

**PATRICIA ALLYN PARK /
HOFFMANN RESERVE**
BYLAWS, RULES AND REGULATIONS AS ADOPTED AS OF APRIL 28, 2005

1.0 TERMS DEFINED

The term "Park" as used herein, specifically refers to Patricia Allyn Park and Hoffmann Reserve.

The term "Board" specifically refers to the elected Board of Clearcreek Township Trustees.

The term "Township Administrator" specifically refers to the chief executive officer or designee appointed by, and answerable to the Board of Clearcreek Township Trustees.

The term "Person" includes natural persons and corporations.

2.0 DEFACEMENT, DESTRUCTION, REMOVAL, OR DISTURBANCE OF ROADWAYS, EQUIPMENT, AND NATURAL FEATURES PROHIBITED.

2.1 Defacement, destruction, removal.

No person shall remove, injure, deface, disturb or destroy any part of the Park or any building, sign, equipment or other property found therein; nor shall any tree, flower, shrub or other vegetation or part thereof, or rock or other mineral be removed, injured or destroyed. Collection of natural materials is prohibited except for educational purposes and scientific study by written permit from the Township Administrator.

2.2 Defacement of roadway surface.

No person shall intentionally accelerate a motor vehicle causing the tires to spin, mark or deface the Park roadway surface.

3.0 LITTER, DUMPING, GARBAGE, REFUSE, SEWAGE AND WASTE MATERIAL PROHIBITED.

3.1 Litter, garbage, refuse, sewage, and waste material.

No person, without the specific written consent of the Township Administrator, shall deposit, permit or suffer to be deposited, in any part of the Park, any litter, garbage, refuse, ashes, sewage, or materials whatsoever, otherwise than in receptacles or pits provided for such purposes.

3.2 Dumping.

No person shall bring into or cause to be brought into the Park from outside Park boundaries, any garbage, refuse, ashes, sewage, waste materials, or earth for depositing in any manner within the Park except the garbage, refuse, ashes, or other materials of a picnic, camp, or other activity permitted within the Park.

3.3 Stream Litter.

No person shall, either within or without the Park, discharge into, throw, cast, lay, drop or leave in any river, brook, stream, storm sewer, or drain into or through the Park or into any river, brook, or stream flowing into or through the Park, any substance, matter or thing, either liquid or solid, which may or shall result in the pollution of the river, brook, or stream within the Park, to such an extent as to reasonably or improperly prevent or interfere with the conservation of the natural resources of the Park, by preventing, interfering with, or lessening, to an improper or unreasonable degree, the use of said river, brook, or stream for recreational or other proper Park uses, or to endanger the health of visitors in the Park in the proper use and enjoyment of the same.

4.0 FIRES PROHIBITED EXCEPT IN GRILLS; SMOKING.

4.1 Rules for using fires.

No person shall start or maintain a fire in the Park except small fires for cooking purposes in the Park grills, or privately owned grills, or fires in places or designated areas approved for such purpose, without written consent from the Township Administrator. The Township Administrator may at his or her discretion prohibit fires or smoking for limited periods at any location or for any purpose when necessary for the protection of park property. All fires shall be extinguished by the person or persons starting or using the same before leaving the immediate vicinity of the fire. The dumping of hot ashes or fire from portable picnic grills onto the grass, plants, or into trash receptacles is prohibited.

4.2 Smoking.

No person shall smoke in any structure or location in any area administered by the Township where smoking is prohibited including, but not limited to, the park shelters, Porto-lets, forest trails and park maintenance building.

5.0 HUNTING, FISHING, ICE FISHING, TRAPPING, MOLESTING WILDLIFE PROHIBITED.

5.1 Hunting, trapping, and molesting wildlife.

No person within the confines of the Park, unless authorized by written permit of the Township Administrator, shall hunt, pursue with dogs, trap, molest, harm, harass, injure, or take any wild bird or animal found within the confines of the Park, or therein rob or molest any bird nest or take the eggs of any bird.

5.2 Fishing.

No person shall fish in any waters in the park in a manner contrary to regulations resolved by the Board or in water where fishing is prohibited by the Board.

5.3 Ice fishing shall be prohibited at all Parks.

6.0 DOMESTIC ANIMALS ALLOWED; HORSES PROHIBITED.

6.1 Dogs, cats and other household pets.

A. All pets brought onto park property must be on a leash no more than eight feet long and be kept under control at all times.

B. No person shall permit animals of any kind to enter upon or run at large on park property.

C. No person shall permit any animal to 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 Board; any damage to park property by an animal shall be the financial responsibility of its owner.

D. Persons must clean up after their pets and must carry a device for this purpose. Persons failing to do so may be denied future access with their pets.

6.2 Horseback riding.

No person except authorized agents of the Board shall ride any horse or other animal within the Park, except upon designated bridle paths or in Park designated areas established for horseback riders and in accordance with the rules adopted by the Board.

7.0 WEAPONS, FIREARMS, FIREWORKS, EXPLOSIVES PROHIBITED.

7.1 Weapons, firearms, fireworks, explosives.

No person, except Law Enforcement Officers, as defined in 2901.01 (K)(1) of the Ohio Revised Code, and authorized employees or agents of the Board, shall possess a firearm, deadly weapon, dangerous ordnance, fireworks, explosive, blowgun, air rifle, sling shot, paint ball device or missile throwing device within the Park, or discharge any firearm, deadly weapon, dangerous ordnance, blowgun, paint ball device or missile throwing device, fireworks, explosive, sling shot, or air rifle therein, without specific written permit from the Township Administrator.

7.2 Bows and arrows.

No person shall have or possess on park property a bow, crossbow or blowgun intended to shoot arrows or darts nor release an arrow or dart from a bow, blowgun, crossbow, longbow, or other weapon, within or into the Park other than in areas designated by the Township Administrator.

8.0 DISORDERLY AND OTHER MISCONDUCT PROHIBITED. CONTROLLED SUBSTANCES AND ALCOHOLIC BEVERAGES NOT ALLOWED.

8.1 Disorderly conduct.

A. No person shall deliberately or 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 Park or other public street, road, highway, path or right of way, or to, from, within, or upon public or

private properly; so as to interfere with the rights of others, and by any act which serves no lawful and reasonable purpose of the offender;

(5) Creating a condition which is physically offensive to persons, including but not limited to littering, defacing or tearing down signs or painting graffiti or otherwise defacing the Park, or which presents a risk of physical harm to persons or property, by any act which serves no lawful and reasonable purpose of the offender;

(6) Refusing to vacate a shelter rented by another individual or organization, in accordance with the rental procedures of Clearcreek Township, during their allotted rental time.

B. No person, while intoxicated shall do either of the following:

(1) In a public place or in the presence of two or more persons, engage in conduct likely to be offensive or to cause inconvenience, annoyance, or alarm to persons of ordinary sensibilities, which conduct by 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.

8.2 Failure to obey.

No person shall fail to comply or refuse to comply with any reasonable order relating to the regulations, directions, or control of traffic, or to any other order, lawfully given by any Law Enforcement Officer, as defined in 2901.01 (K)(1) of the Ohio Revised Code, or any other official in the lawful execution of their office.

8.3 Specialized fee program or activities.

No person shall charge a fee for any activity or event in the park without written permission from the Township Administrator. All persons who take part in any specialized activities for which there is a fee, rental or admission charge, must abide by the posted regulations by the Board for those specialized activities. No persons shall be allowed within the confines of the specialized activities unless they have paid the fee, rental or admission charge.

8.4 Unlawful Assemblage.

A. No person or persons shall collect in groups or crowds for unlawful purposes or in riotous assemblage or with intent to annoy, harass, or inflict property damage or bodily injury upon another person, persons or park property.

B. No person shall engage in any parade, drill, demonstration or procession of any kind which materially interferes with usual park activity, except with the written permission of the Board of Township Trustees, and where permission is granted, under such rules and conditions as may be required by the Board of Township Trustees.

8.5 Assault.

No person shall willfully assault or commit bodily injury upon another while within the Park, or be engaged in, or abet, or aid in any fight, quarrel or other disturbance.

8.6 Abusive Language.

No person shall use obscene, profane or abusive language while in the Park.

8.7 Noisy and / or boisterous conduct.

A. No person shall indulge in any noisy, or boisterous conduct, nor shall any person use any sound amplification device audible more than twenty (20) feet from the device without specific written permit from the Township Administrator.

B. No person, while voluntarily intoxicated shall do either of the following:

(1) In a public place or in the presence of two or more persons, engage in conduct likely to be offensive or to cause inconvenience, annoyance, or alarm to persons of ordinary sensibilities, which conduct by 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 him / herself or another, or to the property of another.

8.8 Solicit unlawful sales.

No person shall sell or offer for sale any article, thing, privilege or service within the Park, without a written permit from the Board, and no person shall do any begging, hawking, peddling, or solicitation therein.

8.9 Loitering.

No person or group of persons shall loiter in or near any building, toilet, or structures; nor loiter in or near a motor vehicle or vehicles, or on or about a motorcycle or cycles, or on or about bicycles within the Park

8.10 Games of Chance.

No persons shall play at games of chance within the Park.

8.11 Beer and Intoxicating Liquor.

No person shall possess or consume an open container of beer, intoxicating liquor or other alcoholic beverage within the Park.

8.12 Controlled Substance.

No person shall possess, obtain, offer, or use a controlled substance or dangerous drug as defined by Chapter 3719 of the Ohio Revised Code, within the Park unless prescribed to and contained in a prescription bottle in the name of the bearer.

8.13 Harmful intoxicants.

No person shall sniff, breathe, obtain, offer or otherwise use in any way other than the intended use by the manufacturer, any product containing a harmful intoxicant as defined by Section 2925.01 (I) of the Ohio Revised Code.

8.14 Indecent Conduct and Exposure.

No person shall appear in the Park in a state of nudity, or commit, perform, or engage in any lewd, lascivious, obscene, indecent act or behavior; nor make any indecent exposure of his or her person.

8.15 Solicitation.

No person shall solicit sexual acts or solicit or ask anyone to commit, perform, or engage in any lewd, lascivious, obscene, or indecent act or behavior.

8.16 Glass Containers

No person shall carry a glass container onto park property.

9.0 PRESERVATION OF GOOD ORDER REQUIRED IN THE PARKS

9.1 Unlawful Public Events.

A. No individual or organization shall have, conduct, sponsor, or promote any public activity in **Patricia Allyn Park / Hoffmann Reserve** without prior written authorization of the Board of Township Trustees. No event or activity sponsored or promoted by any individual or organization shall be permitted if in the opinion of the Board of Township Trustees it will constitute a hazard or danger to the personal safety of the participants, other Park visitors or park property; endanger peace and good order in the Park; interfere with the regular and normal use of the facilities and activities by Park visitors; or which is inconsistent with the use of the Park lands for Park purposes.

B. No person shall conduct commercial or personal enterprise, offer for sale any article, privilege or service on park property without prior written authorization of the Board of Township Trustees and must obtain a transient vender permit from the Clearcreek Township Police Department.

C. No individual or organization shall claim for their sole use any shelter in Patricia Allyn Park / Hoffman Reserve, without a confirmed reservation obtained in accordance with the rental procedures of Clearcreek Township.

10.0 POSTING, DISPLAYING UNAUTHORIZED SIGNS OR PAINTING OR DEFACING OF PARK PROPERTY PROHIBITED

10.1 Posting, Displaying Signs Prohibited.

No person shall expose, distribute or place any sign, advertisement, circular, notice of statement, or display any banner, emblem or design within the Park without specific written permit from the Board.

10.2 Painting or defacing Park Buildings or Property.

The unauthorized painting or defacing of park property, buildings, equipment or signs shall be strictly prohibited.

11.0 CAMPS AND CAMPING PROHIBITED EXCEPT BY SPECIAL PERMIT

11.1 Camping, Lodging Without Permission.

No person shall establish or maintain any camp or other temporary lodging place within the Park, without specific written permit from the Township Administrator, except in locations especially set aside by the Board as camps.

12.0 SWIMMING, WADING AND BOATING PROHIBITED

12.1 Swimming and Wading.

No person shall swim, bathe, wade, or enter into any waters in the Park.

12.2 Boats, Canoes, and Watercraft.

No person shall place any boat, canoe, raft, or other watercraft of any type upon or in any lake or pond within the boundaries of the Park without specific written permission from the Township Administrator except for boats owned and operated by the Board.

13.0 ENGINE POWERED MINIATURE MODELS AND TOYS PROHIBITED.

13.1 Power Model Toys Prohibited.

Engine-powered miniature models such as toy airplanes, boats, cars, rockets, sirens, or other noise making devices are not permitted to be operated within the confines of the Park without written permission from the Township Administrator.

14.0 SNOWMOBILES, SLEDDING, AND SKATING PROHIBITED.

14.1 Snowmobiles and Ice Skating Prohibited.

No person shall operate a "snowmobile" or other self-propelled vehicle which is designed to travel on snow or ice covered surfaces within the Parks.

14.2 Ice Skating Prohibited.

No person shall ice skate within the Park.

15.0 TRAFFIC SPEED AND PARKING CONTROLLED AS POSTED. UNAUTHORIZED VEHICLES, RECKLESS DRIVING AND VEHICLE REPAIRING PROHIBITED.

15.1 Speed.

No person shall drive or propel or cause to be driven or propelled along or over any road within the Park any vehicle at a greater rate of speed than the lesser of the posted speed or twenty (20) miles per hour, or at a speed that will permit stopping said vehicle within the assured clear distance.

15.2 Parking.

No person shall park or store any motor car, motor vehicle, motor cycle, bicycle, wagon or other vehicle within any traveled roadway in the Park, or at any location where posted signs prohibit parking, or upon any sod, gravel, or other surface not specifically designated for parking, except in places and at such times designated by the Board for such purposes. The Township may tow any vehicle parked in violation of this section without advance notice to the owner and at owner expense.

15.3 Purpose of Way.

No portion of the Park shall be used for the purpose of way, except drives, roadways, paths, walks, and trails established for such purposes; footpaths, bike trails or walks designated and established for pedestrian or bicycle travel shall not be used for vehicular travel.

15.4 Reckless Driving.

No person shall drive or propel any vehicle along or over any Park road in a reckless manner without due regard for the safety of pedestrians and drivers, and all other occupants of any vehicles.

15.5 Unauthorized Vehicles.

No person shall drive or propel, or cause to be driven or propelled, along or over any Park road, any truck, commercial car, trailer, semi-trailer, pole-trailer, bus, or commercial tractor, or all-purpose vehicle, as defined in Section 4519.01 (B) of the Ohio Revised Code, unless authorized by the Board to make deliveries within the Park, or unless engaged in work in the Park that has been contracted for with the Board, or unless delivering or picking up persons using a truck or trailer as transportation to or from the Park area.

15.6 Go-Karts, All-terrain Motor Vehicles and Non-registered Motor Vehicles.

No person shall operate within the Park a go-kart, all-purpose vehicles, as defined in 4519.01 (B) of the Ohio Revised Code, or motor vehicle normally considered a race car or any other type of motor vehicle that is not customarily registered with the Department of Motor Vehicles, or those not permitted for use on public highways in accordance with the Ohio Department of Highway Safety.

15.7 Posted Traffic Regulations.

No person shall drive or propel any vehicle along or over any Park road without complying with all traffic signs and all posted traffic regulations.

15.8 No person shall test or repair any vehicle or mechanical device in the Park, except as authorized by the Township Administrator.

16.0 ENCROACHMENT ON PARK PROPERTY PROHIBITED

16.1 Encroachment Prohibited.

No person shall willingly encroach upon lands owned or administered by the Board of Clearcreek Township Trustees.

17.0 HOURS OF USE AND CLOSING OF PARKS LIMITED AND CONTROLLED.

17.1 During Summer Months (April through October) 10:00 P.M. to 7:00 A.M. Curfew.
During Winter Months (October through April) 7:00 P.M. to 7:00 A.M. Curfew.

No person shall be permitted to remain within the confines of the Park between the hours set above prevailing local time without specific permission from the Township Administrator.

17.2 Temporary Closing.

The Township Administrator may temporarily close, alter, modify or control entry or use upon any lands or waters or any portion thereof when it has been deemed necessary by him or her in the best interest of public safety, conduct, health, or order.

17.3 Curfew During Open Hours.

No person shall be permitted to remain within the confines of a Park which has been closed by the Township Administrator, Law Enforcement Officer, as defined in 2901.01 (K)(1) of the Ohio Revised Code, or other official in the execution of their office.

18.0 SELECTION OF CONTRACTORS AND HIRING FOR SPECIAL SERVICES

In hiring or contracting for professional, technical, consulting, or other special services, the Board of Clearcreek Township Trustees may, after considering the competence, ability, and availability of any person, firm, or corporation, and the recommendation of the Township Administrator, approve the hiring of any such person, firm, or corporation, and authorize the contract therewith. Such contract may be in the form of a written acceptance of a proposal submitted to the Board by such person, firm, or corporation.

19.0 SPECIAL RULES FOR HIKING TRAILS.

19.1 Trails are for hiking only.

19.2 No motorized vehicles.

19.3 No horses at any time. All pets must be on a leash no more than eight feet long and be kept under control at all times.

19.4 Be careful at all times, especially on steep paths and creek crossings.

19.5 Use caution when rounding corners. Be courteous when passing other hikers. Follow trail markers, signs, or park trail map.

19.6 Trails are automatically closed at dark and when wet, icy, slippery or unsafe for any reason. Watch for fallen tree limbs and debris. Do not use wet or slippery trails at any time.

19.7 Stay on trails. Do not disturb or injure plants or animals.

19.8 **USE CAUTION!** Trails are free for recreational use at user's risk. They follow natural earth contours and do not disturb the natural environment or wild animal habitat. Trails and creek crossings are natural, not engineered or built for speed or safety of travel. Children twelve (12) years of age and younger must be supervised by an adult at all times.

20.0 ACTIVITIES ON PARK PROPERTY

20.1 All league use of athletic fields must be scheduled through the Office of the Township Administrator.

20.2 Use of the tennis and basketball courts shall be on a first come, first serve basis. Use shall be limited to one (1) hour sessions when others are waiting to use the facility.

20.3 Tennis courts shall be used for tennis only.

20.4 Basketball courts shall be used for basketball only.

20.5 No person shall play or practice golf on park property.

20.6 Park shelters are available for reservation April-October only, according to current policy as adopted by the Clearcreek Township Board of Trustees. If a shelter is not reserved, it shall be used on a first come, first serve basis. For information on shelter rental, individuals and organizations may call (937) 748-1267 or go on-line @ www.clearcreektownship.com and look for the shelter rental link.

20.7 Clearcreek Township staff, contracted and volunteer photographers periodically take photos of program participants and park visitors. Please be aware that these photos are for the Townships use only and may be used in future publications and paid advertisements.

20.8 Clearcreek Township reserves the right to use video surveillance at any time within Patricia Allyn Park / Hoffman Reserve for the interest of public safety and for the purposes of security and law enforcement.

21.0 PARKS MAY BE CLOSED BY THE TOWNSHIP ADMINISTRATOR OR THE BOARD OF TOWNSHIP TRUSTEES WITHOUT NOTICE TO PRESERVE HEALTH, SAFETY OR WELFARE OF PATRONS, EMPLOYEES OR PROPERTY.

The Township Administrator or the Board of Township Trustees may, without notice, close any park or portion or area thereof or limit the use of any park or portion thereof, for any reason relating to the health, safety, welfare, or security of patrons, employees or property, or for park maintenance or preservation of property, condition, environment or habitat.

22.0 VIOLATION OF PARK RULES; PENALTIES UP TO \$500 PER OFFENSE.

Any person violating any of the foregoing bylaws, rules or regulations and any amendment or additions thereto, shall be fined One Hundred Dollars (\$100.00) for the first offense and Five Hundred Dollars (\$500.00) for each second or further offense. Each separate violation or separate day's violation shall constitute a separate offense. This section shall not be construed to limit the enforcement of any other statues or Ohio law.

23.0 EFFECTIVE DATE.

These By-laws, Rules and Regulations shall take effect and be in force from and after the earliest period allowed by law pursuant to Ohio Revised Code §505.261. These By-laws, Rules and Regulations were adopted by Resolution # 2879 at a regular public meeting of the Clearcreek Township Board of Trustees conducted April 28, 2005 and will continue to be the By-laws, Rules and Regulations for all Patricia Allyn Park / Hoffmann Reserve until further notice is given.