

ASHTABULA COUNTY METROPARKS PARK DISTRICT RULES AND REGULATIONS

Section One

Be it Resolved, by the Board of Park Commissioners of the Ashtabula County Metroparks Park District (otherwise known as ASHTABULA METROPARKS), that in Accordance with authority granted in Ohio Revised Code Section 1545.09, the use of the parks, parkways, and other lands and areas owned or controlled by the Ashtabula County Metroparks Park District shall be under and subject to the rules and regulations, as set forth and adopted herein and any person violating any of such rules or regulations shall be deemed guilty of a misdemeanor and upon conviction shall be assessed penalties for misdemeanors in accordance with Ohio Revised Code Sections 2929.21 and 2929.22

The following terms as used in these rules and regulations herein shall mean:

- "Park" or "Parks" means any and all land owned or controlled by the Board of Park Commissioners of the Ashtabula County Metroparks Park District.
- "Board" means the Board of Park Commissioners of the Ashtabula County Metroparks Park District.
- "Executive Director" means the Executive Director of the Ashtabula County Metroparks Park District.
- "Ranger" means the law enforcement officer of the Ashtabula County Metroparks Park District.
- "Person" includes any person, persons, members of partnerships and/or members or officers of corporations and/or their employees.
- "O.R.C." means the Ohio Revised Code.
- "MM" means a minor misdemeanor; upon conviction shall be fined in any sum not to exceed one hundred and fifty dollars (\$150).
- "M4" means a misdemeanor of the fourth degree; upon conviction shall be subject to a maximum jail sentence of thirty (30) days and a maximum fine of two hundred and fifty dollars (\$250).
- "M3" means a misdemeanor of the third degree; upon conviction shall be subject to a maximum jail sentence of sixty (60) days and a maximum fine of five hundred dollars (\$500).
- "M2" means a misdemeanor of the second degree; upon conviction shall be subject to a maximum jail sentence of ninety (90) days and a maximum fine of seven hundred and fifty dollars (\$750).

- "M1" means a misdemeanor of the first degree; upon conviction shall be subject to a maximum jail sentence of one hundred and eighty (180) days and a maximum fine of one thousand dollars (\$1,000).

Said Rules and Regulations are as follows:

1.0 DEFACEMENT, DESTRUCTION, REMOVAL, OR DISTURBANCE OF PROPERTY, EQUIPMENT AND NATURAL FEATURES

1.1 Preservation of Property and Natural Features (MM)

No person shall injure, deface, destroy, disturb, or remove any part of the Park or building, sign, equipment, or other property found therein, nor shall any tree, flower, shrub or other vegetation, or fruit or seed thereof, or rock, or mineral, or water be removed, injured, destroyed, or disturbed without specific written permission from the Executive Director.

1.2 Injuring Vines, bushes, shrubs, saplings or trees (MM, Provision for treble damages O.R.C. Section 901.51)

No person shall without lawful authority or privilege to do so recklessly cut down, destroy, girdle, or injure a vine, bush, shrub, sapling, tree, or crop standing or growing therein, or sever, injure or destroy a product standing or growing therein or other thing attached therefore within the Park lands.

In addition to the penalty provided herein, whoever violates this section shall be liable in treble damages for the injury caused.

1.3 Criminal Damaging or Endangering (O.R.C. 2909.06)(M2, M1)

(A) No person shall cause, or create a substantial risk of physical harm to any property of the Park or another without the other person's consent:

- (1) Knowingly, by any means;
- (2) Recklessly, by means of fire explosion, flood, poison gas, poison, radioactive material, caustic or corrosive material, or other inherently dangerous agency or substance.

Whoever violates this section is guilty of an M2. If a violation of this section creates a risk of physical harm to any person, criminal damaging or endangering is an M1.

1.4 Criminal Mischief (O.R.C. 2909.07)(M3, M1)

(A) No person shall:

(1) Without privilege to do so, knowingly move, deface, damage, destroy or otherwise improperly tamper with the property of the Park or another;

(2) With the purpose to interfere with the use or enjoyment of property of another within the Park employ a tear gas device, stink bomb, smoke generator or other device that releases a substance which is harmful or offensive to persons exposed, or which tends to cause public alarm;

(3) Without privilege to do so within the Park, knowingly move, deface, damage, destroy or otherwise improperly tamper with a bench mark triangulation station, boundary marker or other survey station, monument or marker;

(4) Without privilege to do so, knowingly move, deface, damage, destroy or otherwise improperly tamper with any safety device, the property of the Park or another or the property of the offender when required or placed for the safety of others, so as to destroy or diminish its effectiveness or availability for its intended purpose.

(B) As used in this section, "safety device" means any fire extinguisher, fire hose or fire axe, or any fire escape, emergency exit or emergency escape equipment, or any life line, life-saving ring, life preserver or life boat or raft, or any alarm, light, flare, signal, sign or notice intended to warn of danger or emergency, or intended for other safety purposes, or any guard railing or safety barricade, or any traffic sign or signal, or any railroad guard crossing sign, signal or gate, or any first aid or survival equipment, or another other device, apparatus, or equipment intended for protecting or preserving the safety of person or property.

Whoever violates this section is guilty of an M3; if the offender creates a risk of physical harm to any person, a violation of this section of an M1.

1.5 Criminal Trespass (O.R.C. 2911.21)(M4)

(A) No person, without privilege to do so, shall do any of the following:

(1) Knowingly enter or remain on the land or premises of the Park;

(2) Knowingly enter or remain on the land or premises of the Park, the use of which is lawfully restricted to certain persons, purposes, modes or hours, when the offender knows he is in violation of such restrictions or is reckless in that regard;

(3) Recklessly enter or remain on the land or premises of the Park, as to which notice against unauthorized access or presence is given by actual communication to the offender, or in a manner

prescribed by law, or by posting in a manner reasonably calculated to come to the attention of potential intruders, or by fencing or other enclosure manifestly designed to restrict access;

(4) Being on the land or premises of the Parks, negligently fail or refuse to leave upon being notified do so by a Park Ranger, or the agent or servant of the Park.

(B) It is no defense to a charge under this section that the offender was authorized to enter or remain on the Park land or premises involved when such authorization was secured by deception.

(C) As used in this section, "the Park land or premises", includes any land, building, structure or place belonging to, controlled by or in the custody of the Park, and any separate enclosure or room, or portion thereof.

Whoever violates this section is guilty of an M4.

If the person in committing the violation of this section, used a snowmobile, off-highway motorcycle, or all-purpose vehicle, the court shall impose a fine of two times the usual amount imposed for the violation.

If an offender previously has been convicted of or pleaded guilty to two or more violations of this section, and the offender, in committing each violation, used a snowmobile, off-highway motorcycle, or all purpose vehicle, the court, in addition to or independent of all other penalties imposed for this violation, may impound the certificate or registration of that snowmobile or off- highway motorcycle or the certificate or registration and license plate of that all-purpose vehicle for not less than sixty days. In such a case, O.R.C. 4519.11 shall apply.

As used in this section, "All-purpose vehicle", "off-highway motorcycle" and "snowmobile" have the same meanings as in O.R.C. 4519.01

2.0 LITTERING, DUMPING, REFUSE, ASHES, GARBAGE, SEWAGE AND NOXIOUS MATERIALS

2.1 Littering, dumping, and disposal of refuse, ashes, and garbage (MM)

No person, without the specific written consent of the Executive Director, shall bring into, leave behind, or dump any material of any kind in the Park except the refuse, ashes, garbage, and other material arising from the normal use and enjoyment of a picnic, camp, or other permitted activity and such material shall be deposited into the receptacles or pits provided for such purposes. Nor shall the same be left or deposited within or near the Parks so as to pollute the waters or air coursing through or over the Parks or otherwise to interfere with proper use and enjoyment of all of the Parks. No bottles, cans, refuse or foreign material of any description shall be deposited or thrown in any of the streams, waterways, ponds, or lakes located in any of the Parks.

2.2 Pollution, sewage and noxious materials (MM)

No person shall, either within or outside of the Parks, place or permit to be placed in any river, brook, stream, ditch, or drain that flows into or through Park lands, any noxious or deleterious material which may render Park waters harmful or inimical to the public health, or to the animal, vegetation, or aquatic life, or which prevent, limit or interfere with the use of such waters for domestic, industrial, or agricultural purposes, or which may lessen to an unreasonable degree the use and enjoyment of such waters for Park lands for recreational or other Park uses.

3.0 FIREARMS, FIREWORKS, EXPLOSIVES, AND BOWS AND ARROWS

3.1 Firearms, missile throwing devices, air or gas guns (MM)

Except as set forth in O.R.C. Section 2923.13, et seq., and the open carry provision, no person, except Rangers of the Board, or other Law Enforcement Officers, shall carry firearms of any description, air or gas gun, sling shot, or missile throwing device with the Parks, or discharge any firearms or air or gas gun in or onto Park lands.

3.2 Fireworks and explosives (MM)

No person shall possess or discharge any fireworks or other explosive substances in and upon Park grounds except by specific written permission granted by the Executive Director.

3.3. Bows and Arrows (MM)

No person shall release an arrow from a bow, crossbow or long bow within the Parks other than in areas designated by the Executive Director, provided, however, that the within regulation shall not be applicable to persons using Park lands for hunting purposes when said persons have fully completely complied with all of the requirements established for hunting on Park lands. See Section 10.3 regarding bow fishing.

3.4 Carrying Dangerous Weapons(MM)

Except as set forth in O.R.C. 2923.12, et seq., and the open carry provision, no person, except Park Rangers, Law Enforcement Officers of the Board, or other Law Enforcement Officers shall have or carrying any firearm, switchblade, hunting knife, dagger, metal knuckles, slingshot, or other dangerous weapons concealed on or about his person while in the Parks, provided, however, that the within regulation shall not be applicable to persons using Park lands for hunting purposes when said persons have fully completely complied with all of the requirements established for hunting on Park lands.

4.0 INDECENT CONDUCT, EXPOSURE, AND SOLICITATION

4.1 Public Indecency (O.R.C. 2907.09) (M4, M3)

(A) No person shall recklessly do any of the following within the Parks, under circumstances in which the person's conduct is likely to be viewed by and affront others who are in the person's physical proximity:

- (1) Expose the person's private parts;
- (2) Engage in sexual conduct or masturbation;
- (3) Engage in conduct that to an ordinary observer would appear to be sexual conduct or masturbation.

Whoever violates Section A (1) is guilty of an M4; whoever violates Sections A (2) and A (3) is guilty of an M3.

4.2. Soliciting (O.R.C. 2907.24) (M3)

No person shall solicit another within the Parks to engage with such other person in sexual activity for hire.

4.3 Loitering Near Toilets (MM)

No loitering is permitted in or near toilet buildings within the Parks and no person shall enter or be in any toilet room set apart for the opposite sex except park maintenance employees or Park Rangers or Law Enforcement Officers on duty.

5.0 DISORDERLY CONDUCT, PEACE DISTURBANCE, INTOXICATION AND DRUGS OF ABUSE

5.1 Disorderly Conduct (O.R.C. 2917.11)(MM, M4)

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

- (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 a public or Park street, road, highway, right-of-way, or trail, or to, from, within, or upon public or Park property, so as to interfere with the 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.

Whoever violates this section is guilty of an MM; a violation of this section is an M4 if the offender persists in disorderly conduct after reasonable warning or request to desist.

5.2 Misconduct at Emergency (O.R.C. 2917.13)(M4)

No person shall knowingly do any of the following:

(a) Hamper the lawful operations of any Park Ranger, Law Enforcement Officer, Firefighter, Rescuer, Medical Person, Emergency Medical Services Person, or other authorized person, engaged in the person's duties at the scene of a fire, accident, disaster, riot or emergency of any kind.

(b) Fail to obey the lawful order of any Park Ranger or any Law Enforcement Officer engaged in the Park Ranger's or Law Enforcement Officer's duties at the scene of or in connection with a fire, accident, disaster, riot, or emergency at hand.

5.3 Possession or Use of Alcoholic Beverages or Intoxicating Liquor (MM)

No person shall drink, sell, possess or offer for sale any alcoholic beverage or intoxicating liquor, except where specifically permitted by the Executive Director, or become intoxicated or be under the influence of any alcoholic beverage or intoxicating liquor within the Parks.

5.4 Obtaining, Use, or Possession of Drugs of Abuse and Drug Abuse Instruments

No person while within the Parks shall knowingly obtain, possess or use a controlled substance or drug abuse instrument including but not limited to any drug of abuse, hallucinogen, controlled substance, marijuana, harmful intoxicant as defined in O.R.C. Chapters 2925 and 3719, except as otherwise provided in O.R.C. Section 2925.11 and O.R.C. Section 2925.12

6.0 ASSAULT AND MENACING

6.1 Assault (O.R.C. Section 2903.13)(MI)

(A) No person shall knowingly cause or attempt to cause physical harm to another while on Park lands.

(B) No person shall recklessly cause serious physical harm to another while on Park lands.

6.2 Negligent Assault (O.R.C. Section 2903.14) (M3)

No person shall negligently, by means of a deadly weapon or dangerous ordinance as defined by O.R.C. Section 2923.11, cause physical harm to another or to another's unborn.

6.3 Menacing (O.R.C. Section 2903.22) (M4)

No person shall knowingly cause another to believe that the offender will cause physical harm to the person or property of such other person, the other person's unborn, or member of their immediate family.

7.0 CAMPS, CAMPING AND FIRES

7.1 Camps, Camping, Lodging or Sleeping with Permission (MM)

No person shall establish or maintain any camp or other temporary lodging or sleeping place within the Parks without a specific written permit/registration from the Executive Director.

7.2 Fires (MM)

No person shall start a fire in the Parks except small fires for culinary purposes in Park grills, or privately owned grills, or fires in the places or designated areas approved by the Executive Director, except that the Executive Director may at his discretion prohibit fires for limited periods at any location or for any purpose when necessary for the protection of Park property. All fires shall be put out by the person, or persons starting or using the same before leaving the immediate vicinity of the fire. The dumping of hot ashes or fire from picnic grills onto the grass, plants, or wooded areas, or into any stream, waterway, brook, river, pond, lake, sewer, or drains is prohibited. Fuel other than wood or charcoal shall not be used in park ovens and grills except where otherwise designated.

7.3 Portable Stoves or Grills (MM)

No portable stoves or grills shall be permitted in shelters, on combustible picnic tables, or other areas designated by the Executive Director.

8.0 VENDORS, SIGNS AND BILL POSTING

8.1 Vendors (MM)

No person shall sell or offer for sale any article, thing, privilege or service within any Park grounds or Park lands unless he has applied for and been issued written permission from the Executive Director.

8.2 Signs and Billposting (MM)

No person shall stick or post any advertisement, poster, sign, handbill or placard of any description upon any building, vehicle, tree, post, fence, billboard, or other structure within the Parks without written permission of the Executive Director; nor paint, mark, write, print or impress, or in any manner attach any notice of advertisement or the name of any commodity or thing or any trademark, symbol, or figure of any kind upon any property within the Parks without first obtaining permission of the owner of such thing or the Executive Director of which he desires to place such notice, advertisement, name, mark or figure.

9.0 HOURS OF CLOSING

9.1 Open Hours (MM)

No person shall be permitted to remain, stop, or park within the confines of the Parks, parkways, or other public reservations of this Board between the hours of Sunset and 6:00 a.m. except in emergency or with special permit of the Executive Director.

9.2 Special Curfew (MM)

No person shall be permitted to remain, stop, or park within the confines of the Parks, park ways, or other public reservations of this Board or any Park thereof which has been closed by the Executive Director, a Park Ranger, or other official of the Parks, during time of special curfew.

9.3 Removal of a Vehicle after Curfew at Owner's Expense

Any vehicle left within the confines of the Parks between the hours of closing and opening shall be subject to removal at owner's expense.

10.0 HUNTING, TRAPPING, FISHING AND WILDLIFE

10.1 Hunting, trapping, or molesting wildlife (MM)

No person within the confines of the Parks shall hunt, pursue with dogs, trap, or any other way molest any wild animal, as defined in O.R.C. Section 1532.01, found within the confines of the Parks, or rob or molest any bird nest or take the eggs of any bird, provided, however that the within regulation shall not be applicable to persons using Park lands for hunting purposes when said persons have fully and completely complied with all the requirements established for hunting on Park lands.

10.2 Prohibited Feeding of Wildlife (MM)

No person shall feed or cause to be fed any bird or other animal unless authorized to do so by the Executive Director.

10.3 Fishing Regulations, Hours, and Prohibited Fishing Equipment (MM)

The Executive Director may set fishing limits or cause such Park waters as it deems advisable closed to fishing, and shall post them. In all other Park waters, fishing shall be permitted subject to the statutes of the State of Ohio, except that the use of hooks left unattended, traps, spears, or gigs, or bows and arrows for fishing are prohibited, and fishing shall not be permitted during the hours the Parks are closed. Bow fishing may be permitted with proper permitting on waters of the State of Ohio through Park-owned property during the hours of park operation.

11.0 DOGS, CATS, AND OTHER ANIMALS

11.1 Dogs, Cats, and Household Pets (MM)

Unless authorized by the Executive Director in a designated dog park/play area, no person shall bring, permit, have or keep in the Parks any dog, cat, household pet, or other animal destructive to birds and other wildlife, except that dogs or cats are permitted if they are controlled at all times on a leash. No pets or other animals shall be allowed to become obnoxious or disturbing to the other users of Park facilities.

11.2 Animal Excrement Removal (MM)

No owner or custodian of any dog or cat shall fail to immediately remove excrement deposited by such animal. The removed excrement may be disposed of by depositing such in a sanitary manner in any litter receptacle.

11.3 Mistreatment and Abandoning Animals (MM)

No person shall mistreat any animal within the confines of the Parks. No owner or keeper of a dog, cat, or other animal shall abandon such animal within the confines of the Parks.

11.4 Animals Running at Large and Grazing (MM)

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

12.0 MOTORIZED VEHICLES

12.1 Purposes of Way for Motor Vehicles (MM)

No person shall use motor vehicles on any portion of the Parks for purposes of way except drives and roadways.

12.2 Speed Limit (MM)

No person shall drive within the Parks any vehicle at a greater rate of speed than the posted speed limit, or at a greater speed than that which would permit the driver to bring it to a stop with the assured clear distance ahead.

12.3 Prohibited Operation of Motorized Vehicles (MM)

Unless authorized by the Executive Director, no person shall operate, within the Parks, a motorized vehicle. "Motorized Vehicle" means any self-propelled vehicle designed primarily for cross county travel on land and water, or on more than one type of terrain, and steered by wheels or caterpillar treads, or any combination thereof, including vehicles that operate on a cushion of air, vehicles commonly known as all-terrain vehicles, all season vehicles, mini-bikes, trail bikes, mopeds and golf carts, but excluding motorized wheel chairs.

12.4 Parking (MM)

No person shall park or store any motor car, motor vehicle, bicycle, wagon, or other vehicles within any traveled roadway in the Parks or at 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", unless directed by Park Personnel.

13.0 SNOWMOBILES

13.1 Snowmobiles in Restricted Areas Only (MM)

No person shall operate a self-propelled vehicle steered by skis, runners, or caterpillar treads which is designed to travel primarily on snow or ice covered surfaces within the Parks other than in areas designed by the Executive Director as "Snowmobile Areas". A minimum snow base of six (6) inches or more is required for consideration of snowmobiles on the Western Reserve Greenway Trail in designated areas only.

13.2 Snowmobiles with Metal Studs, Picks or Cleats (MM, M2)

No person shall operate a snowmobile with metal studs, picks or cleats on the Greenway Trail.

Any violator of this section, whose action results in damage to the Greenway Trail, will be prosecuted for Criminal Damaging, an M2 offense. As part of this prosecution, the Board shall seek court ordered restitution.

13.3 Stop signs (MM)

No person shall fail to stop a snowmobile at stop signs, road intersections, caution lights, or at marked crosswalks where pedestrians, animals, or vehicles are present or visible. Persons shall abide by all Stop and Caution signs; violators are subject to fine and or prosecution.

13.4 Reckless Operation of Snowmobiles (MM)

No person shall operate a snowmobile within the Parks in a reckless manner or without due regard for the safety and rights of pedestrians and drivers and occupants of all other vehicles, as to endanger the life, limb, or property of any persons while in the lawful use of the Parks. No person may operate a snowmobile at a greater speed than will permit them to bring it to a stop within the assured clear distance ahead.

14.0 BICYCLES

14.1 Application of Traffic Rules to Bicycles

Bicycles are permitted on Park trails unless otherwise posted as prohibited. The provisions of O.R.C. Sections 4511.52 and 4511.53 are applicable whenever a bicycle is operated upon any road or upon any path designated for the use of bicycles within the Parks.

14.2 Reckless Operation of Bicycles (MM)

No person shall operate a bicycle within the Parks without due regard for the safety and rights of pedestrians, drivers and occupants of all other vehicles, so as to endanger the life, limb or property of any person while in the lawful use of the roads, trails and paths.

15.0 HORSES

15.1 Permitted Areas (MM)

Horseback riding is permitted within designated areas only. Horseback riders wishing to use the Western Reserve Greenway Trail shall stay off the paved surface of the WRGT. In general, horseback riders shall stay on the designated bridle trails or areas and are not permitted elsewhere within the Parks.

15.2 Safety and Right of Way (MM)

No person shall ride a horse along any designated trail without due respect for other riders, vehicles, or pedestrians, or so as to endanger the life, limb, or property of any person while in the lawful use of the Parks. At all points where bridle trails cross roads, drives, or parkways, riders shall yield the right of way to vehicles and pedestrians.

15.3 Clean Up (MM)

All horse excrement must be cleaned up and removed from any trail, or parking area, as to not impede or otherwise make nuisance for other users of the park and or trail.

15.4 Unattended Horse (MM)

No person shall leave a horse unattended within the Parks.

16.0 BOATING

16.1 Motorboats Prohibited (MM)

No boats driven or propelled by motors shall be operated upon any rivers, lakes, ponds, or other bodies of water owned by, or under the control of the Board, unless authorized by the Executive Director, excepting state regulated waters. Follow regulations as set by State and Federal Agencies.

16.2 Boating Safety Regulations (MM)

No boats shall be operated upon rivers, lakes, ponds, or other bodies of water owned by, or under the control of the Board that do not meet the safety standards or carry safety equipment as described in the provisions of O.R.C. Sections 1547.01 to 1547.99 relating to watercraft and regulations of the Division of Watercraft of the State of Ohio. Boat trailers must be parked in designated areas.

16.3 Boating Hours Prohibited (MM)

No boats shall be operated after Park closing hours.

17.0 SWIMMING

17.1 Swimming Restrictions (MM)

Swimming is prohibited unless otherwise permitted by a posted sign. Rivers, streams ponds and lakes may be hazardous. All swimming areas are unguarded; thus visitors swim at their own risk.

18.0 COMPLIANCE WITH ORDERS OF PARK RANGERS

18.1 Failure to Obey (MM)

No person shall fail or refuse to comply with any reasonable order relating to the regulations, direction or control of traffic, or to any other order lawfully given by any Ranger or Law Enforcement Officer acting under the authority of the Board, or willfully resist, obstruct or abuse any Ranger or Law Enforcement Officer, or any official in the execution of their duties.

SECTION TWO

That this Resolution shall take effect and be in force from and after its adoption and legal publication. Resolution 2017-009 Updating Park Rules & Regulations passed March 15, 2017 by the Board of Commissioners of the Ashtabula Metroparks.