

Trumbull County MetroParks Rules and Regulations *Revised February 25, 2015*

In keeping with our mission statement the Board of Trumbull County Park Commissioners have established the following rules and regulation in accordance with the following State of Ohio statutes:

Sec. 1545.09, Ohio Revised Code

The Board of Park Commissioners shall adopt such bylaws, rules, and regulations as the board deems advisable for the preservation of good order within and adjacent to the parks and reservations of land, and for the protection and preservation of the parks, parkways, and other reservations of land under its jurisdiction and control and of the property and natural life therein. Such bylaws, rules, regulations shall be published as provided in case ordinances of municipal corporations before taking effect. No person shall violate any such bylaws, rules, or regulations. All fines collected for any violation of this section shall be paid into the treasury of such park board.

Sec. 1545.13, Ohio Revised Code

Such employees as the Board of Park Commissioners designates for that purpose may exercise all the power of police officers within and adjacent to the lands under the jurisdiction and control of such board. Before exercising such powers, such employees shall take an oath, and give bond to the state in such sum as the board prescribes, for the proper performance of their duties in such respect.

Sec. 1545.99, Ohio Revised Code

A.) Whoever violates section 1545.09 of the Revised Code shall be fined not more than one hundred fifty dollars for the first offense; for each subsequent offense such person shall be fined not more than one thousand dollars.

Sec. 3767.99, Ohio Revised Code (Littering)

(A) Whoever is guilty of contempt under sections 3767.01 to 3767.11 or violates section 3767.14 of the Revised Code is guilty of a misdemeanor of the first degree.

(B) Whoever violates section 3767.12 or 3767.29, or, being an association, violates section 3767.30 of the Revised Code is guilty of a misdemeanor of the fourth degree.

(C) Whoever violates section 3767.13, 3767.19, or 3767.32 or, being a natural person, violates section 3767.30 of the Revised Code is guilty of a misdemeanor of the third degree. The sentencing court may, in addition to or in lieu of the penalty provided in this division, require a person who violates section 3767.32 of the Revised Code to remove litter from any public or private property, or in or on waters of the state.

(D) Whoever violates section 3767.16, 3767.17, 3767.18, 3767.201 , or 3767.34 of the Revised Code is guilty of a minor misdemeanor.

Effective Date: 07-14-1980

Terms

The term “Park” as used herein, means any land owned, leased or otherwise controlled by the Board of Park Commissioners of the Trumbull County MetroParks.

The term “Board” means the Board of Commissioners of the Trumbull County MetroParks.

The term “Person” includes persons and corporations.

The term “Employee” shall mean any employee employed full-time by the Trumbull County MetroParks Board of Commissioners or any member of the Board of Park Commissioners.

1. Preservation of property and Natural Features

No person shall injure, deface, or disturb any part of the Park nor any building, sign, or equipment, or other property found therein; nor shall any plant, rock, or other mineral be removed, injured, or destroyed.

2. Deposit of Materials

2.1. No person, without specific written consent of the Employee, shall bring into, leave behind, or dump, deposit, permit or allow to be deposited, in any part of the Park, any soil, rock, vegetation, garbage, ashes, sewage, waste or other noxious material, except that which is produced by a picnic or other permitted activity, which shall be deposited in the receptacles provided for such purposes.

2.2. No person shall introduce any wild or domestic plant, nor culture any seed or vegetation of any type in any park without the written permission of the Employee.

3. Hunting, Fishing, and Molesting of Wildlife

3.1 Hunting

No person shall hunt, collect, pursue with dogs, trap or in any other way molest any wild bird or animal found within the confines of the Park, or therein rob or disturb any nest or den or take eggs of any or young of any animal, unless authorized by written permission of the Employee.

3.2 Fishing

Fishing is prohibited except in specially designated areas. In all park waters, fishing shall be subject to the statutes of the State of Ohio and to any additional restrictions set by the Employee.

3.3. Release of Animals No Person shall release any wild or domestic animal in any park without written permission of the Employee.

4. Fires

4.1 Permitted Fires

No person shall start a fire in any Park, except for supervised cooking fires, and only in such places provided for that purpose. All fires shall be extinguished by the person or persons starting or using the fire, before leaving the immediate vicinity of the fire. The Employee may, at his or her discretion, prohibit fires or smoking at any location within the park or park property when deemed necessary for the protection of public health or park property.

5. Firearms, Weapons and Fireworks

No hunting on, from, or across the Greenway. Hunters must disable their weapons when using the Greenway to access hunting areas. Fireworks, explosive substances and missile throwing devices are strictly prohibited.

6. Camps

No person shall establish or maintain any camp or other temporary lodging place without specific written permission from the Employee

7. Disorderly Conduct

No person shall either by word or act, indulge in any noisy, boisterous, disorderly or indecent conduct; or in any manner disturb the peace or good order of the community within the Park; nor shall any person engage in any active game endangering other persons in the Park; nor shall any person play at games of chance, drink intoxicating liquor, or be drunk, or do any indecent, lascivious, lewd, or improper act therein. No person shall enter a toilet room set apart for the opposite sex.

7.1 Beer and Intoxicating Beverages

No person shall consume, possess, distribute or offer for sale any alcoholic beverage within the park district.

No person shall use, possess, distribute or offer for sale any drugs per ORC Section 2901.01 et seq including but not limited to opiates, marijuana or hallucinatory substances within the Park.

No person shall be under the influence of the substances stated above within the Park.

7.2 Public Indecency and Nudity Persons Appearing on park lands or facilities managed and/or controlled by the Trumbull County MetroParks serving Trumbull County (including but not limited to lands, waters and beaches) shall not intentionally or recklessly do any of the following under circumstances in which his or her conduct is likely to be viewed by and affront others, not members of his or her household:

A.) Expose his or her private parts (including buttocks).

B.) Engage in any actual or simulated sexual conduct;

C.) Violate any Ohio Revised Code provisions related to nudity and/or public indecency including Ohio Revised Code 2907.01(H) and 2907.09.

8. Traffic

8.1 No person shall operate a motor vehicle including but not limited to snowmobiles, all terrain vehicles, dirt bikes and other recreational vehicles, except for motorized wheelchairs and authorized maintenance vehicles, on any portion of park property except the drives and roadways clearly marked for such purposes. The Employee or Park Ranger may order park roads closed during construction, for repairs, or because of emergencies. No person may drive on a park road which has been closed and posted with appropriate signs or barricades.

8.2 No person shall drive or propel, or cause to be driven or propelled, along or over any road within the Park any vehicle at a greater rate of speed than twenty-five (10) miles per hour. No person shall operate any vehicle upon any park property without being in reasonable control of the vehicle.

8.3 No person shall drive or propel, or cause to be driven or propelled, along or over any road within the Park, any vehicle over 10,000 lbs. gross weight without written permission from the Employee.

8.4 No person shall park any motorcar, motorcycle, bicycle, wagon, or other vehicle within the Park, except in a place designated by the Employee for such purpose.

8.5 No person shall park any car, trailer, unattached or attached to a motor vehicle, within or upon the parkways, parks, reservations, or other lands owned, controlled, or supervised by the Board without written permission from the Employee.

8.6 No person shall park any motorcar, motorcycle, bicycle, wagon, or other vehicle within the Park after park operation hours without written permission of the Employee. Any vehicle left without permission shall be removed from the park at the owner's expense. Repair or service of vehicles on park property is prohibited, except with written permission from the Employee.

8.7 The state law regarding lights on vehicles shall apply to vehicles within the Park.

8.8 No portion of the Park shall be used for purpose of a roadway, except drives, roadways, paths, walks, and trails established for such purpose. Footpaths and multipurpose trails shall not be used for vehicular travel, except with written permission from the Employee.

8.9 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 special parking locations provided for the handicapped. Motor Vehicles using handicapped parking areas must display the handicapped symbol in the window or on the license plate in conformance with the law.

8.10 No person shall ride any horse or other animal within the Park, except upon bridle paths established for horseback riders.

8.11 No person shall operate powered model toys, including model airplanes on park property without written permission from the Employee.

9. Commercial Enterprises

No person shall sell or offer for sale any article, thing, privilege or service within the Park without a permit from the Employee, and no person shall do any begging, hawking, peddling or soliciting therein.

9.1

Permitting and Regulation of Mobile Food Trucks

9.2 Definitions

When used in this section, unless the context otherwise requires, the following terms shall have the following meanings:

- a. Food Establishment shall mean a business operation that stores, prepares, packages, serves, vends or otherwise provides food for human consumption.
- b. Mobile Food Vehicle shall mean a food establishment that is located upon a vehicle, or which is pulled by a vehicle, where food or beverage is cooked, prepared and served for individual portion service, such as a mobile food kitchen.
- c. Mobile Food Truck shall mean a mobile food vehicle.
- d. Mobile Food Commissary shall mean a licensed food establishment that a mobile food truck reports to twice daily for all food and supplies and for all cleaning and sanitizing of units and equipment.

9.3 Scope

- a. The provisions of this section shall apply to mobile food operations engaged in the business of cooking, preparing, and distributing food or beverage with or without charge from mobile food trucks on or in Trumbull County Metropolitan Park District Property.
- b. The provisions of this section shall not apply to mobile food operations that are providing a service at the request of Trumbull County MetroParks or its employees.

9.4 Mobile Food Truck Permit Required

- a. No person or business entity, including a religious or charitable organization, shall operate a mobile food truck in Trumbull County Metropolitan Park District Property without a permit issued through the Board.
- b. A mobile food truck permit is required for each and every mobile food truck.

9.5 Application for a Mobile Food Truck permit

- a. Single Application. There shall be made available by the Board a single application form to apply for each mobile food truck permit. Said application shall include a copy of the applicant's current food service license from the Trumbull County Board of Health.
- b. The Board shall set a reasonable, yearly application fee from time to time, the amount of which shall be incorporated into these Rules and Regulations.
- c. Approval Process. An application and application fee must be submitted to the Board. The Board will take the matter under advisement.

9.6 Limitation on the Number of Permits

The Board may from time to time set a limit on the number of total permits that may be issued per year; provided, however, that no more than two (2) permits, may be issued to a single person or business entity or both. Upon receipt of application, the Board shall advise the applicant whether or not the limitation has been met.

9.7 Rules and Regulations for Food Trucks

1. No operator of a permitted mobile food truck (hereinafter the "Permit Holder") shall park, stand, or move a vehicle and conduct business within areas of the Park where the Permit Holder has not been authorized to operate;
2. No Permit Holder shall possess a permit for a mobile food truck that is not in operation for a period of more than fourteen (14) days without duly notifying and obtaining approval from the Board.

3. The issuance of a permit does not grant or entitle the exclusive use of the Park, in whole or in part, to the mobile food truck permit holder, other than the time and place as approved for the term of the permit;

4. No Permit Holder shall provide or allow any dining area, including but not limited to tables, chairs, booths, bar stools, benches, and standup counters, unless a proposal for such seating arrangements is submitted with the permit application and approved by the Board.

5. Consumers shall be provided with single service articles, such as plastic forks and paper plates, and a waste container for their disposal. All Permit Holders shall provide a waste container for public use that the Permit Holder shall empty at his own expense.

6. No mobile food truck shall make or cause to be made any unreasonable or excessive noise in violation of local laws.

7. The Board reserves the right to temporarily move a Permit Holder to a nearby location if the approved location needs to be used for emergency purposes, snow removal, construction, or other public benefit.

a. Permit/License Display. The Permit Holder must have at ready display all permits and licenses required herein for customers and Board employees who wish to inspect said forms and documents.

b. Fire Certificates. The Permit Holder must provide the Board at the time of application with written certification from one (1) fire department with jurisdiction over one (1) of the Parks that its vehicle is in compliance with all applicable federal, state, and local fire safety statutes, regulations, ordinances, and codes.

9.8 Prohibition Against Assignment/Transfer of a Permit.

a. No Permit Holder shall sell, in any manner assign/transfer a mobile food truck permit issued by the Board.

b. Unauthorized assignment/transfer voids permit. Any unauthorized assignment/transfer or attempt to assign/transfer a permit issued by the Board shall automatically void such permit. Whoever violates this provision, shall be subject to a fine of one hundred fifty dollars (\$150.00), pursuant to section (9.11.a). Each assignment/transfer or attempt to assign/transfer of a permit shall constitute a separate violation.

9.9 Operation of Mobile Food Trucks

- a. Operation without permit. Any mobile food truck being operated without a valid mobile food truck permit issued by the Board shall be deemed a public safety hazard and shall be ticketed and ordered to immediately leave the Park.
- b. Unattended Vehicles prohibited. No Permit Holder or mobile food truck shall be parked in any park overnight, or left unattended and unsecured at any time. Any Permit Holder or mobile food truck which is found to be unattended shall be considered a public safety hazard and ordered to immediately leave the Park.
- c. A Permit Holder operating outside of an approved route, at an unauthorized location, or beyond the hours for which the operation has been permitted shall be deemed in violation of this section and may be subject to enforcement under subsection (9.11.a).

9.10 Enforcement

- a. Fine for Violation. Any Permit Holder operating a mobile food truck or service in violation of any provision of this section or any rules and regulations promulgated by the Board shall be ticketed or fined not more than one hundred fifty dollars (\$150.00) for the first offense; for each subsequent offense such person shall be fined not more than one thousand dollars (\$1,000.00).
- b. Revocation, Suspension, Modification. Once a permit has been issued it may be revoked, suspended, modified, or not renewed by the Board for failure to comply with the provisions of this section or any rules and regulations promulgated by the Board without notice.
- c. Enforcement. The provisions of this section or any rules and regulations promulgated by the Board may be enforced jointly by local, county and federal law enforcement agencies.

10. Signs

No person shall expose, distribute or place any sign, advertisements, circular, notice or statement or display any banner, emblem or design, within the Park, without written permission from the Employee.

11. Grazing

No person shall herd, graze, drive or permit to run at large within the Park any cattle, horse, mule, donkey, goat, swine, sheep, or other animal, or any poultry or other fowl.

12. Pets and other Animals

12.1 Pets No person shall permit a dog, cat or other animal to run out of his or her control at any time. All pets shall be kept on a leash no longer than eight (8) feet and be under the control of a responsible person. Pets must not behave in a way that startles, threatens or

disturbs other park visitors, pets, or the natural resources or the park. All dogs will have a current license issued by the county in which they reside upon a collar secured around their neck at all times while in the Park. All visitors are required to clean-up any droppings/feces from their pets or they will/can be given a ticket for littering.

12.2 Feeding of Animals No person, except authorized employees of the Trumbull County MetroParks, shall feed, place or distribute feed materials within the Park without permission from the Employee. The term feed materials shall include, but is not limited to: bread, table scraps, manufactured pet or wildlife foods, grains and seeds.

12.3 Releasing of Animals No person shall bring any animal into the park for purpose of releasing said animal, nor shall any person release any animal within a park, without written permission from the Employee.

13 Hours of Operation

13.1 General hours of operation are dawn to dusk daily. No person shall enter or remain on the land or premises of the Trumbull County MetroParks at any time when the parks are not designated as open for use except with express written permission of the Board of Park Commissioners or the Employee.

13.2 Employees of the Trumbull County MetroParks who have management, public safety or law enforcement authority may temporarily close specific areas within parks or reservations of land under the control of the Trumbull County MetroParks for reasons of public safety, resource protection, or for law enforcement reasons. Maintenance personnel may close parks, parkways, parking lots, or areas temporarily for construction, reconstruction, or maintenance purposes.

When the use of parks or areas within the parks, or areas under the control of the Trumbull County MetroParks is restricted to certain persons, purposes, modes, or hours of operation, and such restriction is actually communicated to persons, or is posted on Trumbull County MetroParks signs in conspicuous locations, or when access is restricted or prevented by fences, gates or other barriers, no person shall violate such restrictions.

13.3 Hour of Operation of Specific Areas Specific areas or parks may be open at other times due to specific programs, services sponsored by the Trumbull County MetroParks, or seasons of the year. Park District sponsored programs may be scheduled at such times as are reasonably necessary to effect their purpose.

13.3 Schedule of Hours of Operation

The Employee is authorized to maintain a schedule of hours of operation for the parks.

14 Littering

No person, regardless of intent, shall deposit litter or cause litter to be deposited on any public property, on private property not owned by him, or in or on waters of the state.

(D) As used in this section:

(1) "Litter" means garbage, trash, waste, rubbish, ashes, cans, bottles, wire, paper, cartons, boxes, automobile parts, furniture, cigarette butts, glass, or anything else of an unsightly or unsanitary nature.

(2) "Deposit" means to throw, drop, discard, or place.

(3) "Litter receptacle" means a dumpster, trash can, trash bin, garbage can, or similar container in which litter is deposited for removal.

(E) This section may be enforced by any sheriff, deputy sheriff, police officer of a municipal corporation, police constable or officer of a township or township police district, wildlife officer, park officer, forest officer, preserve officer, conservancy district police officer, inspector of nuisances of a county, or any other law enforcement officer within his jurisdiction.

15 Disorderly Conduct

No person shall recklessly cause inconvenience, annoyance or alarm to another by doing any of the following:

- A. Engaging in fighting, in threatening harm to persons or property or in violent or turbulent behavior.
- B. Making unreasonable noise or offensively coarse utterance, gesture or display or communicating unwarranted and grossly abusive language to any person.
- C. Insulting, taunting, or challenging another under circumstances in which such conduct is likely to provoke a violent response.
- D. Hindering or preventing the movement of persons on public street, road, highway, or right-of-way, or to, from, within, or upon public or private property, so as to interfere with rights of others and by any act which serves no lawful and reasonable purpose of the offender.
- E. Creating a condition which is physically offensive to persons or which presents a risk of physical harm to persons or property, by any act which serves no lawful and reasonable purpose of the offender.

16 Pavilion Regulations

Trumbull County — RENTAL FACILITY GUIDELINES

PICNIC PAVILIONS: Oakfield Trailhead, Sunside Trailhead and Clarence Darrow MetroPark

It is strongly suggested that you personally tour a facility prior to making your reservation.

AVAILABILITY:

Reservations may be made no more than one-year-to-date of the desired date.

Oakfield trailhead, Sunside Trailhead and Clarence Darrow MetroPark:

—Reservations must be made 30 days prior to the event.

—Available to rent starting the Friday before Memorial Day through November 1st.

—Available to rent between Monday through Sunday from dawn and dusk full-day.

AGREEMENT: At the time of reservation, you are agreeing to be bound by these guidelines by the General Rules and Regulations of the Trumbull County MetroParks. A reasonable amount of clean-up by permit holder is expected by the end of the rental time.

The permit holder is responsible for damages or incidents which may occur during their event.

All reservations are first come first serve.

INVITATIONS: Please do not put Trumbull County MetroParks phone numbers on your invitation.

ATTENDANCE/SEATING LIMITS:

Every facility has an attendance limit; exceeding this limit will reduce the function of the space, could become a safety issue, and could cause your permit to be revoked.

Oakfield Trailhead: 20 people

Sunside Trailhead: 20 people

Clarence Darrow MetroPark: 76 people

AMENITIES for these outdoor picnic pavilions:

Oakfield Trailhead, Sunside Trailhead and Clarence Darrow MetroPark: picnic tables, grill, port-a-john available; area is for use by permit holder only; no key needed

TEENAGE GROUPS: Reservations must be made by an adult at least 21 years old. Children & teenage groups must be adequately chaperoned during the entire event. The permit holder is responsible for damages.

ALCOHOL: Alcoholic beverages are not permitted.

PROHIBITED (including but not limited to):

smoking, gambling, disorderly conduct, boisterous or profane language, use of tacks or nails, confetti or rice, ticket sales or admission fees, music that is played loud enough to disturb or be offensive to other MetroParks visitors; permission is needed to bring large grills.

Please call us well in advance of your reservation date if you have any questions or concerns.

16.1 Remit Address and Phone Number

All reservation must be either mailed to:

Trumbull County MetroParks
185 E Market Street
Warren, OH 44481

Or Phone to

330-675-3072

17 Event/Organization Use Regulations

All organizations wanting to hold an event or reserve a pavilion at a park or property owned or operated by the Park must submit a "Group/Event Request Form" 30 days prior to their event. Organized clubs, charitable organizations, or other organized associations planning an event and are charging an entry fee AND is making the area they reserved exclusive to persons attending the event must provide a copy of their liability insurance declaration page wherein Trumbull County Metropolitan Park District is named as an additional insurer in the amount of \$500,000.

A signed copy of the "Release and Waiver" form must also be attached to your "Group/Event User Form" when you make your request. The above mentioned release form must be turned in 30 days prior to the event or the organization may be banned from using Trumbull County MetroParks in the future.

If there is no charge for participation in an event and the park district is not connected to the event holder with a fiduciary relationship and the park is not actively participating in the event, there is generally no need to require proof of insurance by the event holder. But, Trumbull MetroParks reserves the right to look at each event individually, and consult legal counsel for grey areas.

For example: If a gardening club wants to use a park for a mum show, that is different than an outdoor club using a park for rappelling demonstrations in which the general public can participate even though there is no charge.

Family gatherings, pick-up games, other impromptu events and normal day activities are exempt from having to submit either the liability insurance deck page or the participant release and waiver form but are still required to submit "Group/Event Request Form" if they would like to reserve a pavilion.

If any field on any form is left incomplete the request may be denied.

Any violation of the rules and regulations of Trumbull County Metropolitan Park District can cause the organization, club or organized association to be banned from using the facilities and grounds of Trumbull County Metropolitan Park District. The Trumbull County Board of Park Commissioners have final say in approving, denying and setting any bans as mentioned in these rules.

For pavilion regulations please refer to section 16 of these regulations.