

# PARK RULES AND REGULATIONS

REVISED 2016



*Centerville-Washington*  
**PARK DISTRICT**

Dear Park Visitors:

Welcome to the Centerville-Washington Park District! We hope you visit the parks often and enjoy the many benefits available in the great outdoors!

In order to protect the parks and ensure visitor safety, the Board of Park Commissioners has adopted the following Rules and Regulations. It should be noted that all State of Ohio criminal and traffic laws are also enforced within the parks, and carry full penalty under Ohio Law.

We hope you will take a few minutes to familiarize yourselves with these rules and regulations, so that you can share this information with others. Together, we can make the parks the best they can be.

If you witness anything that presents a threat to the parks, wildlife, or visitors, please call the Park District or local law enforcement agency immediately. We appreciate your help in keeping the parks safe and enjoyable for all people.

Arnie Biondo  
Director

<b>Centerville-Washington Park District</b>	<b>(937) 433-5155</b>
<b>Montgomery County Sheriff's Office</b>	<b>(937) 225-4357</b>
<b>Centerville Police Department</b>	<b>(937) 433-7661</b>
<b>Emergency Response</b>	<b>911</b>

## QUESTIONS & ANSWERS

### ***Can we feed the ducks and geese?***

Wild animals need a natural diet, and some foods like bread and crackers are a real health hazard for waterfowl. We don't want wildlife dependent upon people for food.

**Please do not feed the animals!** Chapter III, Section 3.a.

### ***Can I take something home with me?***

Please leave the parks as you find them – for the next visitor to enjoy. We ask that nothing be removed from the parks. Chapter III, Section 2.a.

### ***If I catch a wild animal on my property can I release it in a park?***

No. Moving animals from one area to another can introduce disease such as rabies or distemper to a new area. State law prohibits moving some animals from one place to another. Chapter III, Section 4.d.

### ***Is it OK to dump yard waste in the parks?***

Please don't! Grass clippings, brush, etc. may not be dumped on public parkland. Backyard composting is the best solution. If you see dumping of any kind in the parks, please call us immediately. Check with your local trash hauler for information on how to dispose of your yard waste. Chapter III, Section 4.a.

### ***Are bicycles allowed on nature trails?***

For safety reasons, nature trails are for foot traffic only. Vehicles of all kinds (including bicycles) are prohibited in order to protect visitors, trails, and vegetation. Paved multi-use trails are available in some parks for non-motorized vehicles such as bicycles, scooters, skates, etc. or power driven devices used for a mobility issue. Chapter II, Section 7.a.

### ***Can I practice golf in the parks?***

No. Balls left behind are "ankle-twisters" for other visitors, and balls hit by mowing equipment are very dangerous projectiles. Chapter II, Section 11

### ***Is beer permitted?***

All alcoholic beverages are prohibited in all park areas. Chapter IV, Section 3

### ***Are pets permitted in the parks?***

Yes, pets are invited to enjoy the parks, but must always be on a leash unless within a designated, fenced off-leash dog exercise area. Pet owners must clean up pet waste as a courtesy to other park visitors. Chapter II, Section 12

**If you have other questions or need additional information, please call the Centerville-Washington Park District, (937) 433-5155. Thank you.**

## CHAPTER I – DEFINITIONS

1. **Park District** means the Centerville-Washington Park District, also known as the Washington Township Park District.
2. **Park** means any land or water area owned, leased, managed, or otherwise controlled by the Park District.
3. **Board** shall mean the Board of Park Commissioners of the Park District.
4. **Director** shall mean the Director, or any other person designated by the Board or the Director to conduct activities and enforce park rules and regulations within a park.
5. **Police officer** shall mean a Park District employee qualified to enforce the regulations of the Park District, police officer of the City of Centerville, deputy of the Montgomery County Sheriff's Office, police officer hired under contract, and every other law enforcement officer of the State of Ohio or of any political subdivision thereof, including, but not limited to, the Ohio State Highway Patrol, sheriffs, deputy sheriffs, constables and Division of Wildlife game protectors who are qualified to enforce the Regulations of the Park District.
6. **Person** shall mean any individual, company, partnership, corporation, any business entity, trust, or association, or any combination of individuals, or any employee, agent or officer thereof.
7. **Park waters** shall mean any lake, pond, reservoir, stream, wetland, channel, lagoon, or other body of water, or any part thereof, whether natural or artificial, located in a park.
8. **Fireworks** shall mean any combustible or explosive compositions, or any substance or combination of substances or article prepared for purpose of producing a visible or an audible effect by combustion, explosion, deflagration, or detonation.
9. **Fish or fishing** shall mean to take or attempt to take fish by any method.
10. **Hunt** means to pursue, shoot, kill, trap, follow after on the trail of, lie in wait for, shoot at or wound any animal while employing any device commonly used to kill or wound animals whether such acts result in such killing or wounding or not.

11. **Animal or animals** shall mean mammals, birds, fish, reptiles, amphibians, arthropods, mollusks, and annelids.
12. **Vehicle** shall mean everything on wheels or on treads.
13. **Motor vehicle** shall mean any vehicle propelled or drawn by power other than muscular power, including a motorized bicycle, motorcycle, snowmobile, or motor scooter except for a motorized device used for a mobility issue.

## **CHAPTER II – REGULATORY**

### **Section 1 – Hours**

- a. Each park shall be open to the public from one-half hour before sunrise to one-half hour after sunset every day except that at specified times, selected areas shall remain open for evening programs and activities authorized by a park permit. The Director or his or her designee shall be authorized to close a park or any part thereof if it is determined that public safety or other emergency requires such closing, or if the closing is determined to be in the best interest of the Park District.
- b. No person shall enter into or remain in an area of a park at a time when such area is not open to the public.

### **Section 2 – Facilities**

No person shall use park facilities other than for the purposes designated by the Park District. The Director may, from time to time, establish supplemental guidelines based on the intended use and classification of each facility in a park and for obtaining permits pursuant to these regulations. Such guidelines shall be based on a due regard for the purpose for which the facility is established; the safety of those using the facility, including park employees and the public; the safety and maintenance of Park District property; the need for and the availability of supervisory personnel; and the maximum number of people who can safely use the facility at one time. The Director shall maintain use policies for Park District facilities including, but not limited to, dog parks, spraygrounds, group shelters, skate parks, athletic fields, courts, ranges, and Grant Park Nature Nook.

### **Section 3 – Park Use Permits**

- a. To assure good order and the reasonable use of the area and facilities for

which a permit is granted, the Park District may grant a permit on an exclusive basis for a particular place and time. Subject to the foregoing, and except as hereinafter provided, all Park District facilities may be used by members of the general public, without permit, for recreational purposes not inconsistent with the Park District Rules and Regulations, the nature of the facility, and the safety of the public and of Park District property.

b. Notice of denial of an application for permit shall clearly set forth the grounds upon which the permit was denied and, where feasible, shall contain a proposal by the Park District for measures by which the applicant may timely cure any defects in the application for permit or otherwise procure a permit. Where an application or permit has been denied because a fully executed prior application for the same time and place has been received, and a permit has been or will be granted to the prior applicant authorizing uses or activities which do not reasonably permit multiple occupancy of the particular area, the Park District shall propose an alternative place, if available for the same time, or an alternative time, if available for the same place.

c. To the extent permitted by law, the Park District may deny an application for permit if the applicant or the person on whose behalf the application for permit was made has on prior occasions made material misrepresentations regarding the nature or scope of an event or activity previously permitted or has violated the terms of prior permits issued to or on behalf of the applicant. The Park District may also deny an application for permit on any of the following grounds:

- (1) The application for permit (including any required attachments and submissions) is not fully completed and executed;
- (2) The applicant has not tendered the required user fee, indemnification agreement, insurance certificate, or security deposit within the times prescribed by the Park District;
- (3) The application for permit contains a material falsehood or misrepresentation;
- (4) The applicant is legally incompetent to contract or to sue and be sued;
- (5) The applicant or the person on whose behalf the application for permit was made has on prior occasions damaged Park District property and has not paid in full for such damage, or has other outstanding and unpaid debts to the Park District;
- (6) A fully executed prior application for permit for the same time and place

has been received, and a permit has been or will be granted to a prior applicant authorizing uses or activities which do not reasonably permit multiple occupancy of the particular park or part hereof;

- (7) The use or activity intended by the applicant would conflict with previously planned programs organized and conducted by the Park District and previously scheduled for the same time and place;
- (8) The use or activity intended by the applicant would present an unreasonable danger to the health or safety of the applicant, or other users of the park, of Park District employees or of the public;
- (9) The use or activity intended by the applicant is prohibited by law, by these rules and regulations of the Park District, or by the regulations of the Director; or
- (10) Due to excessive light, noise, odor, traffic or other impacts not confined to the Park District facility, the use or activity intended by the applicant would cause unreasonable disturbance or disruption to neighbors of the Park District facility.

d. Any amendment or revision of an application or permit shall, for purposes of determining the priority of the application for permit, relate back to the original filing thereof; but the time in which the Park District shall grant or deny the application for permit and serve notice of such granting or denial shall be computed from the date of the amendment or revision.

#### **Section 4 – Individual and Group Use**

No person shall, without a written permit:

- a. Conduct, sponsor or promote any meeting, speech, picnic or other public activity involving more than 100 individuals;
- b. Conduct any exhibit, music or dramatic performance, wedding, fair, circus, concert, festival, parade, play, radio or television broadcast, other than a news transmission;
- c. Exhibit or display any motion picture, television program, light or laser light display, or similar event; or film a media broadcast (other than a news transmission) or motion picture;
- d. Station or erect any building, tent, play equipment, mechanical ride, canopy, stand, bandstand, stage, tower, scaffold, sound stage, platform, rostrum or other structure (except beach umbrellas and similar items to provide personal shade);

- e. Station or use any electrical or electronic device or equipment that would require outdoor auxiliary power;
- f. Bring, land or cause to ascend or descend or alight within the Park District property, any airplane, helicopter, flying machine, hot air balloon, parachute or other apparatus for aviation, except that battery powered radio controlled models are permitted as per Section 13;
- g. Conduct any sporting event (i.e., a pre-arranged activity involving organized teams or clubs, spectators or the like). Casual pick-up style games do not require a permit;
- h. Conduct a religious or political event (i.e., a pre-arranged activity, ceremony, speech, parade, rally or the like);
- i. Circulate or distribute any leaflets, handbills, notices, pamphlets, surveys, books, documents or papers of any kind.

### **Section 5 – Fires**

- a. No person shall start or maintain a fire in a park except in a Park District provided charcoal grill or campfire circle, or privately owned charcoal or gas fired grill.
- b. No person shall start or maintain a fire in an area designated for campfires without a written permit issued by the Park District.
- c. All fires shall be put out by the person, or persons starting or using the same before leaving the immediate vicinity of the fire.
- d. No evidence of a fire shall be permitted to remain in any park except in a permitted grill, fireplace, area designated for campfires, or container designated for such use.
- e. No person shall carry in firewood to a park to avoid possible introduction of destructive insects.
- f. No person shall collect or burn wood found in a park, except for wood provided by the Park District and burned in a designated area.
- g. The dumping of hot ashes or fire from portable picnic grills onto the grass, plants, trash cans or waterways is prohibited.
- h. The Director may prohibit or restrict fires for limited periods at any location or for any purpose when necessary for the protection of park property.

## **Section 6 – Horses**

- a. No person shall ride or allow a horse in a park without a written permit issued by the Park District.
- b. If a permit has been issued for horseback riding, no person shall ride or permit a horse in a park in such a manner as to endanger the rider, the horse or any other person or any property.

## **Section 7 – Vehicles**

- a. **Driving Restrictions.** No person shall operate any motor vehicle in any area of a park other than an established roadway or parking area, or in areas temporarily designated for this use. Only power driven devices used for a mobility issue or non-motorized vehicles (bicycles, scooters, skates, skateboards, strollers, wagons, etc.) are permitted on paved pathways and multi-use trails.
- b. **Reckless Operation.** No person shall operate any type of vehicle along or over any road or drive within or adjacent to a park in a reckless manner or without due regard for the safety and the rights of pedestrians and occupants of all other vehicles.
- c. **Speed.** No person shall operate a vehicle in a park at a greater speed than will permit him or her to bring it to a stop within the assured clear distance ahead, but in no event at a greater speed than the posted speed limit.
- d. **Parking.** No person shall park any motor vehicle, bicycle, or other vehicle within any traveled roadway within a park or any location where posted signs prohibit parking except in emergencies or upon any sod, gravel or other surface not specifically designated as a parking area.
- e. **After Hours Parking.** No person shall park or leave a vehicle in an area of a park at a time when such area is not open to the public.
- f. **Handicapped Parking.** No person who is not handicapped or operating a motor vehicle to transport a handicapped person shall stop, stand, or park any motor vehicle at specially designated locations provided for the handicapped as outlined in Ohio Revised Code, Chapter 4511.69.
- g. **Night Operation.** No person shall drive or take any vehicle within a park at night unless head and tail lights are lighted.
- h. **Bicycles.** No person in a park shall operate a bicycle except on paved roads, or in areas or on trails designated for such purpose.

## **Section 8 – Water Areas**

- a. No person shall fish in park waters in violation of any sign or signs prohibiting fishing.
- b. No person shall fish in park waters in a manner, or at a time, prohibited by Ohio Revised Code, Chapter 1533 as now in effect or as hereafter amended. The use of traps, spears or gigs, or bows and arrows for fishing, or leaving hooks unattended is prohibited.
- c. All fishing in park waters shall be catch and release only, except during Park District supervised events where permission has been granted.
- d. No person shall swim in or ice skate on park waters in the parks.
- e. No person shall operate, float or attempt to float a canoe, kayak, rubber craft, sailboat, rowboat, motorboat, or other passenger watercraft of any kind in park waters except with a permit issued by the Park District.

## **Section 9 – Camping**

No person shall camp in any park except with a permit issued by the Park District.

## **Section 10 – Skiing and Sledding**

No person shall ski or sled in an area of a park where a posted sign prohibits such activity.

## **Section 11 – Golfing**

No person shall play or practice golf in any park except with a permit issued by the Park District.

## **Section 12 – Pets**

No person shall bring, permit, have or keep in the park any dog, cat, household pet or other animal destructive to birds and other wildlife, except that domesticated animals are permitted if they are controlled at all times on a visible leash not more than eight feet long or service animals or dogs within approved off-leash dog exercise area. No pets or animals shall be allowed to become obnoxious or disturbing to the other users of park facilities. The owner of such a pet or animal shall be responsible at all times for the observance of this regulation whether or not the pet or animal is under the control of the owner or another. Pets are not permitted in the park area in which there is play equipment, sprayground, or skate park, or inside fenced baseball diamonds or tennis courts. Owners are responsible for picking up their pet's waste and

depositing in a waste receptacle.

### **Section 13 – Remote-Controlled Drones, Planes and other Toys and Devices**

The use of battery-powered radio-controlled (RC) devices is permitted only when their use does not compromise the safety of or interfere with activities of other visitors to the park. Operation of RC models must comply with Federal Aviation Authority (FAA) rules, including any mandated rules for registration with the FAA. Airborne models may not be operated in parks that are within five (5) miles of Dayton-Wright Brothers Airport without FAA approval. No person shall operate any type of combustible engine powered model airplane, drone, rocket, boat, ship, car, truck or other device within any area of a park without a written permit issued by the Park District.

## **CHAPTER III – PROTECTION OF THE PARK**

### **Section 1 – Removal or Destruction of Property**

- a. No person shall remove any property, or part thereof, which is owned, leased, managed, or otherwise controlled by the Park District, from its location in a park.
- b. No person shall write upon, cut, mutilate, deface or damage in any manner any building, equipment, or other property, or part thereof which is owned, leased, or otherwise controlled by the Park District.

### **Section 2 – Removal or Destruction of Natural Resources**

- a. No person shall dig, move, or carry away any rock, stone, sod, sand, earth, tree, wood, shrub, plant, flower or nut or other seed in a park, except during Park District supervised events where permission has been granted.
- b. No person shall trample upon, injure, destroy, break, cut, chop or deface in any manner any stone, tree, shrub, plant or flower in a park, except during Park District supervised events where permission has been granted.

### **Section 3 – Protection of Animals**

- a. No person within the confines of a park shall hunt, pursue with dogs, trap, remove, feed or in any other way abuse, molest, injure, pursue or destroy any wild bird or animal found within the confines of a park, or rob or molest any bird nest, or take the eggs of any bird, except fishing shall be permitted as provided by Chapter II, Section 8, Paragraphs a, b and c.

b. No person shall move, injure or destroy any bird nest or eggs or any animal habitation in a park.

#### **Section 4 – Deposit of Materials and Release of Animals**

a. No person shall deposit or discard in or adjacent to a park any paper, garbage, fireplace or stove ashes, refuse, or other noxious or waste material, other than in receptacles provided for the disposal of such materials.

b. No person shall bring into a park any garbage, ashes, refuse, grass clippings, yard debris, or other noxious or waste materials, organic or non-organic, and deposit or discard the same in or adjacent to a park.

c. No person shall, while in a park, discharge, throw, drop, or cause to flow, into park waters any noxious or deleterious substance, either solid or liquid, which renders such waters harmful or inimical to the public health or animal life.

d. No person shall bring onto Park District property a non-domestic animal or release or abandon any animal, domestic or wild.

#### **Section 5 – Erecting and Attaching Signs**

No person shall erect any sign in a park or attach any sign to property owned, leased, or otherwise controlled by the Park District, nor shall any person display any placard, notice, advertisement, circular, banner, or statement of any kind in a park other than on a vehicle. This section shall not apply to any signs erected by the Park District or any sign, placard, advertisement, circular, banner, or statement of any kind erected, attached or displayed pursuant to the authorization of a written permit issued by the Park District.

### **CHAPTER IV – CONDUCT OF VISITORS**

#### **Section 1 – Personal Conduct**

a. No person in or adjacent to a park shall conduct himself by word or by act, in a riotous, disorderly, boisterous, threatening, or other manner so as to disturb the peace and good order in a park.

b. No person in a park shall use insulting, abusive, threatening, profane, or indecent language.

#### **Section 2 – Loitering Near Restrooms**

No person shall loiter, delay, or stand idly around in the vicinity of a restroom

located in a park and no person shall enter facilities in a park provided for the exclusive use of the opposite sex.

### **Section 3 – Intoxicating Liquors, Alcoholic Beverages, Controlled Substances**

No person shall possess, display the presence of, sell, offer for sale, use, or be under the influence of any intoxicating liquor, alcoholic beverage, or controlled substance as defined by Ohio Revised Code Section 3719.41 or harmful intoxicant while in a park.

### **Section 4 – Smoking**

No person shall smoke in park facilities where it is prohibited pursuant to section 3794.02 of the Ohio Revised Code or as designated by the Park District.

### **Section 5 – Firearms, Weapons and Tools**

a. No person in a park, except peace officers, shall have in his or her possession any switchblade, hunting knife, knife with a blade length that is longer than three (3) inches, dagger or other bladed instrument, metal knuckles, slingshot, or other dangerous weapon.

b. No person, except peace officers shall carry on or about his or her person, knives with a blade length that is longer than three (3) inches, axes, hatchets, saws, bows and arrows, crossbows, air or gas guns, paint-pellet guns, missiles, sling shots, or other missile-throwing devices in a park, except for educational or cultural programs pursuant to the authorization of a written permit issued by the Park District, and except that bows and arrows may be carried in approved archery range area.

c. No person shall hunt, shoot, or kill game within ½ mile of a township park unless the Board of Township Park Commissioners has granted permission to kill game not desired within the limits prohibited by this division pursuant to section 3773.06 of the Ohio Revised Code

d. No person shall discharge in or into a park any firearms or air or gas guns except for the firing of a military salute or the firing of weapons by persons of the nations' armed forces acting under military authority, or law enforcement officials or other government officials in the proper enforcement of the law, or any person in the proper exercise of the right of self-defense, or any person otherwise lawfully permitted by proper federal, state or local authorities to discharge a BB gun, air gun, or firearm, for educational or cultural programs

pursuant to the authorization of a written permit issued by the Park District.

e. No person shall shoot or discharge in a park, or into a park, bows and arrows, air or gas guns, paint-pellet guns, missiles, sling shots, or other missile-throwing devices, except that bows and arrows may be used in approved archery range.

### **Section 6 – Fireworks**

No person shall bring into a park, or have in his possession or discharge, ignite or explode in a park, any fireworks.

### **Section 7 – Commercial Activities**

a. No person shall sell or offer for sale any article, thing, privilege or service in a park unless such sale or offer is pursuant to a contract with the Park District.

b. No person shall post, distribute or place any sign, advertisement, circular, notice or statement, or display any banner, emblem or design, other than a permanent sign (painted or otherwise not readily removable) on a vehicle; or display, post or distribute any other writing containing commercial advertising matter within the parks, except when pursuant to a contract with the Park District.

c. No person shall beg, peddle or solicit in a park.

### **Section 8 – Sound Amplification**

No person shall operate or play a radio, television, musical instrument, or sound amplification system, except that an individual may operate a radio, musical instrument, recorder, compact disc player, mp3, iPod, or other device possessed and used by an individual for his or her own enjoyment so long as it is operated in such a manner as not to interfere with the use and enjoyment of the park by any other person.

## **CHAPTER V – PENALTIES**

### **Section 1 – Ejection**

a. Police officers, Park District officials and employees, Park District volunteers, and contracted representatives, such as instructors, umpires, and referees, are authorized to order any person violating any of the provisions of these Regulations to leave the park. No person shall fail to obey such an order.

b. Any person repeatedly violating these Rules and Regulations may lose the privilege of entering a park for a period of time as designated by the Director.

### **Section 2 – Fines and Imprisonment**

Pursuant to Section 511.23(F) and 511.99 of the Ohio Revised Code, any person who violates any provisions of these Regulations shall, for a first offense, be guilty of a minor misdemeanor and upon conviction thereof shall be punished by a fine of not more than One Hundred Dollars (\$100.00); for each subsequent offense, such person shall be guilty of a misdemeanor of the third degree and upon conviction thereof shall be punished by imprisonment of not more than sixty (60) days and/or a fine of not more than Five Hundred Dollars (\$500.00).

### **Section 3 – Applicability of Ordinances and Statutes**

These Regulations shall not be construed to preclude the applicability of any provision of the City of Centerville ordinances or the Ohio statutes unless such provision is inconsistent with the terms of these Regulations.

## **CHAPTER VI – EXCEPTION**

### **Section 1 – Employees**

Acts and conduct of police officers, officials and employees of the Park District, or contractors of the Park District, to the extent necessary for performance of their authorized duties, shall be exempt from the provisions of these Regulations.

## **CHAPTER VII – AUTHORITY**

These revised Park Regulations were adopted by the Board of Park Commissioners of the Centerville-Washington Park District on the 8th day of July, 2013, pursuant to Section 511.23(F) of the Ohio Revised Code for the preservation of good order within parks and for the protection and preservation of park visitors and the parks under its jurisdiction and control of property and natural life therein.



CONNECT WITH US:



 *Centerville-Washington*  
**PARK DISTRICT**

221 N. Main St. • Centerville, OH 45459-4617  
(937) 433-5155 • FAX (937) 433-6564 • [www.cwpd.org](http://www.cwpd.org)

