town property (including parks and greenways) shall allow anyone under the age of 6, and weighing less than 40 pounds to ride as a passenger on a bicycle other than in a seat which shall adequately restrain the passenger and protect the passenger from moving bicycle parts, or astride the regular seat of a tandem bicycle.

(3) No person operating a bicycle on town property (including parks and greenways) shall allow anyone to ride as a passenger unless the passenger is wearing a helmet as defined in division (A)(1) of this section.

(B) *Enforcement.* This section shall be enforced by those town officials appointed by Town Council.

(Ord. O-00-11, passed 8-14-2000; Am. Ord. passed 5-8-2017) Penalty, see § 92.99

PARKS REGULATIONS

§ 92.15 PURPOSE.

The purpose of this subchapter is to provide rules and regulations to be enforced at the town's recreational facilities for the health, safety and enjoyment of the visitors to the facilities.

(Ord. O-98-12, passed 12-14-1998)

§ 92.16 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

LOITERING. If a person remains in a vehicle with or without other persons without cause; repeatedly beckons to, stops or attempts to stop passers-by or motor vehicles without cause; or repeatedly interferes with the free passage of other persons within the park.

PARK. Any and all those public areas owned, operated or maintained by the town and designated as a Town of Fletcher Recreational Park.

(Ord. O-98-12, passed 12-14-1998)

ELECTRIC BICYCLE (E-BIKE). A bicycle equipped with an electric motor that provides assistance through pedaling or a throttle, including Class 1, Class 2, and Class 3 electric bicycles as defined by North Carolina law.

PUBLIC PARK. Any publicly owned or maintained land which is designated by the town as a park or recreational facility.

REGISTERED SEX OFFENDER. An individual who is registered by any state or federal agency as a sex offender and whose name is published on any state or federal ***REGISTERED SEX OFFENDER*** listing, including but not limited to the sex offender registry established in G.S. Chapter 14, Art. 27A.

(Am. Ord. passed 6-13-2005)

§ 92.17 RULES AND REGULATIONS.

(A) The following shall be the rules and regulations of all of the recreational facilities of the town and shall be strictly enforced.

(B) It shall be unlawful for any person in any park, playground, ballfield, tennis court or any other recreational facilities thereof, owned and controlled by the town, to disregard the following:

(1) Park hours of operation.

(a) ~~*Fletcher*~~ *Bill Moore Community Park*. Monday through Sunday dawn to dusk.

(b) *Kate's & Pete's Park*. Monday through Saturday 7:30 a.m. to dusk; Sunday 1:00 p.m. to dusk (or unless extended by the Parks and Recreation Department).

(Am. Ord. passed 9-11-2000)

(2) Trespassers entering the park before or after park hours will be prosecuted to the fullest extent of the law.

(3) Littering is expressly prohibited. All trash must be placed in provided trash receptacles. Under no circumstances will household garbage or waste generated outside the park be permitted to be disposed of in the park facilities or on park grounds.

(4) Abusive language/disorderly conduct/fighting will not be tolerated. This is a family park.

(5) The holding of any exhibition, ceremony or making of any speech without permission from the Parks and Recreation Department will not be allowed.

(6) Firearms and concealed weapons are prohibited.

(7) Alcohol beverages and illegal drugs are not allowed on park grounds. The selling, delivering or attempting to sell or deliver any alcoholic beverage or illegal substance is prohibited.

(8) Tobacco products of any kind are prohibited.

(9) Obey all traffic signs. All vehicles, including motorcycles, must be parked in parking spaces provided. Service roads and walking paths are for pedestrians and town vehicles only. It shall also be unlawful for failure to obey all traffic officers or the persons being authorized and instructed to direct traffic whenever and wherever needed in the park.

(10) Vehicles left unattended for more than 24 hours on park property will be towed away at the owner's expense.

(11) Defacing or intentionally damaging any town-owned facility or monument is prohibited.

(12) Soliciting of any kind on park property is prohibited. This includes the distribution of any handbills or circulars, or posting, placing or erecting any bills, notices, political signs, paper or advertising devices not authorized by the Parks and Recreation Department.

(13) Vendors are prohibited from any type of selling without prior approval by Parks and Recreation Department.

(14) Cutting, picking, pulling or damaging trees, flowers, plants or other vegetation is strictly prohibited.

(15) Dogs must be leashed at all times and no more than 4 feet from owner. Dogs are not allowed in the children's playground areas. Users are asked to be considerate of others and owners must pick up dog's excrement on park grounds. All animal fecal matter must be removed by the owner and not left on trails, fields or in other public areas.

(16) Walking trails will be used primarily by pedestrians. However, persons on skateboards, skates and bicycles are welcome, but must use proper precautions, travel at a safe speed, and stay on walking trails at all times. All other motorized-type vehicles must be parked in parking spaces provided. Motorized handicapped wheelchair (or similar accessory vehicles not to exceed 1,000 pounds) are allowed on walking trails. Driving or operating ATVs, motorbikes, e-bikes, or other motor vehicles on trails or park grounds is prohibited. (see Rule 36 below)

(17) Park grills are designed for charcoal only. It is unlawful to gather and burn wood on town property or discharge fireworks, unless approved by the town's Fire Marshal. Personal grills in good operating conditions may be used in designated picnic areas only. No open fires or campfires will be permitted. Erecting tents, canopies or nailing decorations to park structures is not allowed without permission from Parks and Recreation Department.

(18) Swimming in the park pond is prohibited.

(19) Fishing from the banks of Cane Creek is allowed with proper North Carolina license.

(20) Hunting of any kind is prohibited.

(21) Hitting golf balls is prohibited.

(22) Flying model airplanes on park property is prohibited, unless at an event approved by the Parks and Recreation Department.

(23) Flying of unmanned aircraft systems (UAS or "drones") on or above park property is prohibited. Approval may only be granted by
the Parks and Recreation Department and must be in accordance with North Carolina Department of Transportation regulations, North Carolina General Statutes and Federal Aviation Administration guidelines.

(24) Fairground activities, flea market, garage sales and the like are not allowed without proper approval and permit from Parks and Recreation Department.

(25) Loitering, indecent conduct or any behavior which interferes with visitors will not be tolerated.

(26) Use of park areas and facilities is at the user's own risk. The town assumes no responsibility or liability for misuse of park or of its facilities.

(27) The Parks and Recreation Director or any town employee designated by the Town Manager shall have the authority to eject from any facility any person acting in violation of the rules and regulations posted for ~~Fletcher~~ Bill Moore Community Park. If a person is ejected from any facility, this shall be done verbally by an authorized town employee. The interfering with or hindering in any manner any town employee or contracted individual from performing their official duties is prohibited.

(28) Audio and musical devices should be operated at a volume not to disturb other visitors, with the exception of Parks and Recreation activities and authorized events.

(29) Benches, picnic tables and the like shall be "first come, first served" unless otherwise designated by the Parks and Recreation Department.

(30) No rock or other projectile throwing is allowed. This includes rockets fired or launched from the ground, with the exception of fireworks displays approved by the town.

(31) Use of a site closed to public or facility already reserved to other individuals.

(32) The using of any area or facility for commercial purposes are prohibited, without prior approval by the Parks and Recreation Department.

(33) Horseback riding is not permitted unless authorized by
the Parks and Recreation Director (See Rule 14, above).

(34) Alterations, modifications and/or additions to parks and facilities are not permitted without prior approval from the Parks and Recreation Director.

(35) Temporary housing (i.e. motor homes, RVs, tents, house trailers) may not be parked overnight with occupants inside. Only at the discretion of the Town Council may overnight camping be permitted.

(36) The operation of electric bicycles (e-bikes), including pedal-assist and throttle-assisted bicycles, is prohibited on all trails, greenways, and open areas within parks owned or operated by the Town of Fletcher. This restriction is intended to promote pedestrian safety and protect park grounds and recreational facilities. This prohibition shall not apply to wheelchairs or other mobility devices used by individuals with disabilities, as permitted by applicable law.

(37) The operation of remote-controlled (RC) cars is prohibited within all parks owned or operated by the Town of Fletcher. This restriction protects park grounds, landscaping, and recreational areas from damage and promotes the safety of pedestrians and other park visitors.

(38) The throwing of rocks, bottles and the like or climbing on equipment not designated for such climbing will be prohibited.

(Ord. O-98-12, passed 12-14-1998)

(39) Effective July 1, 2005, registered sex offenders shall be prohibited from entering all of the town's public parks.

(a) It shall constitute a general offense against the regulations of the Town of Fletcher for any person or persons registered with the State of North Carolina and or any other state or federal agency to enter knowingly into or on any public park owned, operated or maintained by the town.

(b) The Town Manager shall be charged with posting this regulation at the main entrance of each park within 30 days of the passage of this division.

(Am. Ord. passed 6-13-2005; Am. Ord. passed 5-8-2017)

Penalty, see § 92.99

Cross-reference:

Alcoholic beverages and illegal drugs prohibited, see Chapter 130 of this code of ordinances

Gathering and burning wood; discharge of fireworks prohibited, see Chapter 93

Prohibition of firearms and concealed weapons, see Chapter 131

Unattended vehicles towed at owner's expense, see Chapter 94

Volume of audio and musical devices, see Chapter 90

Statutory reference:

Abusive language, disorderly conduct or fighting, see G.S. § 14-132

Cutting, picking, pulling or damaging vegetation, see G.S. § 14-128

Defacing or intentionally damaging town facility or monument, see G.S. § 14-32

Littering, see G.S. § 14-399

Trespassing before or after hours, see G.S. § 14-159.13

Use of walking trails; motorized vehicles restricted, see G.S. § 20-175

§ 92.18 LEASE OR RENTAL.

Any person or persons entering into a lease or rental agreement of any recreation facility or recreation area agrees to hold harmless the town. The sponsor shall assume full responsibility. Rates shall be charged, and a rate schedule shall be updated and approved by the Parks and Recreation ~~Commission~~ Advisory Board. Failure to abide by the listed rules and regulations will result in forfeiture of future rental use of the town's facilities.

(Ord. O-98-12, passed 12-14-1998)

§ 92.19 VIOLATIONS.

Any person who violates any provision of the rules and regulations may be deemed guilty of a misdemeanor. The Town of Fletcher Police Department may issue citations or take other legal measures as may be allowed to enforce the terms and provisions of the rules and regulations set forth for ~~Fletcher~~ Bill Moore Community Park.

(Ord. O-98-12, passed 12-14-1998) Penalty, see § 92.99

§ 92.20 RENTAL FEES.

(A) The revenue pricing policy for the town parks system attached to Ord. O-99-9 is hereby adopted by reference as if set out in full herein, being approved by the Town Council as unanimously recommended by the Parks and Recreation ~~Commission~~ Advisory Board.

(B) The Town Council also authorizes the Parks and Recreation Advisory Board to approve of any changes to the fee and charges schedule as deemed necessary. Any other changes to the policy must be approved by the Town Council.

(Ord. O-99-9, passed 12-13-1999; Am. Ord. passed 10-10-2005; Am. Ord. passed 5-8-2017)

§ 92.99 PENALTY.

(A) Any person who violates any provision of this chapter for which no penalty is provided shall be subject to the terms of § 10.99.

(B) Any violation of division (A) of § 92.01 shall be punishable as provided in G.S. § 14-4, and shall be subject to a fine not to exceed $50.

(Ord. O-00-11, passed 8-14-2000)

(C) Any violation of §§ 92.15 through 92.19 shall be an infraction punishable by a fine of not more than $50, plus court costs. If any violation continues, each day's violation may be considered a separate offense. Flagrant misuse of parks and recreation facilities will result in a forfeiture of future use or reservation privileges.

(Ord. O-98-12, passed 12-14-1998)

(D) Anyone who is found in violation of § 92.17(B)36

shall be subject to a fine of not less than $500 per offense and/or 30 days in jail as outlined in G.S. § 14-4(a). Each and every entry into the park, regardless of the time period involved, shall constitute a separate offense under this division. This division (D) is effective July 1, 2005.

(Am. Ord. passed 6-13-2005)

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