CHAPTER 94: PARKS AND RECREATION

Section

General Provisions

94.01 Jurisdiction of Park District

Rules and Regulations

94.15 Posting of restrictions
94.16 Possession of alcoholic beverages
94.17 Fishing; use of swimming pool or bathhouse
94.18 No parking in certain areas
94.19 Use of basin area as swimming pool in Falls Park prohibited
94.20 Loitering
94.21 Skateboards prohibited in Park and Recreation District; Exception; Enforcement Agency
94.22 Use of park property restricted
94.23 Dogs in park during festivals prohibited

Administration

94.30 Park and Recreation Board
94.99 Penalty

GENERAL PROVISIONS

§ 94.01 JURISDICTION OF PARK DISTRICT.

The Park District shall include the town and all unincorporated areas of Fall Creek Township.
('82 Code, § 36-10-3-36) (Ord. passed 2-27-74)

RULES AND REGULATIONS

§ 94.15 POSTING OF RESTRICTIONS.

Any rule established by the Park and Recreation Board under this subchapter shall be posted to give notice of the restrictions to users of any regulated facility.
('82 Code, § 36-10-3-10(c)) (Ord. P-1974-1, passed 7-2-74)

§ 94.16 POSSESSION OF ALCOHOLIC BEVERAGES.

No person shall possess or consume alcoholic beverages within the town parks.
('82 Code, § 36-10-3-10(a)) (Ord. P-1974-1, passed 7-2-74) Penalty,
see § 94.99
§ 94.17 FISHING; USE OF SWIMMING POOL OR BATHHOUSE.

No person shall violate any rule established by the Park and Recreation Board concerning fishing or the use of the swimming pool or bathhouse located within the town parks. ('82 Code, § 36-10-3-10(b)) (Ord. P-1974-1, passed 7-2-74) Penalty, see § 94.99

§ 94.18 NO PARKING IN CERTAIN AREAS.

(A) All parking is banned on all of Falls Park Drive. No-parking signs are erected in the area, and no-parking signs have been painted on said Falls Park Drive.

(B) The Police Department is given the authority to tow in cars which are parked in this area, and fines are established for individuals who do park their motor vehicles in the area. (Res. passed 2-19-86) Penalty, see § 94.99

§ 94.19 USE OF BASIN AREA AS SWIMMING POOL IN FALLS PARK PROHIBITED.

(A) Definition. For purposes of this section, "POOL" shall refer to and mean the open water area made by enlarging the basin at the base of the Falls.

(B) All use of the pool and pond area in Falls Park in the corporate limits of the town is hereby prohibited until such time as it is determined that the water and premises thereof is safe to use for any purpose by both the State Board of Health and the Town Park and Recreation Board.

(C) All use of the contiguous land surrounding said pool area is prohibited when used for access to the pond or the pool for swimming, wading, boating, or rafting. Any person found using said pond or pool area for such purposes, shall be deemed to have obtained access by crossing the prohibited area, and shall be deemed to be a trespasser. Any use for fishing is hereby excepted. (Ord. P-1974-2, passed 7-2-74) Penalty, see § 94.99

§ 94.20 LOITERING.

(A) For the purpose of this section the following definition shall apply unless the context clearly indicates or requires a different meaning.

2006 S-14
"LOITER." Idle, stand, tarry, remain, all whether alone or with others; and as to parking lots and park grounds and ways, loitering shall include being situated in or upon a motor vehicle.

(B) It shall be unlawful for any person to do any of the following acts:

(1) Park building. Loiter in or around park buildings or obstruct corridors, rooms, or stairways thereof so as to prevent free access or use by members of the public, its officers, agents, or employees.

(2) Park grounds and ways. Loiter in or on park grounds, ways, sidewalks, streets, or the like so as to obstruct, interfere with, or impede free use by other members of the public lawfully entitled to use the same, after the loiterer is directed to remove himself from the place by either a police officer, or by a party in charge thereof, or his agent or employee.

(3) Alcoholic beverages. Consume alcoholic beverages in or around any park grounds, ways, sidewalks, streets, parking lots, or the like. Penalty, see § 94.99

§ 94.21 SKATEBOARDING PROHIBITED IN THE PARK AND RECREATION DISTRICT; EXCEPTION; ENFORCEMENT AGENCY.

(A) Skateboarding is and shall be prohibited in all areas of the park except the area designated as an extreme sport area and only in such area at such times as posted.

(B) This section shall be enforced by the Pendleton Police Department.
(Ord. 2005-05, passed 8-1-05) Penalty, see § 94.99

§ 94.22 USE OF PARK PROPERTY RESTRICTED.

(A) The use of the Nature Preserve, located in the area commonly known as the North Forty, be prohibited between dusk and dawn.

(B) Exceptions to division (A) of this section shall be honored only when presented in writing from the Park Board and/or the Park Superintendent.
(Ord. 1997-07, passed 5-13-97)

§ 94.23 DOGS IN PARK DURING FESTIVALS PROHIBITED.

(A) Except as set forth in division (C) below, no dogs shall be allowed on any park grounds during times when festivals are being held on park grounds.

(B) For purposes of this section, the term "festivals" shall include the June Jamboree, the Heritage Fair, the Arts and Jazz Festival, and any other large gathering on park grounds that is designated as a festival for purposes of this section by the Town
§ 94.30
PENDLETON - PARKS AND RECREATION

Council prior to the beginning of such large gathering on park grounds. If the Park Board believes a gathering other than those specifically mentioned above should be designated as a festival for purposes of this section, the Park Board shall request such designation be made by sending the Town Council a written request for designation.

(C) Division (A) shall not prohibit dogs that assist disabled people or police dogs from being on park grounds during festivals.

(D) The Park Superintendent shall post conspicuous signs in Falls Park during festivals that place the public on notice of the prohibition set forth in this section.

(E) A person violating this section shall be fined $50. Each occurrence constitutes a separate offense.
(Ord. 2000-05, passed 9-7-00)

ADMINISTRATION

§ 94.30 PARK AND RECREATION BOARD.

(A) A Park and Recreation Board is hereby created and shall consist of four members appointed by the President of the Town Board of Trustees on the basis of their interest in and knowledge of parks and recreation. No more than two members shall be of the same political party.

(1) Upon establishment of the Board, the terms of the members initially appointed shall be: one member for a term of one year; one member for a term of two years; one member for a term of three years; and one member for a term of four years. As a term expires, each new appointment shall be for a four-year term. All terms expire on the first Monday in January, but a member shall continue in office until his successor is appointed.

(2) There shall be one ex officio member who is a member of the governing body of and appointed by the Board of School Trustees.

(3) There shall be one ex officio member who is a member of the governing body of and appointed by the Library District Board.

(4) There shall be one member who is appointed by the Circuit Court Judge due to the addition of the unincorporated area to the Park District. (See IC 36-10-3-36.)

(B) The Library District and School Boards shall fill any vacancies of their ex officio members. Ex officio Board members have all the rights of regular members, including the right to vote.
(Ord. 1983-10, passed 8-29-83) Penalty, see § 94.99

Statutory reference:
Park and Recreation Boards, see IC 36-10-3-4

2006 S-14
§ 94.99 PENALTY.

(A) Any person violating any provision of this chapter for which no specific penalty is otherwise provided shall be fined not more than $500.
('82 Code, § 36-10-3-10(d)) (Ord. P-1974-1, passed 7-2-74)

(B) Any person who violates any provision of § 94.21 shall be subject to a fine or penalty of not less than $25 nor more than $500. Each occurrence constitutes a separate offense.
(Ord. 1989-4, passed 3-21-89; Am. Ord. 2005-05, passed 8-1-05)
94. Parks and Recreation
95. Streets and Sidewalks
96. Trees and Shrubs
97. Noise Control
98. Grovelawn Cemetery
99. Fair Housing