

**ORDINANCE NO. 10-2013**

**AN ORDINANCE TO ESTABLISH RULES AND REGULATIONS  
FOR PARKS AND OTHER RECREATIONAL AREAS IN THE  
TOWN OF PLAINFIELD, INDIANA**

WHEREAS, it has become necessary to establish rules and regulations for parks and other recreational areas in the Town of Plainfield, Indiana.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Plainfield, Hendricks County, Indiana that:

**Section 1. Purpose**

The purpose of this ordinance is to establish reasonable and responsible rules for those individuals who use the parks and other recreational areas owned and operated by the Town of Plainfield. This ordinance is necessary to insure that residents fully enjoy leisure and recreational activities available in Plainfield parks and other recreational areas and to protect the health and safety of persons using the parks and other recreational areas.

**Section 2. Parks and other Recreation Areas Defined**

The words "parks and other recreation areas" shall include but not be limited to, any lands, buildings, structures, waters, parks, trails, drives, and roadways in the Town of Plainfield, Indiana that are under the jurisdiction and control of the Town of Plainfield and the Plainfield Parks and Recreation Department.

**Section 3. Park / Trail Hours**

No person shall enter or remain in any park or other recreational area or on any trail, except those portions of trails that are town sidewalks, in the Town of Plainfield after the park, trail or recreational area is closed to the public. Parks and other recreational areas in the Town of Plainfield are open to the public at dawn and close at dusk or at the conclusion of department programming or park approved activities, whichever is later.

**Section 4. Vehicles Left in Parks After Closing Hours**

No person shall leave a vehicle within any park or other recreation area in the Town of Plainfield after the location has closed to the public, except in cases of an emergency or with consent of the Town Manager or the Director of the Plainfield Parks and Recreation Department. The registered owner of a vehicle shall be responsible for the vehicle being within any park or other recreational area after the location has closed to the public.

**Section 5. Disposal of Rubbish, Refuse and Garbage**

No person shall take into, carry through, or put into any park or other recreation area any rubbish, refuse, garbage or other material except any refuse or garbage resulting from properly using the parks and recreation areas which shall be deposited in receptacles provided. Where

receptacles or adequate receptacles are not provided, all such rubbish or waste shall be carried away from the park or recreation area by the person responsible for its presence and disposed of elsewhere.

**Section 6.     Altering or Removing Signs, Structures, Fixtures and Other Improvements Prohibited**

No person shall damage, deface, remove or otherwise alter any sign, structure, fixture, or other improvement in any park or other recreational area in the Town of Plainfield. The signs, structures, fixtures or other improvements shall include, but not be limited to, any drive, roadway, walk, path, trail, bridge, wall, monument, statue, fountain, grill, table, bench, fence, gate, building, pool and recreational equipment.

**Section 7.     Disturbing, Injuring, or Removing Wildlife and Vegetation Prohibited**

No person shall harass, hurt, trap, injure, remove or otherwise disturb any wildlife located in any park or other recreational area in the Town of Plainfield without the express written permission of the Town Council of the Town of Plainfield. The term "wildlife" shall mean any wild mammal, bird, reptile, amphibian, mollusk, crustacean, or other wild animal or any part, product, egg, offspring, or the dead body or parts of the wild animal.

Except for those persons participating in the Parks and Recreation Department Community Garden programs and adhering to the rules and regulations for participation in the program, no person shall harvest, cut, break, set afire, injure, remove or otherwise disturb or damage any plant, flower, bush, tree, or other vegetation growing in any park or other recreational area in the Town of Plainfield. No person shall attach any rope or cable or other contrivance to any tree, fence, railing, bridge, bench, or other structure.

**Section 8.     Swimming Prohibited**

No person shall, swim, or bathe in any waters that are within any park, along any trail or are a part of other recreational areas unless a lifeguard is on duty at the particular site. Recreational areas included, but not limited to, are Splash Island Outdoor Family Waterpark and Splash Island Indoor Pool.

**Section 9.     Pet Supervision Required**

No person shall bring any pet into a park or other recreational area in the Town of Plainfield unless the person shall continuously supervise such pet, including preventing or promptly repairing any damages caused by the pet and picking-up and disposing of any excrement dropped by the pet upon any park property. All pets are to be kept on short leashes at all times.

Dogs are allowed off-leash at the Plainfield Bark Park. Annual memberships are required to gain access to the Plainfield Bark Park. Users of the Bark Park must adhere to rules posted at the Bark Park and those listed on the registration form.

**Section 10. Camping Prohibited**

No person shall erect or maintain a tent or other shelter, or otherwise camp within any park or other recreational area in the Town of Plainfield without express written permission of the Plainfield Parks and Recreation Department. Permission must be conspicuously posted at the campsite.

**Section 11. Fires and Fireworks Prohibited**

No person shall build, kindle, maintain or use a fire within any park or other recreational area in the Town of Plainfield unless the person properly contains such fire in facilities designed for that purpose. Any fire shall be continuously monitored and under the care and direction of a competent person from the time it is kindled until it is extinguished. A permit from the Plainfield Fire Department and approved by the Plainfield Parks and Recreation Department is required for any bonfire or fires for cooking not utilizing a grill. Discharging of fireworks is prohibited in any park, trail or property owned or maintained by the Town of Plainfield.

**Section 12. Solicitations, Commercial Sales and Commercial Photography Prohibited**

Except for persons complying with Plainfield Parks and Recreation Facility Fund-Raising, Canvassing, Soliciting, Vending and Advertising Policy, no person shall solicit, advertise, sell, photograph or promote for sale any commercial product or event within any park or other recreational area in the Town of Plainfield without the express written permission of the Plainfield Town Council. The person must conspicuously post such permission at the site of such activity. Distribution or posting of flyers, brochures or other written material is prohibited in parks and other recreational areas within the Town of Plainfield.

**Section 13. Speed Limits**

No person shall operate any vehicle or bicycle upon roadways within a park or other recreational area in the Town of Plainfield in excess of the speed limit as posted, or 15 miles per hour, whichever is less.

**Section 14. Bicycle/Pedestrian Trail Restrictions**

No person shall enter or remain on any trail area, except those portions of trails that are town sidewalks, in the Town of Plainfield after the trail area is closed to the public. Trails are open to the public at dawn and close at dusk or at the conclusion of parks and recreation department programming or park approved activities, whichever is later.

No person shall operate any motorized vehicle, including golf carts, motorized bicycle, motorized skateboard or other similar device upon any trail designed for bicycle/pedestrian use in the Town of Plainfield, except persons with a disability, as defined by the American With Disabilities Act who may operate the specialized motorized equipment designed for their transportation. Motorized vehicles owned and operated by the Town of Plainfield and/or its contractors and subcontractors are permitted on any trail designed for bicycle/pedestrian use within town of Plainfield, when doing work for the Town or providing a service for the Town.

No person shall ride or allow any horse on any trail designed for bicycle/pedestrian use or in any park or other recreational area in the Town of Plainfield unless approved by the Town of Plainfield.

No person shall ride a bicycle at an excessive speed or engage in any racing activity upon any trail designed for bicycle/pedestrian use in the Town of Plainfield unless participating in a Parks and Recreation Department approved or sponsored function. In-line skaters, skate boarders and bicyclists shall yield to pedestrians. Bicyclists shall yield to all trail users not on bicycles.

#### **Section 15. Other Prohibited Activities**

Users must comply with posted rules, restrictions and guidelines. Activities listed as follows are **prohibited** within all parks and other recreational areas in the Town of Plainfield:

1. Littering
2. Use of a metal detector
3. Parking vehicles on grass
4. Golfing
5. Children under the age of 13 not accompanied by an adult
6. Fishing from all bridges over White Lick Creek
7. Use of park equipment, apparatus, structures and buildings in any manner inconsistent with their intended purposes
8. Swimming in White Lick Creek, ponds, retention ponds or other similar bodies of water
9. Climbing on ALL bridges
10. Wash any vehicle unless being done in compliance with Section 12
11. Hold public assemblages
12. Conduct an exhibition
13. Hold a parade
14. Enter an area posted as "closed to the public"
15. Engage in threatening, abusive, insulting or indecent language or engage in any conduct or behavior tending to breach the public peace
16. Fundraisers unless being done in compliance with Section 12
17. Bounce houses unless being used by a patron renting a shelter and only during the time of the rental. Bounce houses may not use anchors that are driven into the ground.
18. DJs are only allowed in Friendship Gardens and the Recreation & Aquatic Center
19. Petting Zoos

#### **Section 16. Possession, Consumption and Sale of Alcohol Beverages Prohibited**

No person shall possess, consume, sell, offer for sale, barter or exchange any alcoholic beverage in any park or other recreational area in the Town of Plainfield. The term "alcoholic beverage" means a liquid or solid that is or contains one-half percent (0.5%) or more alcohol by volume; is fit for human consumption; and is reasonably likely, or intended to be used as a beverage.

#### **Section 17. Smoking Prohibited**

Smoking is prohibited on the campus of the Plainfield Recreation and Aquatic Center, the Al and Jan Barker Sports Complex and all other park properties owned by the Town of Plainfield, except any public right-of-way on such properties.

**Section 18. Deadly Weapons Prohibited**

Deadly weapons are prohibited in the Plainfield Recreation and Aquatic Center, the Al and Jan Barker Sports Complex, or in any park, trail or other recreational area in the Town of Plainfield as provided by Ordinance No. 10-2011 of the Town of Plainfield, Indiana. "Deadly Weapons" means a sword of any length; an electronic stun gun; a fixed blade knife; or a knife with a folding blade of four (4) inches or more.

**Section 19. Discharging a Firearm Prohibited**

Except when acting in self-defense, as that term is defined under Indiana Law, no person shall discharge a firearm within the Plainfield Recreation and Aquatic Center, the Al and Jan Barker Sports Complex, or in any park, on any trail, or in any other public place owned by or being used for a public purpose by the Town of Plainfield.

**Section 20. Prohibited Persons**

Individuals listed on *State of Indiana Sex Offender Registry* published and disseminated by the Indiana Criminal Justice Institute are prohibited from all parks and other recreational areas of the Town of Plainfield.

**Section 21. Prohibited Activities in Friendship Gardens Park**

In addition to the rules and regulations contained in Sections 3 through Section 17, the following activities are **prohibited** in Friendship Gardens Park:

1. Bicycles, roller blades, skates or skateboards are restricted to paved roadways and pedestrian/bicycle trails. Bicycles, roller blades, skates or skateboards are not allowed on bricked areas, gazebo, walkways leading to gazebo, enabling gardens, bronze family statue, or Veterans Memorial.
2. Tape, nails, push pins, thumb tacks, screws or other similar fasteners are not to be driven, bolted, screwed or applied into gazebo posts, railings, beams, fascia, soffit or roof.
3. Swimming, wading, standing in waterfall or waterfall basin.
4. Placing objects in waterfall including but not limited to detergents, rocks, litter, debris, wood, coins, dirt, cans, bottles or other similar objects.
5. Climbing on waterfall or attaching any object that would cause damage to waterfall pumping, mechanical or electrical components or damage the surface of rocks or plantings.
6. Sports activities not specifically permitted by this section are prohibited.
7. Rental of the area around the waterfall.

**Section 22. Shelter and Ball Field Rentals**

Any person or group renting shelters, baseball fields or softball fields shall conform to Parks and Recreation Department published fees, rules and regulations.

### **Section 23. Penalties**

A. Any person who violates Sections 3 through and including 15 or 19 of this Ordinance shall be fined Twenty-five Dollars (\$25.00) for the first offense and Fifty Dollars (\$50.00) for each offense thereafter. A separate offense shall be deemed committed for each day during which or on which a violation occurs or continues to occur.

B. Any person who violates Sections 16, 17 and 18 of this Ordinance shall be fined One Hundred (\$100.00) Dollars for the first offense and Two Hundred Dollars (\$200.00) for each offense thereafter. A separate offense shall be deemed committed for each day during which or on which a violation occurs or continues to occur.

C. In addition to, or in lieu of, a fine as provided for in subsections A or B of this Section, any person who violates any provision of the Ordinance may be restricted from being on any part or all of the Parks and Recreation Areas of the Town of Plainfield. This restriction may be for a period of five (5) days to one (1) year depending on the circumstances of the violation. The time period and area of the restriction will initially be made by the Director of Parks and Recreation of the Town who shall send the notice of restriction to the offender by registered mail, return receipt requested. Any restriction may be appealed with a written request to Plainfield Town Council.

D. In addition to penalties contained herein, any person who damages park property is subject to payment of restitution in an amount equal to the Town of Plainfield's cost to repair or replace said park property.

### **Section 24. Remedies**

Employees of the Town of Plainfield or other agents authorized by the Plainfield Town Council may, in the name of the Town of Plainfield, bring actions in the Plainfield Town Court of the Town of Plainfield or the Circuit or Superior Courts of Hendricks County, Indiana for violations and enforcement of this ordinance.

### **Section 25. Saving Clause**

If any section, provision, or part of this ordinance shall be judged to be invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any sections, provisions or part thereof not adjudged invalid or unconstitutional.

### **Section 26. Repealer**

All ordinances and parts of ordinances including, but not limited to, Ordinance 16-97 entitled *An Ordinance Establishing Rules Governing Conduct in Town Parks in the Town of Plainfield, Hendricks County, Indiana*, and Ordinance No. 16-2002 entitled *An Ordinance to Establish Rules and Regulations for Parks and Other Recreational Areas in the Town of Plainfield, Indiana*, in conflict with the provisions of this ordinance are hereby repealed insofar as they

conflict with the provisions of this Ordinance.

**Section 27. Effective date**

This ordinance shall be in full force and effect from and after its adoption by the Town Council and upon publication as provided by law.

Passed and adopted this 17<sup>th</sup> day of Nov., 2013.

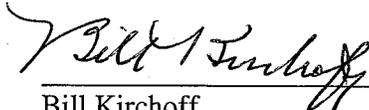
TOWN COUNCIL, TOWN OF PLAINFIELD,  
HENDRICKS COUNTY, INDIANA:

  
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Robin G. Brandgard

  
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Renea Whicker

  
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ATTESTED BY:  
  
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Wesley R. Bennett, Clerk-Treasurer  
Of the Town of Plainfield, Indiana