

State of South Carolina) County of York) City of Tega Cay)	Ordinance Number 328 – An Ordinance to Provide for the Maintenance, Operation and Security of the Parks and Recreational Facilities of the City of Tega Cay
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WHEREAS, the City of Tega Cay owns and operates parks and other recreation facilities within the community; and

WHEREAS, it is the desire of the City of Tega Cay to ensure that these parks and other recreation facilities are well maintained and available for use by the public; and

WHEREAS, it is the desire of the City of Tega Cay to ensure these parks and other recreation facilities are also available to support the City’s organized recreational programs.

THEREFORE, BE IT ORDAINED, by the City Council of the City of Tega Cay, that Ordinance 328 be adopted and made part of the Municipal Code of the City of Tega Cay.

Article I. Use of Parks and Recreational Facilities

1.1 **General Use** The parks and other recreation facilities may be used by residents and non-residents of Tega Cay. Those individuals who use the park facilities shall not use inappropriate language, be destructive, or remove any items or equipment so placed by the City. All lighting shall be scheduled by City staff only and not turned on for purposes other than authorized events.

1. All trash shall be placed in the containers provided. Any person violating this guideline shall be cited and the violator shall be asked to leave the area. It shall be a violation to bring trash from outside of the park for disposal in the park containers. Any violation of this guideline shall be cited and the violator shall be escorted from the park.

2. City facilities governed by this Ordinance shall not be used for commercial gain, unless prior arrangements have been made with appropriate City officials.
 3. It is a violation to use any of the parks and recreation facilities for any other purpose except for their intended use, unless otherwise authorized by the appropriate staff.
- 1.2 **Curfew in Parks** It shall be unlawful for any person to enter, be in or remain on any of the parks and recreation facilities between the hours of 10:00 P.M. and daylight during daylight savings time, unless otherwise authorized by the Parks and Recreation Department. After daylight savings' time, the parks will only be open from 6:00 AM until 9:00 PM, unless otherwise authorized by the Parks and Recreation Department. Any vehicle left in the parks after closing shall be cited and impounded ("towed") unless specific arrangements have been made in advance with the Police Department and the Tega Cay Parks and Recreation Department for the vehicle to remain in the park after closing.
- 1.3 **Limitation on Parking** Parking Permits are required at certain facilities. The permits must be permanently affixed to the vehicle. Parking Permits for residents must be renewed every two years; non-resident Parking Permits must be renewed annually. Facilities requiring use of these Parking Permits are the lower parking lot of City Hall, Windjammer Park and Pitcairn Park. A parking permit is not required at the lower City Hall Parking lot for public events or City sponsored meetings. The Parking Permits for the Beach and Swim Center are obtained annually through membership renewal. The Parks and Recreation Committee is authorized to recommend fees for said parking permits; however, all fees shall be approved by the Mayor and Council through the approval of the Annual Budget. Parking Permits shall be permanently affixed in a conspicuous location on the vehicle for which it was issued. Any Parking Permit displayed on any vehicle for which it is not registered shall be cause for issuance of a citation. The citation shall be issued to the vehicle operator. Additionally, a citation shall be issued to the individual the Parking Permit is registered to, unless said permit has been reported "lost" or "stolen" prior to the issuance of the citation. Any Parking Permit reported "lost" or "stolen" shall be deemed

"invalid". Any vehicle displaying an "invalid" permit shall be issued a citation. Parking decals shall only be issued to personal vehicles. Vehicles are not permitted to "shuttle" park users to and from the parks unless prior permission has been granted by City staff. If found in violation of this, all privileges granted by this permit can be revoked.

- 1.4 **Alcoholic Beverages** The use of beer, wine or other alcoholic beverage at any park or recreation facility without the written permission of the City is prohibited. The City may permit the use of beer, wine or other alcoholic beverage by a special permit, provided that the use of said beer, wine or other alcoholic beverage complies with all state, local and federal laws. Any permit issued shall be in writing and in conjunction with park rental. Use may be confined to a designated area of a park.
- 1.5 **Renting of the Parks and Recreational Facilities** The City is authorized to rent any of the parks, or designated areas of the parks, and certain recreational facilities. The Police Department and appropriate maintenance staff will be notified of all provisions, date, and time of each exclusive use of the facilities. All fees associated with the rental of the facilities can be recommended by the Parks and Recreation Committee, but must be approved by the Mayor and Council through the approval of the Annual Budget.
- 1.6 **Rules and Regulations of Athletic Fields** All athletic fields are for use by the public. All programs established and governed by the Parks and Recreation Department shall take precedence over any other activities at all athletic fields. When using any of the athletic fields, patrons shall clean up after themselves, leaving all trash in the appropriate receptacles, raking used areas of the infield with provided rakes, and moving soccer goals back to their original position. All drugs, alcohol and tobacco are prohibited from the athletic fields during all youth-related events. No firearms are allowed in or around any of the athletic facilities. Use of any of these may result in the removal of the person and possible ban from any or all facilities of that person. The person may also be cited by the Police Department if necessary. There are to be no wheeled vehicles, to include bicycles, tricycles, and all four wheeled vehicles, on any athletic field without prior

permission of the Parks and Recreation Department of Tega Cay. No pets, leashed or otherwise, are allowed on any of the athletic fields at any time. The Parks and Recreation Department reserves the right to cancel any and all events scheduled for the athletic fields. Lights shall only be operated at the athletic fields for programs established and governed by the Parks and Recreation Department of Tega Cay.

Article II. Penalty

The violation of this Ordinance shall be punishable by the following fines:

- 2.1 **Trash Violations.** Individuals found in violation of the guidelines for trash under this order shall be fined not less than \$25.00 or up to the amount allowed by State law.
- 2.2 **Improper Use of the park facilities.** The offender violating Article I, Section 1.1, Items 2 and 3, and Section 1.6 shall be fined not less than \$25.00 or up to the amount allowed by State law and asked to leave the property immediately.
- 2.3 **No Parking Permit.** The operator or owner of a vehicle parked in areas requiring Parking Permits without having an appropriate Parking Permit shall be fined not less than \$100.00 or up to the amount allowed by State law.
- 2.4 **Improperly Used Permit.** Parking Permits displayed on a vehicle other than that to which it is registered shall be fined in the following manner:
 1. The vehicle owner or user shall be fined not less than \$100.00 or up to the amount allowed by State law.
 2. The individual to whom the sticker is registered shall be fined not less than \$50.00 or up to the amount allowed by State law.
- 2.5 **General Parking Violations.** The owner or user of a vehicle in violation of the general parking guidelines under this Ordinance shall be fined not less than \$75.00 or up to the amount allowed by State law.


Article III. Constitutionality

Should any section of this Ordinance be declared unconstitutional by the Courts, such declaration shall not affect the validity of the Ordinance as a whole other than the part declared to be unconstitutional or invalid.

Enacted this 17th day of March, 2008, by a majority vote of the duly elected City Council of the City of Tega Cay.

First Reading: January 22, 2008
Second Reading: March 17, 2008

SIGNED:



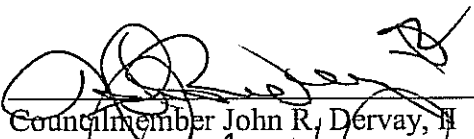
Mayor Bob Runde



Mayor Pro Tempore George Sheppard



Councilmember Les Conner



Councilmember John R. Dervay, II



Councilmember Larry S. Harper

ATTEST

