

ORDINANCE NO. 16-2002

**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 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 Hours

No person shall enter or remain in any park or other recreational area in the Town of Plainfield after the park or recreational area is closed to the public. Parks and other recreational areas in the Town of Plainfield open to the public at dawn and close at dusk or at the conclusion of 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. Any refuse or garbage resulting from properly using

the parks and recreation areas 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.

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, wade or bathe in any waters that are within any park or other recreational area unless a lifeguard is on duty at the particular site.

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.

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 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.

Section 12. Solicitations, Commercial Sales and Commercial Photography Prohibited

No person shall solicit, advertise, sell, photograph or promoted 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, which in any event, not exceed or 15 miles per hour, whichever is less.

Section 14. Bicycle/Pedestrian Trail Restrictions

No person shall operate any motorized vehicle, motorized bicycle, motorized skateboard or other similar device upon any trail designed for bicycle/pedestrian use in the Town of Plainfield, except if a person with a disability, as defined by the American With Disabilities Act may operates the device 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.

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. In-line skaters, skate boarders and bicyclist shall yield to pedestrians. Bicyclist shall yield to all trail users.

Section 15. Other Prohibited Activities

The following activities are prohibited within any parks or 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 12 not accompanied by an adult
6. Fishing from Friendship Gardens Park and Franklin Park 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 Friendship Gardens Park bridges or Franklin Park bridges*
10. Wash any vehicle
11. Hold public assemblages
12. Conduct 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

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. Possession or Use of Weapons Prohibited

No person shall possess or use a weapon in any park or other recreational area in the Town of Plainfield. The term “weapon” means any device, firearm, equipment, or other material that in the manner that it is used or is ordinarily used, is readily capable of causing serious bodily injury. The term “firearm” means any weapon that is capable of, designed to or that may readily be converted to expel a projectile by means of an explosion. This prohibition excludes duly sworn Plainfield Police Officers or duly sworn police officer located in the State of Indiana.

Section 18. 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 19. Prohibited Activities Friendship Gardens Park

In addition to requirements of 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 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.

Section 20. 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 or 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 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 said damage.

Section 21. 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 22. 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 23. Repealer

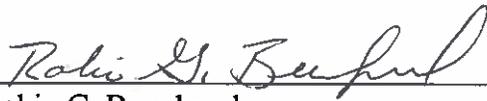
All ordinances and parts of ordinances including, but not limited to, Ordinance 16-97 entitled *An Ordinance Establishing Rules Governing Conduct in Town Parks in the Town of Plainfield, Hendricks County, Indiana*, in conflict with the provisions of this ordinance are hereby repealed insofar as they conflict with the provisions of this Ordinance.

Section 24. Effective date

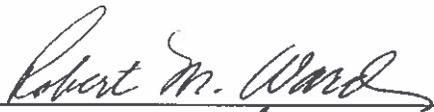
This ordinance shall be in full force and effect from and after its adoption by the Town Council and upon publication as provided by law.

Passed and adopted this 25th day of November, 2002.

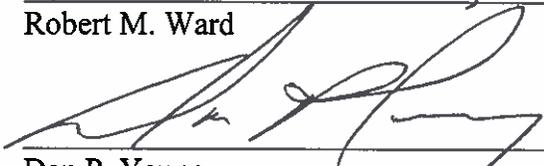
TOWN COUNCIL, TOWN OF PLAINFIELD,
HENDRICKS COUNTY, INDIANA:



Robin G. Brandgard



Robert M. Ward



Dan P. Young



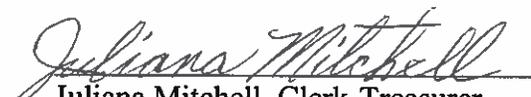
Kent McPhail



Bill Kirchoff

Constituting a majority of all the members of
the Town Council

ATTESTED BY:



Juliana Mitchell, Clerk-Treasurer
Of the Town of Plainfield, Indiana

PUBLISH: WEEKEND FLYER 2-6-2003
2-13-2003