



CITY OF CREEDMOOR

P.O. BOX 765
111 MASONIC STREET
CREEDMOOR, NC 27522
WWW.CITYOFCREEDMOOR.ORG
(919) 528-3332

2020-O-12

MAYOR
ROBERT V. WHEELER

CITY MANAGER
KORENA L. WEICHEL

COMMISSIONERS
KECHIA BRUSTMEYER-BROWN
GEORGANA KICINSKI
ED MIMS
DEL MIMS
NEENA NOWELL

ORDINANCE# 2020-O-12

AN ORDINANCE AMENDING THE CITY OF CREEDMOOR CODE OF ORDINANCES CHAPTER 92: PARKS AND RECREATION

WHEREAS, the City of Creedmoor staff has initiated text amendments to Chapter 92: Parks and Recreation for the purpose of updating and modernization; and

WHEREAS, a public meeting was held by the City of Creedmoor Board of Commissioners on June 2, 2020 to consider this text amendment; and

NOW, THEREFORE, IT SHALL BE ORDAINED by the Board of Commissioners of the City of Creedmoor the following:

Section 1. The City of Creedmoor Code of Ordinances Chapter 92: Parks and Recreation be amended as follows:

Chapter 92: Parks and Recreation

In General

§ 92.01 Definition

For the purposes of this chapter, "parks" shall be defined as all parks, playgrounds, recreational facilities, greenways, walkways, trails, and unimproved open space areas owned, leased, operated, maintained, and/or administrated by the City of Creedmoor including but not limited to: The Gauntlet, Creedmoor Community Center, BC Roberts Multi-Purpose Field, Harris Park, The Cross City Trail, Lake Rogers Park, and the Walking Trails at Lake Rogers Park.

§ 92.02 Hours of Operation

Normal hours of operation for all City parks and facilities shall be sunrise to sunset, except for facilities lit for extended use. Facilities lit for extended use still must be vacated by 11:00 pm unless granted special permission by the city. This section does not apply to the Cross City Trail.

§ 92.03 Vehicles

a) No person shall drive or ride any motor vehicle, motorcycle, motor-driven cycle, all-terrain vehicle, golf cart, or any off-highway, motor-driven vehicle upon any park land except upon the roads or on parking areas which are designed for such purposes. There shall be no motorized or all-terrain vehicles of any kind on walking trails, boardwalks, overlooks or bridges, this shall not include or apply to motorized wheelchairs, personal mobility devices, or handicap scooters. This section shall not include operation of motorized vehicles engaged in property maintenance and other services authorized by the City.

b) Parking is first-come, first-served and limited to designated areas only. Overnight parking is strictly prohibited without prior written approval from the city. Vehicles left overnight are subject to tow at owners' expense.

c) Bicycles, skateboards, rollerblades, hover boards, and scooters are prohibited in any area where there are posted signs prohibiting such use.

§ 92.04 Posting Copies of Rules and Regulations

Park Rules and Regulations shall be posted and made available to the public at city parks and recreational facilities. Copies may also be obtained at City Hall during business hours and online at the City of Creedmoor website.

§ 92.05 Destruction of Park Property

It shall be unlawful for any person to remove, damage, destroy, mutilate, or deface any structure or property within any park or city facility including but not limited to: pier, dock, overlook, boardwalk, sidewalk, bridge, fishing platform, building, picnic shelter, grill, table, gazebo, monument, statue, planter, fountain, wall, fencing, sign, railing, vehicle, bench, tree, plant, etc.

§ 92.06 Hunting and Harvesting of Wildlife Prohibited

In order to ensure safety of the public and city employees, no person may take, possess, buy, sell, transport, or attempt to take or possess any wildlife, whether dead or alive, in whole or in part upon any property within the city limits or on or above any property owned by the city specifically including Lake Rogers and the parcels of real property situated upon the headwaters of said lake.

This includes no hunting, harvesting, or removal of wildlife, vegetation, or natural materials of any kind from any park with the exception of fish from Lake Rogers as permitted by NC Wildlife Commission Regulations. Any sworn law enforcement officer or authorized representative of the City of Creedmoor may engage in conducting necessary management of nuisance wildlife species on a specific case-by-case basis.

§ 92.07 Pets

Pets are permitted only in park areas that do not expressly prohibit them. Pets must be leashed at all times, and owners must collect and dispose of pet waste properly.

§ 92.08 Alcoholic Beverages

Consumption or possession of alcoholic beverages is prohibited in city parks and recreational facilities. An exception to this regulation shall exist for approved rental events hosted in the Creedmoor Community Center's Event Room or Meeting Rooms and which have met all requirements as specified

by the Creedmoor Community Center Facility Rules and Regulations and executed Rental Agreement Form.

§ 92.09 Camping and Campfires

Overnight camping, campfires, or burning of any kind, including fireworks and pyrotechnics, are prohibited at all city parks and facilities without prior written approval from the City.

§ 92.10 Gambling

It shall be unlawful for any person to conduct a game of chance in any city-owned park or facility at which money, property, or other thing of value is wagered.

§ 92.11 Picnic Shelter Use and Rentals

Picnic Shelters may be reserved by paying rental fees at City Hall. Shelters are available on a first-come, first-served basis unless the shelter has been reserved. Renters and public users shall not deface any shelter by attaching decorations such as streamers, balloons, etc. by means of inserting any object such as staples, nails, etc. into the structure. Any group abusing the privilege of the use of these areas may be denied further use of the park facilities. Glass containers are prohibited within city parks and recreational facilities. Renters, guests and facility users are allowed to bring small equipment for use such as cornhole boards or horseshoes. Large equipment such as volleyball nets and bounce houses are strictly prohibited.

§ 92.12 Weapons Prohibited

a) It shall be unlawful for any person to openly carry on or about his person any deadly weapon including, but not limited to any: machete, spear, bowie knife, dirk, dagger, sling-shot, loaded cane, metal knuckles, razor, stun gun, pistol, revolver, gun, rifle, bow, crossbow, or nightstick at any city owned park or facility.

b) It shall be unlawful for any person to possess or carry a legally permitted concealed handgun during a scheduled event, social occasion, gathering, assembly, performance, game, exhibition, or competition on, in, or at, any City owned local government buildings, gymnasium, athletic fields, and their appurtenant premises, in accordance with G.S. 14-415.11(c). This section does not apply to greenways, walking trails, or sidewalks as defined in G.S. 14-415.23. This section does not apply to sworn law enforcement.

Lake Rogers Park & The Walking Trails at Lake Rogers Park

§ 92.20 Statutory Authorization

The provisions contained in Article 10, G.S. Chapter 130A and all other laws, rules, or regulations governing the use of public drinking water supplies are hereby adopted as the general rules for the use of Lake Rogers.

Article 10, G.S. Chapter 130A
15A NCAC 18C .1305

§ 92.21 Boating Regulations

a) No person shall operate a boat in Lake Rogers without a launch pass issued by the City of Creedmoor which shall be valid for use only on the dates indicated on the pass and only by the person

to whom it was issued. Each launch pass shall be issued subject to revocation or cancellation upon violation of any provision of this chapter by the holder. Launch passes shall not be issued under this chapter to any person who has knowingly violated the rules and regulations governing Lake Rogers, or to any person having intoxicating drink in his or her possession, or who shows evidence of being under the influence of alcohol. Rental boats must stay within sight of the concession stand and must be returned by the specified rental end time.

b) Private docks are not permitted in, on, or adjacent to Lake Rogers. Boats shall not enter or leave Lake Rogers except from the docks provided by the city.

c) Every boat used on Lake Rogers shall be equipped with a personal flotation device for each occupant, and no person shall receive a launch pass to use a boat on the lake unless the boat is so equipped. Children under 13 must wear a personal flotation device at all times while on the boat.

d) Boats operated on Lake Rogers may be propelled by means of oars, paddles, or other manual propulsion, or by outboard motor. The speed limit shall not exceed five (5) miles per hour in the boat dock, pier, and boardwalk areas. Boats shall not be operated in such a manner as to create or cause a wake. The boat dock, pier, and boardwalk area shall be defined as that area within 500 feet of any dock, pier, boardwalk, mooring buoy, or the Lake Dam including the concrete dam and the earthen dam. The speed limit over the remainder of the lake shall not exceed fifteen (15) miles per hour.

e) No person under 12 years of age shall occupy a boat unless accompanied by an adult. All rental boat occupancy and weight limits must be followed according to vessel type.

§ 92.22 Adoption of the NC Wildlife Resources Commission Regulations

The regulations of the North Carolina Wildlife Resources Commission in relation to the kinds and sizes of fish, and the times and seasons of taking fish in noncommercial waters are hereby adopted by reference as the fishing regulations for Lake Rogers. All persons who wish to fish at Lake Rogers must have a North Carolina Fishing license in accordance with the North Carolina Wildlife Resources Commission regulations and as enforced by the North Carolina Wildlife Resources Commission.

§ 92.23 Manner in Which Fish May Be Taken

Fish may only be taken from Lake Rogers with rod, line, and hooks, baited with natural bait or tied with artificial flies, or with spoons, plugs or artificial flies, or artificial minnows. Trolling lines, trawling nets, seine nets, and trapping of fish are expressly prohibited.

See 92.19, 92.20, 92.21 (`84 Code, § 6-3008-3010) (Ord. passed 3-26-68)

§ 92.24 Pollution of the Lake

a) It shall be unlawful to commit any act that contributes to the pollution of the lake, including illicit discharges as defined in Article 19 of the Creedmoor Development Ordinance. Lake Rogers is classified as a WS-II Nutrient Sensitive Water - Critical Area and all regulations set forth by this classification apply.

b) Swimming, wading, and/or bathing, and spitting in Lake Rogers is prohibited. Throwing trash, cigarettes, or litter of any kind into the lake is prohibited. Every boat shall be equipped with a sanitation pail. Such a pail should be used for personal sanitary purposes only and not for fish. See Stormwater Permit and emergency water shed requirements and Creedmoor Development Ordinance Article 19.

§ 92.25 Bank Fishing

a) Bank fishing will be permitted only in areas designated by the City of Creedmoor. Fishing is expressly prohibited in the restricted area above, below, or near the dam, the spillway, or off or under the bridge on NC Hwy 56 also known as Lake Road. The restricted area being clearly defined as the fenced area posted as "No Access."

b) Violators fishing in the restricted area are subject to civil infraction and immediate removal from park property.

See 92.28 ('84 Code, § 6-3018) (Ord. passed 3-26-68)

§ 92.26 Boardwalk and Gazebo

No action, inaction, activity, belonging, or possession including fishing, sun bathing, fishing poles, coolers, chairs, loitering, stopping, or standing shall block or barricade traffic or prevent free and open access to the intended amenity or route.

§ 92.27 Fishing Platforms

Fishing platforms shall be occupied on a first-come, first-served basis.

Gauntlet

§ 92.30 This section reserved for future use

Harris Park

§ 92.40 Personal Grills

Users may bring personal grills to Harris Park. Grills must be placed at least 10' from any structure, including the shelter, playset, horseshoe pit, parking lot, and tree line.

Cross City Trail

§ 92.50 Boardwalk, Overlook, and Robertson Creek Bridge

a) No fishing, trapping, snaring, catching, or netting of any fish, bird, reptile, mammal, or other wildlife is permitted from anywhere on or under the bridge, overlook, or boardwalk.

b) No action, inaction, activity, belonging, or possession including fishing, sun bathing, fishing poles, coolers, chairs, loitering, stopping, or standing shall block or barricade traffic or prevent free and open access to the intended amenity or preferred route.

The Creedmoor Community Center

§ 92.60 Facility Usage

All users are required to follow the Facility Rules and Regulations, including registration requirements and proper equipment handling and procedures. Failure to do so may result in privileges being suspended or revoked. Children under the age of 10 must be monitored at all times.

§ 92.61 Rental Facility Requirements

a) Security is required at any event with one hundred (100) or more attendees and if required by the city due to the nature of the event and/or other relevant circumstances (e.g., beer or wine service). The City reserves the right to require security if deemed necessary by city officials. Security

must be coordinated with the Creedmoor Police Department and the Parks and Recreation Department. Posted maximum occupancy limits must be strictly followed.

b) Public events, competitions, dances, and all events requiring security will also require a Tenant Users Liability Insurance Protection Policy (TULIP). The city reserves the right to require a liability insurance policy due to the size/nature of an event. The person identified on the Rental Agreement is responsible for maintaining order and decorum when using the facility, and to fully inform group members, affiliates, caterers, vendors, and guests of the Facility Rules and Regulations. In addition, they shall be liable for any loss, damage, or injury sustained by any person(s) during the time the facility is rented.

c) Beer and wine service are available for the event room and meetings rooms only; consumption in any other area of the facility or outside of the facility is prohibited. A Tenant User Liability Policy (TULIP) is required, and other requirements may be imposed (i.e., security) depending on type of event. Renter must secure all permits/licenses required by law if beer or wine will be served, sold, or consumed. Failure to submit all required documentation by the due date will result in cancellation of the rental and forfeiture of all fees paid.

Common-source containers without an individual server (kegs, punches, etc.), glass beer bottles, and brown bagging are strictly prohibited. Renters and their guests must strictly adhere to all state and federal laws regarding serving and consuming alcohol.

d) A cleaning/damage deposit will be charged for all event room and meeting room rentals. Failure to follow all cleaning procedures in rental agreement will result in all or a portion of the cleaning/damage deposit being forfeited as described in the Facility Rules and Regulations.

All repair or replacement costs incurred by the City as a result of damage, including staff labor costs, will be itemized and deducted from the cleaning/damage deposit. If the cleaning/damage deposit is not enough to cover the full cost of repair or replacement, the remaining costs will be billed to the renter and must be paid within 30 calendar days to avoid legal action.

Furthermore, failure to comply with any of the General Facility Rules and Regulations may result in forfeiture of all monies paid for the rental including the cleaning/damage deposit and may also result in forfeiture of the privilege to rent the facility in the future.

e) The City Manager and/or the Board of Commissioners reserve the right to cancel an approved request or revoke the right to use the facility to any group or individual when (i) said group or individual has shown disregard for the Facility Rules and Regulations, if cancelled under this category, renter forfeits all monies paid; (ii) it is deemed necessary for the concern of the health, safety, and welfare of the renter, guests, or the general public; or (iii) it is determined to be in the best interest of the Creedmoor Community Center.

§ 92.62 BC Roberts Multi-Purpose Field

a) Field access may be prohibited or restricted if it is deemed too wet or soft by the City's authorized representative. If destructive activity is reported, the offending party will be charged for the cost of the facility repair and future use privileges may be forfeited.

b) Portable tents, canopies, and/or portable structures must be equipped with appropriate tie downs (not staked). Large-size tents must comply with Granville County Fire Marshall requirements

based on size, type, and location. Renter is responsible for securing all necessary permits and inspections.

Penalty

§ 92.99 Penalty

Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to § 10.99.

Section 2. All provisions of any City ordinance or resolution in conflict with this ordinance are hereby repealed.

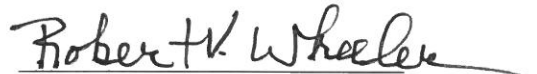
Section 3. This ordinance shall become effective upon adoption.

HEREBY ADOPTED in regular session by the City of Creedmoor Board of Commissioners by motion from **Commissioner Nowell** this, the **8th day of June, 2020**.


Ayes: **5**

Noes: **0**

Absent or Excused: **0**


Robert V. Wheeler, Mayor

ATTEST:


Terry A. Hobgood, Jr., City Clerk

