

**AN ORDINANCE REGULATING THE USE OF
PARKS AND RECREATION AREAS OWNED BY THE
COUNTY OF MOORE, NORTH CAROLINA**

ARTICLE 1: IN GENERAL

Sec. 1. Authority.

This Ordinance is enacted pursuant to Chapter 153A, Article 23 of the General Statutes of the State of North Carolina.

Sec. 2. Definitions.

The following words, terms and phrases, when used in this ordinance, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Alcoholic beverage means any beer, malt, wine, spirit, liquor or other beverage whose sale is regulated and licensed by the state alcoholic beverage control board.

Department means the county parks and recreation department.

Footpath means any path or trail maintained for pedestrians.

Motor vehicle means any motorized conveyance including automobiles, trucks, motorcycles, motorbikes, all-terrain vehicles, minibikes, go-carts, recreational vehicles, or any other self-propelled motorized vehicle.

Pedestrian means a person afoot.

Permit means any written license issued by or under the authority of the department, permitting the performance of a specified act.

Public recreation area means any public park, recreation center, playground, swimming pool, swimming area, ball field, tennis court, or any other recreation facility and their parking facilities owned or controlled by the county.

Sec. 3. Scope.

This ordinance shall regulate the use and occupancy and the conduct of persons in or upon all public recreation areas owned by the county.

ARTICLE 2: USE OF PUBLIC RECREATION AREAS

Sec. 1. Hours of operation.

It shall be unlawful for any person to enter or remain in any public recreation area except during those hours of operation that it is open to the general public, unless express permission has been obtained from the county.

Sec. 2. Vehicles in public recreation areas.

It shall be unlawful for any person to :

1. Drive any motor vehicle on any area except designated roads or parking areas, or such areas as may on occasion be specifically designated as temporary areas.
2. Park a motor vehicle in other than a designated or established parking area.
3. Leave a motor vehicle standing or parked in designated or established parking areas or elsewhere in the public recreation areas during hours when the public recreation area is closed.
4. Fail to obey all traffic officers and department employees, such persons being authorized and instructed to direct traffic whenever and wherever needed in the parks.
5. Fail to observe carefully all traffic signs indicating speed, direction, caution, stopping or parking and all others posted for proper control and to safeguard life and property.
6. Leave a bicycle in a place other than a bicycle rack when such is provided and there is space available.
7. Ride a bicycle without reasonable regard for the safety of others.
8. Ride a bicycle in any area except designated roads or parking areas, designated bicycle trails or such areas as may on occasion be specifically designated as temporary areas.
9. Leave a bicycle lying on the ground or paving or set against trees, or in any place or position where other persons may trip over or be injured by it.

Sec. 3. Personal conduct.

It shall be unlawful for any person to:

1. Engage in disorderly conduct of any kind within a public recreation area.
2. Engage in any activity which may constitute a hazard to the safety of himself or other persons.
3. Dispose of lighted or unlighted matches, cigars, cigarettes or any flammable material or substance in other than trash receptacles or ash cans.
4. Engage in threatening language or in excessively noisy conduct of any kind at any time within the public recreation area such that it unreasonably disturbs other patrons.
5. Throw rocks or objects of any kind. This does not include balls or games used in athletic events when used in a reasonable manner and in such a way that they do not become hazards to other park patrons.
6. Interfere with or in any manner hinder any county employee in the performance of his duties.

Sec. 4. Destruction of public recreation area property.

It shall be unlawful for any person to remove, destroy, mutilate, damage or deface any structure, monument, planter, fountain, wall, fence, railing, vehicle, bench, tree, plant, pavings or paving materials, signs, notices or placards, whether temporary or permanent, stakes, posts, or other boundary markers, or other structures or equipment, facilities or property or appurtenances whatsoever, either real or personal. It shall be unlawful for any person to dig or otherwise

disturb grass areas, or in any other way injure or impair the natural beauty or usefulness of any area.

Sec. 5. Fires.

It shall be unlawful for any person to make or kindle a fire in any public recreation area, except in a regularly constructed fireplace or grill provided by the county. It shall be unlawful for any person to leave any fire unattended, or to fail to completely extinguish a fire and all the embers thereof before leaving such fire.

Sec. 6. Selling items prohibited.

Except as part of an approved event, it shall be unlawful for any person to solicit, peddle or beg within any park or sell any merchandise or wares, provided that this section shall not apply to (a) any concession granted by the county or department for a recreation facility; or (b) any solicitation or sale of goods by nonprofit or civic groups, provided that a permit is obtained in advance from the department.

Sec. 7. Exhibition shows.

Exhibition shows may be allowed in designated park areas upon approval from the county. The sponsoring organization obtaining the permit shall be responsible for all license fees as may be applicable.

Sec. 8. Dogs and other animals.

1. It shall be unlawful for any person to keep or retain in a public recreation area a noisy, vicious or dangerous dog or other animal.
2. Dogs and other pets must be on a leash and under the control of the owner at all times while in the public recreation area.
3. Dogs and other pets are permitted only in established or designated parking areas and on designated footpaths or trails.
4. Owners are responsible for cleaning up after their dogs or other pets.
5. Horses are not permitted in any public recreation area except upon designated and marked bridle trails.

Sec. 9. Picnic area; camping; hunting; fishing; swimming.

It shall be unlawful to:

1. Picnic in a place other than one designated for that purpose.
2. Leave a picnic area before the fire is completely extinguished and before all trash in the nature of boxes, papers, cans, bottles, garbage and other refuse is placed in receptacles provided. If no such trash receptacles are available, refuse and trash shall be carried away from the park area by the user to be properly disposed of elsewhere.
3. Camp in any area without permission of the director of the parks and recreation department. No person shall set up tents, shacks or any other temporary shelter for the purpose of overnight camping, nor shall any person leave in any park after closing

- hours any movable structure or special vehicle to be used or that could be used for such purpose, such as a camper-trailer, house trailer or the like without permission of the director of the parks and recreation department.
4. Hunt, trap, shoot, kill, wound, molest, capture, chase, willfully frighten, or attempt to harm any wildlife within a public recreation area, except as undertaken by authorized personnel in the exercise of a bona fide wildlife management practice.
 5. Fish in a public recreation area without a State fishing license, except as provided for in State fishing regulations.
 6. Swim or wade in a public recreation area, except when permitted as a special program or by posted regulation.

Sec. 10. Littering.

It shall be unlawful for any person to bring in, dump, deposit or leave any bottles, broken glass, ashes, paper, boxes, cans, dirt, rubbish, wastes, garbage or refuse, or other trash in a public recreation area. Such refuse, rubbish and waste shall be deposited in receptacles so provided. Where receptacles are not provided, all such refuse, rubbish or waste shall be carried away from the public recreation area by the person responsible for its presence and properly disposed of elsewhere.

Sec. 11. Alcoholic beverages.

It shall be unlawful for any person to possess, consume, display or sell any alcoholic beverage upon the premises of or within a public recreation area.

Sec. 12. Firearms, golf balls, fireworks, etc.

1. It shall be unlawful for any person, except law enforcement officers or duly authorized county employees in the course of their duty, to carry, use or possess a firearm or other dangerous weapon of any nature, including but not limited to archery equipment, air rifles, toy pistols, toy guns, or other toy arms designed to forcibly hurl a projectile or missile at any time or under any circumstances, within a public recreation area.
2. It shall be unlawful for any person to hit golf balls within any public recreation area, except at designated driving ranges or during permitted events.
3. The use of fireworks of any type is expressly prohibited except at approved and permitted events.

Sec. 13. Advertising, etc.

It shall be unlawful for any person to place or erect any structure, sign, bulletin board, post, pole, or advertising device of any kind whatever in any public recreation area, or to attach any notice, bill, poster, sign, wire, rod or cord to any tree, shrub, fence, railing, post or structure within any public recreation area, except such persons as are authorized by the director of the parks and recreation department.

Sec. 14 General regulations.

1. *Misuse of facilities.* Flagrant misuse of parks and recreational facilities will result in forfeiture of future reservation privileges.
2. *Establishment, enforcement of rules, regulations.*
 - (a) The Moore County Parks and Recreation Advisory Committee has the authority and responsibility to establish and enforce rules and regulations governing use of public recreational areas, including hours of operation, proper activities, scheduling of events, activities and exhibitions, and designation of activity areas.
 - (b) A copy of the rules and regulations governing the use of public recreational areas may be obtained from the parks and recreation department. A violation of any rules and regulations established by the Moore County Parks and Recreation Advisory Board shall constitute a violation of this ordinance.

Sec. 15. Closing when necessary.

Any section or part of any public recreation area may be declared closed to the public by the director of the parks and recreation department at any time and for any interval of time, either temporarily or at regular and stated intervals (daily or otherwise), and to certain uses.

Sec. 16. Authority of director to eject disorderly persons.

The director of the parks and recreation department and any authorized department employee shall have the authority to eject from any public recreation area any person acting in violation of this ordinance or in violation of rules and regulations enacted pursuant to this ordinance

Sec. 17. Enforcement.

This ordinance may be enforced by any and all remedies authorized by G.S. 153A-123 or other applicable law. In addition, anyone violating any of these provisions may be asked to leave immediately and may be subject to trespass for failing to do so.

Sec. 18. Severability.

Should any section or provision of this ordinance be declared by a court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole or of any other section or provision thereof which is not itself declared unconstitutional or invalid.