

STATE OF GEORGIA

CITY OF COLLEGE PARK

ORDINANCE NO. 2019-07

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF COLLEGE PARK, GEORGIA, CHAPTER 13 RECREATION & CULTURAL ARTS TO REGULATE THE USE OF CITY PARKS; TO PROVIDE FOR CODIFICATION; TO PROVIDE SEVERABILITY; TO PROVIDE PENALTIES; TO PROVIDE FOR REPEAL OF CONFLICTING ORDINANCES; TO PROVIDE AN ADOPTION AND EFFECTIVE DATE; AND TO PROVIDE FOR OTHER LAWFUL PURPOSES.

WHEREAS, the duly elected governing authority of the City of College Park, Georgia (the “City”) is the Mayor and Council thereof; and

WHEREAS, the City Department of Recreation & Cultural Arts is in the process of placing signs around City parks to clarify rules and regulations, including park name and hours of operation; and

WHEREAS, in conjunction with said sign postings, the City Council desires to update the Parks Use ordinance to provide for the proper park hours, the name of the parks and the name of the Department of Recreation & Cultural Arts that manages the parks; and

WHEREAS, this ordinance will clarify the necessary information for residents and visitors of the City utilizing the parks.

NOW THEREFORE, BE IT AND IT IS HEREBY ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF COLLEGE PARK, and by the authority thereof:

Section 1. The Code of Ordinances of the City of College Park, Georgia is hereby amended by revising Chapter 13 (“Parks and Recreation”), Section 13-6 (“Use of Parks”) to read as follows:

Sec. 13-6. Use of Parks.

- (a) *It shall be unlawful for any person to be in any public or public recreation grounds of the city between the hours of 9:00 p.m. and 6:00 a.m. unless such person is engaged in activities specifically authorized in writing by the Department of Recreation and Cultural Arts or the mayor and council.*
- (b) *It shall be unlawful for any person who is not an employee, officer or agent of the City or a resident of the City to be in any public park or public recreation grounds of the City except under the following circumstances:*
- 1) *Such person is engaged in activities specifically authorized in writing by the Department of Recreation & Cultural Arts or the Mayor and Council.*
 - 2) *Such person is accompanied by at least one (1) employee or resident of the City, provided that no two (2) or more such persons may be accompanied by the same employee or resident.*
 - 3) *Where the general public is invited to an event through an advertisement placed by the City with a newspaper, magazine, radio station, or television station, or through signs erected by the City that do not state that the event is limited to City residents and/or employees; or*
 - 4) *Such person is attending an Organized Event previously approved in writing by the Department of Recreation & Cultural Arts, in which case the requirement of subsection (2) above shall not apply.*
- (c) *It shall be unlawful to host or attend any Organized Event in any public park or public recreation grounds of the City without the prior written approval of the Department of Recreation and Cultural Arts. Requests for organized events may only be made by City residents. The Department of Recreation & Cultural Arts may refuse any request for such approval based on prior actions of the person or entity making the request, or for any other lawful reason. The Mayor and Council may by resolution from time to time set fees for Organized Events. For the purposes of this subsection, the term 'Organized Event' shall mean any activity sponsored by any person or any formal or informal entity, other than the Department of Recreation & Cultural Arts, where at least ten (10) persons are present, for a common purpose or event, at a public park or recreation grounds of the City.*
- (d) *For the purposes of this section, 'public park or recreation grounds of the City' shall mean:*
- (1) *Barrett Park: Rugby Ave. & West Walker;*
 - (2) *Bill Badgett Stadium;*

- (3) *Bill Evans Field: College Street;*
- (4) *Brannon Memorial Park: Charlestown Drive;*
- (5) *Richard D. Zupp Park: Temple & Hawthorne Ave;*
- (6) *Charles E. Phillips Park: Riverdale Road;*
- (7) *Subrenia M. Willis Park: Camp Creek Parkway.*

Section 2. That the preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out herein.

Section 3. (a) It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

(b) It is hereby declared to be the intention of the Mayor and council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.

(c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgement or decree of any court of competent jurisdiction, it is the express intent of the Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extend allowed by law, not render invalid, unconstitutional

or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

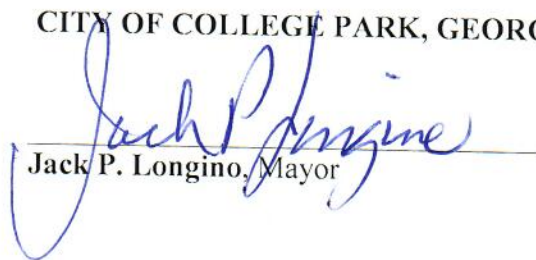
Section 4. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

Section 5. This Ordinance shall be codified in a manner consistent with the laws of the State of Georgia and the City of College Park.

Section 6. The effective date of this Ordinance shall be the date of adoption unless otherwise specified herein.

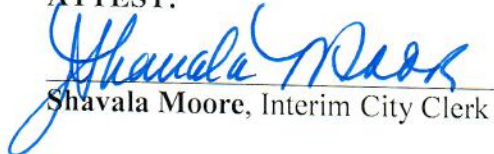
ORDAINED this 20th day of May 2019.

CITY OF COLLEGE PARK, GEORGIA



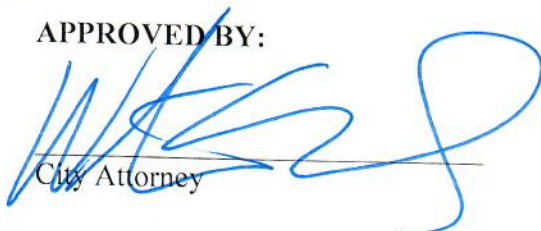
Jack P. Longino, Mayor

ATTEST:



Shavala Moore, Interim City Clerk

APPROVED BY:



City Attorney