

# Park Board Rules

Effective November 16, 2017



## **Rule 1. City Parks.**

The mission of the park board is to conserve, manage, sustain, and enhance the parks' natural and cultural resources and public greenspace for the enjoyment, enlightenment, and enrichment of all citizens in the Cincinnati community. City parks are open for the lawful use and enjoyment of all citizens.

## **Rule 4. Racing.**

No person, except with the written permission of the Park board, shall sponsor, organize or engage in, or in any way be party to, any race of any kind, including but not limited to races between animals, boats, bicycles, motorcycles, or vehicles of any kind or organized foot races on park property.

## **Rule 5. Damage.**

No person, except with the written permission of the Park Board, shall take, carry away, remove, dig, cut, disturb, molest, destroy, mar, or damage any soil or mineral substance or any form of vegetation whether living or dead, on park property. Nor shall any person, except with written permission of the Park Board, take, carry away, remove, disassemble, destroy, mar, deface, mark or damage or attach anything to any Park Board equipment, building or structure on park property.

## **Rule 6. Refuse.**

No person shall discard or throw paper, lunch boxes, refuse, or litter on any park property, but the same shall be placed in receptacles provided for such purposes. Nor shall any person rummage through or remove items already deposited within the refuse or recycling bins. Nor shall any person bring trash, refuse, litter or similar pollutants onto park property for deposit in the park litter receptacles. Nor shall any person leave containers, boxes, bags, or individual items of clothing or food in any park. Any items left unattended in the park, including clothing or food, shall be considered litter and will be disposed of immediately.

## **Rule 7. Ball, Golf, and Other Games.**

No person shall bat a hard ball, drive a golf ball, shoot a bow and arrow, or participate in any formal and pre-scheduled softball, horseshoes, soccer, football or any similar game or activity except at such places as may be set aside by the park Board. The Park Board retains the right to prohibit any casual softball, horseshoes, soccer, football or any similar game or activity when such game or activity presents a clear and present danger or injuring any person or damaging any private or public property.

## **Rule 8. Sales.**

No person shall sell or expose or offer anything for sale on park property, except with the written permission of the Park Board, and when permission is granted, subject to such rules and conditions as may be supplied by the Park Board, and except where the vendor has secured all required permits to engage in such sales.

**Rule 9. Animals.**

Except as provided in Park Board Rule 41, no person shall take or permit a dog on park property unless the dog is held by leash not to exceed twenty (20) feet in length.

No person shall permit animals of any kind, including horses, cattle, goats, swine, and fowl to run at large on park property; nor shall any such animal be tied to any tree or plant or other object on park property except such as may be particularly provided for such purpose by the Park Board; nor shall any person permit a dog to materially damage park property.

**Rule 10. Weapons.**

No person shall discharge firearms on park property, except in accordance with Rule 35 herein. No person shall carry or discharge slings, bows, rockets, missiles, projectiles, explosives, volatile liquids, or other devices by which persons, animals, or birds may be injured or frightened, and no one shall throw stones or other dangerous missiles, devices and objects on park property.

**Rule 11. Use of Alcoholic Beverages.**

No person shall use, consume or possess with the intention of use or consume alcoholic beverages containing more than one-half of one percent of alcohol by weight in a public place on park property. This section shall not apply to alcoholic beverages used, consumed or possessed on the premises of a rented picnic facility, reserved lodge or other building for which a permit has been issued by the park board, and provided such use, consumption or possession is in accordance with the specified times, places, and other restriction set forth in such permit.

**Rule 12. Sale of Alcoholic Beverages.**

No person shall sell or offer for sale any alcoholic beverage in park property unless he has obtained a proper liquor license and has complied with all requirements of the Ohio Department of Liquor Control and has received written permission from the Park Board.

**Rule 13. Fireworks.**

No person, except with the written permission of the Park Board shall discharge, ignite or explode fireworks or possess fireworks with the intent to discharge, ignite or explode same, on or over park property.

**Rule 14. Gambling.**

No person shall gamble or play any game of chance for stakes on or within park property. Nor shall any person conduct any scheme of chance not for profit on park property except with the written permission of the Park Board.

**Rule 15. Fires.**

No person, except with the permission of the Park Board, shall light, make or use any fire on park property except at grills and such other places where fires for cooking food are customarily permitted.

**Rule 16. Speed.**

No person shall drive any vehicle over park property except on the roadways provided for this purpose and on such roadways only at a reasonable speed in view of all the circumstances and in a careful manner. On roads within parks, speeds in excess of 25

miles per hour, unless otherwise posted, shall be prima facie evidence of reckless driving.

**Rule 17. Vehicles.**

Except with the written permission of the Park Board, no person shall give, receive or participate in automobile driver training; nor dust, wash or any way clean any automobile or other vehicle; nor take a truck or other business vehicle of any kind over park property; nor repair or service any automobile or other vehicle, except emergency repair or service, on park property. This Rule shall be subject to the following exception, to wit: That for the purpose of delivering goods and merchandise to a property owner whose only entrance is on a parkway, and for the purpose of rendering "service and automobile aid" in cases of necessity, a commercial vehicle, equipped with pneumatic tires, may be driven over such parkway or roadway within park property, provided; however, that such vehicle approach and leave park property by the intersecting street nearest to the location at which delivery is made or aid is rendered. This Rule shall also be subject to the provisions of Section 506-66 of the Cincinnati Municipal Code.

**Rule 18. Funerals.**

No one having charge of any hearse or vehicle used for the transportation of dead bodies, shall take or drive the same into or through any park property, except with the written permission of the Park Board.

**Rule 19. Travel.**

No person, by any means whatever, shall impede or obstruct the progress of vehicular or pedestrian travel over park property.

**Rule 20. Vehicle Lights.**

No person shall drive or take any vehicles within park property at night unless head and tail lamps are lighted.

**Rule 21. Closing Time.**

Except as otherwise provided in these rules, the parks shall be closed to the public between 10:00 p.m. and 6:00 a.m. except for vehicular traffic on through roadways or vehicular or pedestrian traffic within, accessing, or exiting public parking garages directly connecting to city streets.

Except as otherwise provided in these rules, the following parks shall be closed to the public between 11:00 p.m. and 6:00 a.m. except for vehicular traffic on through roadways or vehicular or pedestrian traffic within, accessing, or exiting public parking garages directly connecting to city streets:

- (1) Theodore M. Berry International Friendship Park;
- (2) Bicentennial Commons at Sawyer Point;
- (3) The Public Landing;
- (4) Yeatman's Cove;
- (5) Smale Riverfront Park; and
- (6) Washington Park.

Upon request of an applicant and provided the applicant complies with all obligations set forth herein, a special use permit may extend the closing time to 1:00 a.m., subject

to Rule 29, the noise restrictions in Chapter 909 of the Cincinnati Municipal Code, and any other applicable laws. All persons shall leave the parks at or before closing time.

The park board or its agents may close any section or part of any park property to the public at any time and for any interval of time, either temporarily or at regular and stated intervals, for the purpose of maintenance or for the protection of the public health, safety, and welfare.

**Rule 22. Lakes.**

No one shall bathe, swim, fish, or throw anything into any of the lakes, pools, streams, or fountains, or in any manner disturb the waterfowl, fish or other aquatic life within park property.

Notwithstanding the above, boating and operation of a toy or model boats shall be permitted at places specifically set aside therefore and under rules and conditions prescribed therefore by the Park Board.

Notwithstanding the above, fishing shall be permitted in designated areas at Burnet Woods Lake by those complying with the rules and conditions prescribed therefore by the Park Board.

**Rule 23. Bicycles, Motorcycles, Skateboards, Rollerblades, and Horses.**

No person shall use or ride any bicycle, motorcycle, skateboard, rollerblades, or horse on any of the sidewalks or foot-paths within park property, or on walls, steps or railings. No person shall ride a horse within park property except on bridle paths or roads provided for that purpose.

**Rule 24. Skating, Sledding and Skiing.**

Except by permission of the Park Board, no one shall place or use any boat, skiff, or vessel on the waters of the parks, nor shall anyone walk, skate, sled or coast on the ice until the Park Board or authorized Park Board agent has ascertained the condition of the same and given permission; nor shall anyone sled, coast or ski anywhere on park property except with the permission of the Park Board or authorized Park Board agent.

**Rule 25. Swings.**

No one shall put up or use any swing or hammock in any park except on posts or other placed designated by the Park Board for this purpose.

**Rule 26. Clothes Lines.**

No one shall shake or otherwise cleanse any rugs or other floor coverings, nor fasten to any tree or shrub any clothes line, nor hang up any clothes to dry or bleach on park property.

**Rule 27. Disorderly Conduct.**

- (a) No person, on park property, shall recklessly cause inconvenience, annoyance, or alarm to another by doing any of the following:
  - (1) Engaging in fighting, in threatening harm to persons or property, or in violent or turbulent behavior;

- (2) Making unreasonable noise or offensively coarse utterance, gesture, or display, or communicating unwarranted and grossly abusive language to any person;
  - (3) Insulting, taunting, or challenging another, under circumstances in which such conduct is likely to provoke a violent response;
  - (4) Hindering or preventing the movement of persons on a public street, highway, or right of way, or to, from, within, or upon public or private property, on as to interfere with the rights of others, and by any act which serves no lawful and reasonable purpose to the offender.
  - (5) Creating a condition which is physically offensive to persons or which presents a risk of physical harm to person or property, by any act which serves no lawful and reasonable purpose to the offender.
- (b) No person shall, while voluntarily intoxicated shall do either of the following:
- (1) On park property and in the presence of two or more persons, engage in conduct likely to be offensive or cause inconvenience, annoyance, or alarm to persons of ordinary sensibilities, which conduct the offender, if were not intoxicated, should know is likely to have such effect on others;
  - (2) Engage in conduct or create a condition which presents a risk of physical harm to himself or another, or to the property of another.
- (c) Violation of any statute or ordinance of which an element is operating a motor vehicle, locomotive, water-craft, aircraft, or other vehicle while under the influence of alcohol or any drug abuse, is not a violation of Paragraph (b) of this section.
- (d) When to an ordinary observer a person appears to be intoxicated, it is probable cause to believe such person is voluntarily intoxicated for purposes of Paragraph (b) of this section.

**Rule 29. - Special Use Permits for Events: Signage and Structures.**

- (a) If a group of 50 or more persons wishes to obtain the exclusive use of an area of park property that has not been designated as an area that may be reserved under Rule 34, that group shall obtain a special use permit.
- (b) No signs or structures may be installed, placed, or erected on City park grounds by members of the public except when permitted pursuant to a special use permit issued pursuant to this Rule 29 or a special event permit issued pursuant to Chapter 765 of the Cincinnati Municipal Code.
- (c) A person who obtains a special use permit or a special event permit may erect or install a sign or structure on park property, pursuant to the use permit. The sign or structure is subject to the following limitations:

- (1) The sign or structure may be erected or installed on park property only during the time authorized in the permit for the special event or special use, which time may vary depending on the scope of the event, including but not limited to, expected attendance, length, and physical size of the special use or special event.
  - (2) The maximum time period that a sign or structure associated with any special event or special use may remain installed and displayed is the following: up to five (5) days prior to the use or event, during the event, and through the end of the authorized time period for "tear down" following the event.
  - (3) Special event or special use signs or structures are authorized to be displayed only within the same portion of the park premises where the special event or special use has been permitted to take place, and any signs or structures may pertain only to on-site activity.
  - (4) The number of signs and structures and their dimensions will be determined by Parks Department staff, subject to approval of the Park Board, based on the size of the special event or special use and the size and location of the park in which the special event or special use will occur.
  - (5) The Park Board logo may not be used on any signage absent written approval.
- (d) Applications for special use permits may be obtained from the park board. All applications must be submitted to the park board.
- (e) The park board will issue special use permits on a first come, first served basis provided that the applicant satisfies each of the following objective factors:
- (1) The applicant submits a legible, completed application form;
  - (2) For an event, the requested location, date, and time are available and the size and type of the requested event does not exceed the carrying capacity of the park;
  - (3) For a structure, the requested location, date, and time are available and the structure does not obstruct entrances, exits, passageways, or the safe movement of pedestrians, complies with the building and inspection guidelines or does not cause any damage to park property.
  - (4) The applicant agrees to pay the applicable fee set forth in the park board's schedule of fees;
  - (5) The applicant obtains any applicable permits or licenses required by the Board of Health, the Cincinnati Department of Buildings and Inspections, the Cincinnati Police Department, the Cincinnati Fire Department, the Ohio Department of Commerce Division of Liquor Control, and any other required permits or licenses; and

- (6) The applicant agrees to comply with all park board rules and regulations and the terms of the permit.
- (f) No person shall interfere with carrying out of the special use authorized by a permit issued pursuant this rule.
- (g) The park board or its authorized agent may revoke or suspend any permit upon violation of any provision of these rules and regulations, the Cincinnati Municipal Code, or any other law.

**Rule 30. Resisting Officer.**

No person shall resist any member of the police force in the discharge of his duty, or in any way interfere or hinder or prevent him or any park employee from discharging his duties, nor attempt so to do; nor in any manner assist any person in custody of any member of the police force to escape.

**Rule 31. Animals and Birds.**

No person shall molest, disturb, injure, trap, hunt, kill or in any way have contact with or throw anything at or to animals or birds on park property, including the Zoological Gardens; and no person shall feed any animals or birds located on park property, including the Zoological Gardens except where permission to do so is granted by signs or posters.

**Rule 32. Flying Apparatus and Motor Propelled Vehicles.**

Except as expressly set forth in these Regulations, no person shall operate, fly, launch, drive, or use any motor propelled vehicle, or flying apparatus or other vehicle (except motor vehicles driven on roadways designed for that purpose subject to any separate regulation thereof) on or over park property, including but not limited to airplanes, balloons, gliders, hang-gliders, boats, snowmobiles, go-karts, rockets, powered model planes, motorbikes, motorcycles, or automobiles, except with the written permission of the park board and except within such areas as may be designated by the park board and except in compliance with any reasonable safety regulations set by the park board and made a condition of any consent.

**Rule 33. Noise.**

No person shall operate or cause to be operated any whistle, rattle, bell, gong, clapper, hammer, drum, horn, radio, phonograph, or other sound-producing or sound-amplifying instrument so as to disturb the peace and quiet of a park or its surrounding neighborhood or to violate Chapter 909 of the Cincinnati Municipal Code.

**Rule 34. Reservations.**

The park board has designated various areas and venues that any person or group of persons may reserve for the exclusive use of that person or group of persons. These areas and venues include reservable facilities, group picnic areas, picnic shelters, garden wedding areas, bandstands, and music pavilions.

Any person or group of persons who wishes to make a reservation must contact the park board or its designee to complete the reservation process. The park board will

issue reservations on a first come, first served basis provided that the applicant satisfies each of the following objective factors:

- (1) The requested location, date, and time are available and the size and type of the requested event does not exceed the carrying capacity of the park;
- (2) The applicant pays the applicable fee set forth in the park board's schedule of fees; and
- (3) The applicant agrees to comply with all park board rules and regulations and the terms of the permit.

No person shall interfere with the exclusive use of a person or group of persons who hold a valid reservation authorized by this rule.

A reservation is solely for the use of the area or venue. A reservation does not entitle a person or group of persons to the use of electricity, the installation of temporary structures, or the services of park board employees. If a person or group of persons requires any of those services, that person or group of persons must utilize the special use permit process in Rule 29.

**Rule 35. Public Hunting.**

The Park Board shall promulgate a form of permitted hunting that will permit the legal use and discharge of weapons allowable under the Cincinnati Municipal Code Sections 708-26 and 708-27 within Cincinnati Parks in compliance with State of Ohio game and hunting laws, in order to control the deer overpopulation that is destroying the urban forest.

The program requires that the following conditions are met:

1. Safety is the top priority of this program. All approved permit holders must have demonstrated that they have; (a.) Passed the written portion of the Ohio Hunter Education Course; (b.) Attended a Park Board sponsored orientation and training session; (c.) Successfully completed a Park Board sponsored shooting skill qualification test, and (d.) Possesses a current Ohio hunting license and deer permit.
2. All State of Ohio Bow Hunting Regulations must be followed, including; (a.) all deer harvested must be checked in at a local State of Ohio check station; (b.) equipment must conform to the State of Ohio Archery equipment requirements; (c.) hunting hours as set forth by the State of Ohio.
3. Hunters are chosen through a lottery system administered by the Cincinnati Park Board. Park Board decision on who is permitted and permitted location is final. Selected hunters will receive written authorization by the Park Board for marked locations only.
4. Whitetail deer are the only animal that will be permitted for hunting. Participants are allowed to take as many deer as allowed by State Law using State of Ohio Urban and Regular Deer permits.
5. All other rules and regulations promulgated by the Park Board.

**Rule 36. Structures.**

No person shall erect or install a structure on park property unless that person obtains a special use permit under Rule 29.



**Rule 37. Lying Upon Park Property.**

No person may lie upon any bench or ledge on park property. No person may lie upon the ground in a manner that obstructs entrances, exits, passageways, or the safe movement of pedestrians.

**Rule 38. Smoking.**

No person shall engage in smoking on park property where signs are posted prohibiting such activity. No person shall refuse to immediately discontinue smoking on park property when requested to do so by a police officer or by an employee or designee of the park board. For purposes of this rule, "smoking" has the same definition prescribed in Ohio Revised Code Section 3794.01(A), which defines "smoking" as inhaling, exhaling, burning, or carrying any lighted cigar, cigarette, pipe, or other lighted smoking device for burning tobacco or any other plant.

**Rule 39. Violation of Park Board Rules.**

Any person who is convicted of, or pleads guilty to, the violation of any Park Board Rule shall be guilty of a minor misdemeanor.

**Rule 40. Glass Bottles or Containers.**

No person shall bring glass bottles or containers onto park property where signs are posted prohibiting glass bottles or containers within the designated area.

**Rule 41. Dog Park Rules.**

The Board of Park Commissioners operates dog parks on park property. "Dog park" is defined as any completely enclosed area of a park which has been designated a dog park. Within the dog parks, the following rules apply:

- (1) Pursuant to Cincinnati Municipal Code ("C.M.C.") Chapter 701, a person may unleash his or her harmless dog within designated dog parks. All dogs must be leashed while entering and exiting the dog park. No person may bring a dangerous dog or a vicious dog into a dog park. C.M.C. Chapter 701 defines "Harmless Dog," "Dangerous Dog," and "Vicious Dog."
- (2) All off-leash dogs must be under complete control of handler and leash must be in hand at all times. If you cannot control your dog, keep your pet leashed at all times for the safety of others.
- (3) Handlers must be in the dog park and within view of their dogs at all times.
- (4) Aggressive dogs are not permitted and must be removed at first sign of aggression.
- (5) Handlers must clean up after their dogs and seal waste in a bag prior to disposing of it in a trash receptacle.
- (6) Handlers must fill in any holes created by their dog.
- (7) Children under the age of 13 are not permitted in the dog parks unless accompanied by an adult.
- (8) Female dogs in heat are prohibited within the dog parks.
- (9) Dogs must be current with all shots as recommended by your veterinarian.
- (10) All dogs must have an owner identification tag or embedded microchip.
- (11) Dog Parks may be closed when park staff is performing maintenance.

**Rule 42. Enclosed Children's Play Areas.**

- (1) All adults age 18 or over must be accompanied by a child under the age of 18 in order to be permitted within an enclosed children's play area.
- (2) Children must be supervised by an adult at all times.

- (3) Dogs are not permitted inside any enclosed children's play area.
- (4) Anyone with diarrhea is prohibited from playing in any fountain enclosed within a children's play area.
- (5) Anyone with an infectious wound or communicable disease is prohibited from playing in any fountain enclosed within a children's play area.

**Rule 43. Interactive Fountains and Water Features.**

- (1) Running and rough play is prohibited within interactive fountains or in or around interactive water features.
- (2) Children must be supervised by an adult at all times.
- (3) Gum, food, cigarettes, cigars or any tobacco products, are prohibited within interactive fountains or in or around interactive water features.
- (4) Dogs are prohibited within interactive fountains or in or around interactive water features.
- (5) Anyone with diarrhea is prohibited within interactive fountains or in or around interactive water features.
- (6) Anyone with an infectious wound or communicable disease is prohibited from playing within interactive fountains or in or around interactive water features.