

STATE OF GEORGIA
COUNTY OF FULTON

AN ORDINANCE TO AMEND BY READOPTING CHAPTER 8, PARKS AND RECREATION OF THE CODE OF ORDINANCES OF THE CITY OF SANDY SPRINGS

WHEREAS, the Mayor and City Council of the City of Sandy Springs are charged with promoting and protecting the health, safety and welfare of the citizens and property owners of the City of Sandy Springs; and

WHEREAS, the Mayor and City Council wish to promote the quality of life for the citizens of Sandy Springs; and

WHEREAS, the Mayor and City Council feel it is important to study and research the recreation and park needs of the citizens of Sandy Springs, and to create and manage a comprehensive recreation and park system of programs and facilities to meet those needs; and

WHEREAS, the Mayor and City Council wish to cooperate with state, federal, commercial and voluntary agencies in the management of the recreation and parks system; and

NOW, THEREFORE, to accomplish the foregoing, the Mayor and City Council of the City of Sandy Springs, Georgia, pursuant to their authority, do hereby adopt the following Ordinance:

1.

Chapter 8, Parks and Recreation of the City of Sandy Springs Code of Ordinances is hereby amended by the insertion of the following, to read as follows:

Chapter 8: Parks and Recreation

Article 1: Purpose and Objective.

There is hereby created a Department of Recreation and Parks. It shall be the purpose of the department to:

- (a) Study and research the recreation and park needs of the citizens of Sandy Springs, and to create and manage a comprehensive recreation and park system of programs and facilities to meet those needs;
- (b) Establish and promote recreation and parks standards;
- (c) To cooperate with state, federal, commercial and voluntary agencies in the management of the recreation and parks system; implement and support policies of the mayor, city council and city manager; and formulate day-to-day operating policies for the efficient administration of the Department.

Section 1: Definitions.

For purposes of this Chapter, the following definitions are used to describe types of uses within the Sandy Springs recreation and park system.

- (a) **Park-** defined as publicly owned outdoor land set aside for the use of the public for recreation. Parks may be active, which include play fields, athletic fields, golf courses, and similar facilities designed for active play; and passive, which include picnic areas, arboretums, nature centers, flower gardens, water front areas with sitting areas, and similar types of facilities designed for gathering or for contemplation. A park must be of size or complexity to be used or visited. Simple landscaping, or a single piece of sculpture would not be considered a park without being part of a larger coordinated landscape area, or series of sculpture. The park is the backbone of any recreation and park system.
- (b) **Trail-** defined as a path or narrow transportation-oriented corridor for the primary purpose of biking, running, walking, or other non-motorized use. It may be of impervious surface, such as asphalt, or may be left in its natural state, or may be composed of wood chips, cinders, or other types of natural material. Trails usually have a beginning and ending point and ideally have at least one such "trailhead".
- (c) **Greenway-** defined as a linear park, usually including a trail or series of trails. It generally has relatively development. The Greenway is often used as an attempt to preserve green space in a very urban area, such as under a power line easement.
- (d) **Play Ground-** defined as an active area within a park consisting of equipment designed for children to use in an interactive play environment.
- (e) **Athletic Field-** defined as areas within parks designed and used specifically for active play of a team game.
- (f) **Green Space-** defined as open, undeveloped land, either in public or private ownership. Usually used in connection with property that has the potential of being developed for park or other public usage.
- (g) **Indoor facility-** defined as any facility designed and utilized for indoor recreation activities. Includes community center, recreation center, aquatic facility, racquet courts, cultural arts center, performing arts center, arts and crafts center, museum, etc.

Section 2: Reserved:

Section 3: Reserved:

Section 4: Reserved:

Article 2: Regulation of Public Parks.

Section 1: Applicability.

This section shall apply to all designated municipal public parks, which are defined for purposes of this article as any park, playground, green space, or place limits of the City to which the general public has access and a right to frequent, for business, entertainment, or for other lawful purposes, and which has been either deeded to or dedicated to public use or ownership. Municipal public parks shall also include the sidewalks abutting any park, playground, or place above described.

Section 2: Recreation and Parks Director.

- (a) The City Manager may appoint a Recreation and Parks Director, or the City may contract with a third party to perform the duties of a Recreation and Parks Director.
- (b) Recreation and Parks Director's Duties. The Director shall:
 - (i) Implement and support the policies of the Mayor, City Council
 - (ii) Develop, direct, and implement the Recreation and Parks Master Plan at the direction of the City
 - (iii) Determine, prioritize, establish, conduct, construct, and maintain a recreation and parks system for the City that meets the leisure needs of the citizens, including but not limited to parks, playgrounds, trails, indoor recreation centers, programs, activities, and the maintenance and repair of such facilities as required
 - (iv) Recommend the setting aside, leasing, or acquisition of lands or buildings within the City limits for use as parks, playgrounds, recreation centers, or for other recreational purposes, and to provide for the maintenance and improvement of these areas.
 - (v) Determine and set a fees and charges schedule for all recreation programs, classes, events, and facility rentals and shall publish this schedule on an annual basis.
 - (vi) Otherwise assist in the operation and enforcement of this Chapter

Section 3: Permitted Park Activities.

- (a) The City Manager may recommend a permit application procedure to the Mayor and City Council.
- (b) The City Manager shall establish guidelines regarding permitted uses of municipal parks.
- (c) The Recreation and Parks Director shall implement those guidelines.
- (d) The Sandy Springs Recreation and Parks Department shall schedule the use of all city parks for organized activities, programs, assemblages, gatherings or games. No individual or group shall erect any booth or stand or sell any article within the limits of any city park without the written consent of the director of recreation and parks or his authorized representative. Such consent may also be given by the Mayor and City Council by a majority vote upon recommendation by the City Manager, provided the recreation and

parcs department is made aware of the proposed use and it does not conflict with other scheduled activities.

Section 4: Prohibited Acts in Public Parks.

- (a) *Alcoholic beverages.* It shall be unlawful for any person to possess and/or consume any alcoholic beverage, or be under the influence of alcoholic, malt and/or vinous beverage, within any public park and/or within any building under the supervision of the Sandy Springs Recreation and Parks Department unless such usage is expressly permitted by signage or published rules of the particular park or recreation building.
- (b) *Begging.* Begging is prohibited.
- (c) *Boats.* Boat launching must be done within those boat launching areas specifically built and designed for purposes.
- (d) *Concessions.* Any concessionaire which through contractual agreement with the department operates any concession shall supply and provide the required permits for such operation.
- (e) *Construction.* Construction of any building, structure, utility or any other entity upon, across, over, through, or under any park area, except in accordance with the provisions of a valid permit and contract and with the written approval of the director is prohibited.
- (f) *Fire.* The creation of any fire in any park outside a specifically designed picnic grill, fireplace or other similarly designed enclosure is prohibited without the written permission of the director.
- (g) *Firearms.* It shall be unlawful for any person to possess any firearm, air gun or any explosive substance in any of the City parks, unless written permission for such has been authorized by the Mayor and City Council.
- (h) *Firework.:* It shall be unlawful for any individual to shoot, explode, or launch any fireworks in any park in the city, or into any park in the City from outside the park confines, unless such fireworks are part of a commercial fireworks display sponsored by the City and conducted by a licensed and bonded fireworks specialist.
- (i) *Going Armed.* It shall be unlawful for any person to carry, with the intent to go armed, any dangerous weapons such as knives, spears, or any implement able to discharge missiles.
- (j) *Horses.* Horses and other equines are prohibited within any city parks.
- (k) *Injuring public property.* It shall be unlawful for any person to cut, break, mutilate, deface, or in any indecent or loud acts of behavior, or in any other manner destroy or injure any public property, real or personal, belonging to, owned by, or leased or used by the City.
- (l) *Killing wildlife.* It shall be unlawful for any person to hunt, trap, shoot, maim or kill any animal or wildlife, or attempt to do any of the above to any animal or wildlife within any of the City parks without the written permission of the Mayor and City Council

- (m) *Meetings.* Persons, corporations, or organizations conducting public meetings, assemblies, worship services, entertainment, demonstrations, or political rallies, within the general confines of a park or municipal area without a permit issued by the city clerk, and without written permission of the director, is prohibited.
- (n) *Motor vehicles.* It shall be unlawful for any person to drive, operate, and/or park any motor vehicle, minibike, or motorcycle within any City park, except in areas designated for such use. This section does not apply to City employees when municipal duties require them to drive over said park and/or to park their vehicles or equipment in order to perform City business.
- (o) *Vehicles.* Leaving any vehicle or other personal property for longer than 24 hours, without prior permission of the director, is prohibited and any property so left shall be impounded. In the event unattended property interferes with a safe and orderly management of the park area, it may be impounded immediately
 - (i) All operators of motorcycles, trail bikes, off-road vehicles and other motorized Vehicles must conform to the same rules and regulations as those of any other motor vehicle.
 - (ii) No person shall grease, lubricate, or make repairs to any vehicle, except those of a minor nature, and then only in case of emergency.
- (p) *Natural Products.* The gathering or collecting of natural products of a renewable living resource such as plant material for personal use or for commercial sale is prohibited. The destroying, digging, cutting, removing, or possession of any tree, shrub, or other plant is prohibited without a permit granted by the director.
- (q) *reserved.*
- (r) *Noises.* It shall be unlawful for any person to make any unnecessary, loud noises, engage in noisy disputes or conversation, engage in any indecent or loud acts of behavior, or in any other manner disturb the public peace, quiet, and order in any of the City parks.
- (s) *Obstruction.* Interfering with, encumbering, obstructing or rendering dangerous any part of a park is prohibited
- (t) *Park hours.* All City parks shall be closed, and no person shall be authorized to be on the premises or property of any City park, between the hours of 12:00 midnight and 6:00 a.m., except authorized City employees or persons engaged in activities authorized by the City Recreation Board and Recreation Director, or the Mayor and City Council.
- (u) *Pets.* All pets must be on a leash, have current vaccination tags, and the owner is responsible for disposal of pet waste. All pets are prohibited on athletic fields, unless written permission for such has been authorized by the Mayor and City Council or the Director of Recreation and Parks. Exception: service animals such as guide dogs for the blind may be allowed on athletic fields at any time while accompanying their owner.
- (v) *Permit required.* It shall be unlawful for any person to engage in any activity in City parks which requires a permit and/or a ticket without first obtaining such permit and/or ticket.
- (w) *Polluting water in parks.* It shall be unlawful for any person to pollute or disturb any spring, branch, pond, fountain, or other water owned by or leased to the City.

- (x) *Posting signs.* It shall be unlawful for any person to affix any bill, sign, or notice on any tree, building, or fixture in any of the parks. It shall be unlawful for any person to place any paper, books, refuse, or trash of any kind in any of the public parks, except in containers provided for such.
- (y) *Public Address System.* The operation or use of public address systems, whether fixed, portable, or vehicle mounted is prohibited except when such use or operation is in connection with public gatherings or special events which have been approved by the director.
- (z) *Rental Structures.* Cultural, historical, recreation, park and special use structures may be reserved and rented based on the rental and reservation policies of each facility in place at the time of reservation.
- (aa) *Selling.* Flea markets, garage sales, rummage sales, and all other such sales by a person, persons, or organizations for either private or non-profit purposes are prohibited in park and recreation areas.
- (bb) *Skateboards.* It shall be unlawful for any person to operate a skateboard on any street, lane, way, road, sidewalk, and/or any parking lot in any park in the City unless otherwise designated by signage or published rules.
- (cc) *Reserved.*
- (dd) *Smoking.* It shall be unlawful for a minor to smoke in the park.
- (ee) *Soliciting.* Engaging in or soliciting any businesses in a park area except in accordance with the provisions of a permit, contract, or other written agreement with the Sandy Springs Recreation and Parks Department is prohibited.
- (ff) *Speed limit.* It shall be unlawful for any person to operate a motorized vehicle upon any road within a park in the City at a greater speed than 15 miles per hour.
- (gg) *Swimming in lakes or ponds.* It shall be unlawful for any person to swim in or enter any lake or pond at any park in the City for the purpose of swimming or wading unless a permit for such has been issued by the City Recreation and Parks Department or an authorized representative, or such person or persons are conducting Recreation and Parks Department business.
- (hh) *Unauthorized Use.* No person shall erect any structure, stand, or platform, run or conduct any race, or hold any athletic contest in any park or recreation area with the written agreement of the director and without first securing all necessary permits.
- (ii) *Urban camping.* It shall be unlawful to reside or to store personal property in any park owned by the City. Furthermore, it shall be unlawful to use any public place, including City parks, for living accommodations purposes or camping, except in areas specifically designated for such use or specifically authorized by permit.

Additional Rules and Regulations

- (jj) The Director of Recreation and Parks shall have the authority to make and post rules and regulations as necessary to insure the orderly management and administration of the Recreation and Parks Department.

- (kk) Any organization that has a lease or user agreement with the City of Sandy Springs to manage a city-owned park or recreation facility shall devise and post those operating procedures and rules consistent with the facility which is under the lease agreement, and shall provide copies of those rules to the Director of Recreation and Parks; provided that no posted procedure or rule may supersede any ordinance as described herein

Section 5: Enforcement.

- (a) The Police Department shall have jurisdiction to enforce municipal and state laws in City parks.
- (b) No person shall disobey the lawful and reasonable order of a park employee, or employee contracted by the Recreation and Parks Department for the purposes of safeguarding the park system in the discharge of his/her duties, or disobey or disregard the notices, prohibitions, instructions, rules or regulations on any park sign.
- (c) Any person violating any provision of this section and/or concealing a violation of, or harboring, assisting or protecting a person charged with or convicted of a violation of this section shall be punished by a fine not to exceed one thousand dollars (\$1000.00), by sentence of imprisonment not exceeding six (6) months, either or both of such fines and imprisonment.

Section 6: Violations.

Any person violating any provision of this section and/or concealing a violation of, or harboring, assisting or protecting a person charged with or convicted of a violation of this section shall be punished by a fine not to exceed \$250.00, by sentence of imprisonment not exceeding 90 days, and to community service for a period not exceeding 90 days, either or both of such fines and imprisonment, or work on the streets, parks, or public works, in the discretion of the Municipal Court Judge.

2.

All ordinances, parts of ordinances, or regulations in conflict herewith are repealed.

3.

Severability. Should any court of competent jurisdiction declare any section of this Ordinance invalid or unconstitutional, such declaration shall not affect the validity of the Ordinance as a whole or any part thereof, which is not specifically declared to be invalid or unconstitutional.

4.

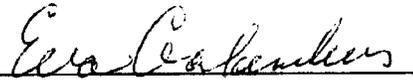
Repeal of Conflicting Provisions. It is the intention of the Mayor and Council, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances, City of Sandy Springs, Georgia and the sections of this Ordinance may be renumbered to accomplish such intention.

5.

This Ordinance is effective February 20, 2007; and

ORDAINED this the 20th day of February, 2007.

Approved:


Eva Galambos, Mayor

Attest:


Christina Rowland, City Clerk

(Seal)

