

STATE OF GEORGIA  
COUNTY OF NEWTON

## ORDINANCE

**AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF OXFORD TO AMEND CHAPTER 31 GENERAL OFFENSES, ARTICLE II, BY ADDING CHAPTER 31 GENERAL OFFENSES, ARTICLE V, USE OF PARKS, RECREATIONAL FACILITIES AND MULTI-USE TRAILS; TO REPEAL ALL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY, AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Oxford, Georgia, hereinafter (referred to as the “City”) pursuant to O.C.G.A. Sec. 36-35-3 known as the “Home Rule for Municipalities”, is authorized under paragraph (a) of the rule to adopt clearly reasonable ordinances, resolutions or regulations related to its property, affairs, and local government for which no provision has been made by general law and which are not inconsistent with the Constitution or any charter provision applicable thereto; and

**WHEREAS**, the Mayor and Council of the City deem it in the best interest of the government and the public to regulate the use of parks, recreational facilities and multi-use trails within the City of Oxford, Georgia; and

**WHEREAS**, the Mayor and Council of the City of Oxford have determined that the proper means of addressing said concern is to enact the following Ordinance; and

**NOW THEREFORE**, be it ordained by the Mayor and Council of the City of Oxford that Chapter 31 General Offenses, be amended by Chapter 31 General Offenses, Article V, Use of Parks, Recreational Facilities and Walking Trails, as follows:

(Additions are in ***underlined bold italics***; deletions are ~~lined-out~~.)

Section 1.

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Article V

USE OF PARKS, RECREATION FACILITIES AND MULTI-USE TRAILS

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Sec. 31-501 - Littering prohibited.

Sec. 31-502 – Weapons Prohibited.

Sec. 31-503 – Throwing Objects Prohibited.

Sec. 31-504 – Improper Use of Sound Producing Devices.

Sec. 31-505 – Improper Personal Conduct.

Sec. 31-506 – Fires Restricted.

Sec. 31-507 – Damage or Removal of Any Park Property or Vegetation.

Sec. 31-508 – Special Prohibitions.

Sec. 31-509 – Possession, Use, or Consumption of Alcoholic Beverages.

Sec. 31-510 – Vehicle.

Sec. 31-511 – Parking Restricted.

Sec. 31-512 – Parking Limited to Park and Recreation Facility Users.

Sec. 31-513 – Commercial Activity Restricted.

Sec. 31-514 – Hours Open to Public Restricted.

Sec. 31-515 – Golfing Regulated.

Sec. 31-516 – Animals Restricted.

Sec. 31-517 – Pyrotechnics Restricted.

Sec. 31-518 – Park and Recreation Facility Restrictions.

Sec. 31-519 – Use or Possession of Controlled Substance.

Sec. 31-520 – Camping.

Sec. 31-521 – Hunting and Trapping Prohibited.

**Sec. 31-501 - Littering prohibited.**

It shall be unlawful for any person to throw or deposit litter on the grounds, streets, sidewalks, fountains, ponds, lakes, swimming pools, streams or other body of water in any park, recreational facility, or multi-use trail except within public receptacles and in such a manner that the litter will be prevented from being carried or deposited by the elements upon any part of the park, recreational facility or multi-use trail. Where public receptacles are not provided, all such litter shall be carried away from the park, recreational facility or multi-use trail by the person responsible for its presence and shall be properly disposed of elsewhere. It shall be unlawful to take into, carry through, or put into a park, recreational facility or multi-use trail, any litter generated outside the park, recreational facility or multi-use trail.





- (a) It shall be unlawful for any person to discharge any weapon or similar device in a park, recreational facility or multi-use trail.
- (b) It shall be unlawful for any person to take on a park or recreation facility a weapon, or to use, carry or employ any weapon or similar device in a park, recreational facility or multi-use trail. This subsection (b) shall not apply to firearms as defined by O.C.G.A. § 16-11-171(3) or to knives as defined by O.C.G.A. § 16-11-125.1.

**Sec. 31-503 - Throwing objects prohibited.**

It shall be unlawful for any person to throw any stone or missile at any person or at any public or private building in a park, recreational facility or multi-use trail.

**Sec. 31- 504 - Improper use of sound producing devices.**

It shall be unlawful for any person to operate or use any sound producing or motorized equipment, including but not limited to generators and vehicles, or play or operate any sound amplification devices, including but not limited to radios, television sets, stereos, musical instruments, public address systems and the like, in such a manner as to unreasonably annoy, disturb, injure, or endanger other persons, or to otherwise destroy the comfort, repose, peace or safety of other persons in a park, recreational facility or multi-use trail.

**Sec. 31-505 - Improper personal conduct.**

It shall be unlawful for any person to engage in any violent, abusive, lewd, profane, vulgar, wanton, obscene or otherwise disorderly speech or conduct that is or may be disturbing or annoying to other persons, or that could cause injury to other persons while in a park or recreation facility, which conduct may include, but is not limited to, loitering, fighting, throwing or breaking articles, indecent exposure, inappropriate sexual acts, urinating or defecating in public, or public drunkenness. No person shall upon or in connection with a park, recreational facility or multi-use trail, by act or speech willfully or unreasonably hinder, interrupt or interfere with any duly permitted activity or unreasonably or willfully intrude on any areas or into the structures designated for the use of a certain person or persons to the exclusion of others having been authorized use by the City of Oxford.

**Sec. 31-506 - Fires restricted.**

It shall be unlawful for any person to build or maintain a fire in a park, recreational facility or multi-use trail, except in designated areas which are clearly marked by signs or defined with fire rings, fireplaces, grills or other facilities designated for the purpose of safely maintaining a fire, except by written permit by the director. Fires shall be confined to those areas so designated, shall not be left unattended and must be completely extinguished prior to departure.

**Sec. 31-507 - Damaging or removal of any park property or vegetation prohibited.**

It shall be unlawful for any person to deface, graffiti, harm or damage any park buildings, wildlife, property, equipment or signs; or dig up, cut, damage or remove any trees, tree limbs, shrubbery, flowers, rocks, mulch, water, historical artifacts or other vegetation in a park, recreational facility or multi-use trail.

**Sec. 31-508 - Special prohibitions.**

- (a) *Paint.* It shall be unlawful for any unauthorized person to possess paint, in any form, in or on any park, recreational facility or multi-use trail or other area owned or operated by the city for recreation purposes.
- (b) *Glass containers.* No person shall possess a glass container in or on any park, recreational facility or multi-use trail except for inside a building or at a pavilion for the purpose of storing prepared food.





**Sec. 31-509 - Possession, use or consumption of alcoholic beverages.**

It shall be unlawful for any person to possess, use, or consume any alcoholic beverage in a park, recreational facility or multi-use trail.

**Sec. 31-510 - Vehicles.**

It shall be unlawful for any person to drive any unauthorized vehicle in a park, recreational facility or multi-use trail except upon designated roadways and parking areas maintained for vehicular traffic. Approved personal mobility devices for those persons with disabilities are allowed on pedestrian trails and walkways or when permitted and approved by the City Manager. Law enforcement or other public safety officials, parks and recreation employees or maintenance personnel, whose duties require them to drive vehicles and equipment, shall be exempt from the limitations set forth in this section. All persons operating any vehicle in a park, recreational facility or multi-use trail upon roadways designated and maintained for vehicular traffic must operate such vehicle in a safe manner, and must obey all posted speed limits and traffic signs. It shall be a violation of this article for any person to operate any vehicle in a park, recreational facility or multi-use trail at an excessive speed, in a reckless and unsafe manner, or in violation of posted traffic signs.

**Sec. 31-511 - Parking restricted.**

It shall be unlawful to park a vehicle in a park, recreational facility or multi-use trail except in those areas designated by the appropriate signs as vehicle parking areas or in marked parking spaces. It shall be unlawful to leave a vehicle standing or parked in a park, recreational facility or multi-use trail during hours when the park or recreation facility is closed. It is unlawful for any person to park a vehicle in a parking space or location designated for handicapped parking unless the vehicle properly displays a handicapped parking permit. In all such instances, the vehicle may be towed and impounded from the park, recreational facility or multi-use trail at the owner's expense.

**Sec. 31-512 - Parking limited to park and recreation facility users.**

It shall be unlawful for any person to park in a park, recreational facility or multi-use trail if the owner of the vehicle is not utilizing the park, recreational facility or multi-use trail unless authorized by the city manager or the city manager's agent. It shall be unlawful for persons to congregate within a park, recreational facility or multi-use trail so as to disrupt traffic or other persons, or so as to create a safety hazard.

**Sec. 31-513 - Commercial activity restricted.**

It shall be unlawful for any person to sell or offer for sale any merchandise or operate or attempt to operate a concession or engage in any commercial activity in a park, recreational facility or multi-use trail unless approved by permits issued by the City of Oxford.

**Sec. 31-514 - Hours open to public restricted.**

- (a) It shall be unlawful for any person or vehicle to enter or be within a park, recreational facility or multi-use trail outside of the posted hours of operation unless approved by permits issued by the City of Oxford.
- (b) Park hours of operation are sunrise to sunset, unless posted otherwise as authorized by the City of Oxford.

**Sec. 31-515 - Golfing regulated.**

It shall be unlawful for any person to practice, play or otherwise participate in the game of golf, except at a park or recreation facility designated for such use and only in accordance with the rules, regulations and restrictions promulgated by the director or the director's agent.



**Sec. 31-516 - Animals restricted.**

- (a) It shall be the duty of every animal owner or custodian whose animal is in a park, recreational facility or multi-use trail to have physical control of the animal by leash or lead line at all times.
- (b) It shall be the duty of every animal owner or custodian of such animal in a park, recreational facility or multi-use trail to immediately remove from such park, recreational facility or multi-use trail such animal upon such animal exhibiting aggressive behavior toward any person or toward any other domesticated animal. For the purposes of this subsection, aggressive behavior includes, but is not limited to, barking, growling, baring of teeth or fangs, biting or attempts to bite, or any other behavior that could reasonably be expected to scare or intimidate any person or domesticated animal.

**Sec. 31-517 - Pyrotechnics restricted.**

It shall be unlawful for any person to possess, display, use, set off or attempt to ignite any firecracker, fireworks, smoke bombs, rockets, black powder guns or other pyrotechnics, unless approved by written permit by the City Manager or his designee.

**Sec. 31-518 - Park and recreation facility restrictions.**

It shall be unlawful for anyone to enter a locked or closed park, recreational facility or multi-use trail (by closed signage) unless approved by permit issued by the City of Oxford.

**Sec. 31-519 - Use or possession of controlled substance.**

No person shall possess or use any drug or any other controlled substance, as defined in the laws of this state, except as permitted by the laws of this state, in any park, recreational facility or multi-use trail.

**Sec. 31-520 - Camping.**

It shall be a violation of this article for persons to camp in a park, recreational facility or multi-use trail, except at sites or areas specifically designated for camping within the park, recreational facility or multi-use trail, and unless such person has obtained a permit to camp in the park, recreational facility or multi-use trail from the City of Oxford.

**Sec. 31-521 - Hunting and trapping prohibited.**

It shall be a violation of this article for any person to hunt or trap animals, or attempt to hunt or trap animals, within a park, recreational facility or multi-use trail.

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**Section 2. Repeal of All Ordinances in Conflict**

All ordinances and resolutions or portions thereof in conflict with this ordinance are repealed to the extent of their conflict.

**Section 3. Severability**

If any section, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance, and such remainder shall remain in full force and effect.

**Section 4. Effective Date**

This Ordinance shall be in full force and effect immediately upon and after its final passage.



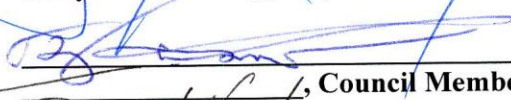


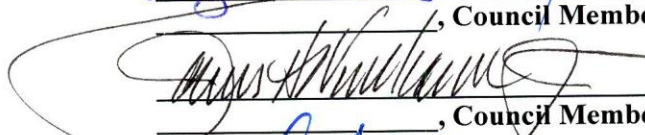
First reading, this 5 day of November, 2012.

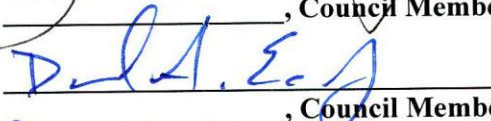
Second reading and adoption, this 3 day of December, 2012.


**CITY OF OXFORD**

  
\_\_\_\_\_  
Jerry D. Roseberry, Mayor

  
\_\_\_\_\_, Council Member

  
\_\_\_\_\_, Council Member

  
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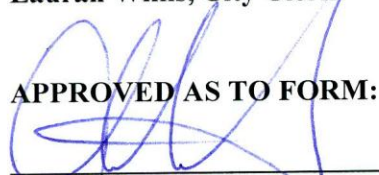
\_\_\_\_\_, Council Member

**ATTEST:**

  
\_\_\_\_\_  
Lauran Willis, City Clerk

{The Seal of the City of Oxford, Georgia}

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
C. David Strickland, City Attorney

