

The rules and regulations of Portage Park District have been adopted by the Board of Park Commissioners and are enforced by park rangers to provide visitor safety and security, protect resources and maintain good order. Your cooperation benefits all park visitors. Thank you for partnering with us in creating safe, fun and healthy public parks and trails for all to enjoy.

The Rules and Regulations of Portage Park District have been established in accordance with the following State of Ohio statutes:

§ 1545.09, REVISED CODE, STATE OF OHIO

The Board of Park Commissioners shall adopt such bylaws and rules as the board deems advisable for the preservation of good order within and adjacent to parks and reservations of land, and for the protection and preservation of the parks, parkways, and other reservations of land under its jurisdiction and control and of property and natural life therein. The bylaws and rules shall be published as provided in case of ordinances of municipal corporations before taking effect.

No person shall violate any of such bylaws or rules. All fines collected for any violation of this section shall be paid into the treasury of such park board.

§ 1545.13, REVISED CODE, STATE OF OHIO

(B) The employees that the Board of Park Commissioners designates for that purpose may exercise all the powers of police officers within and adjacent to the lands under the jurisdiction and control of the board or when acting as authorized by section 1545.131 or 1545.132 of the Revised Code. Before exercising the powers of police officers, the designated employees shall comply with the certification requirement established in section 109.77 of the Revised Code, take an oath, and give a bond to the state in the sum that the board prescribes, for the proper performance of their duties in that respect.

DEFINITIONS

“Board” means the Board of Park Commissioners of Portage Park District.

“Aircraft” means any contrivance used or designed for navigation or flight in the air.

“Executive Director” means the Executive Director of Portage Park District.

“Conservation Area” means any areas preserved, managed, and safeguarded to protect public safety and natural park features to include topography, soil conditions, archaeological sites, plant and animal species, wildlife habitats and wetlands, including, but not limited to, any areas subject to a conservation easement.

“Motor Vehicle” means any vehicle that is propelled or drawn by power other than muscular power.

“Other Power Driven Mobility Devices” (“OPDMDs”) as defined in 28 Code of Federal Regulations Part 35, Regulation Section 35.104, means any mobility device powered by batteries, fuel, or other engines – whether or not designed primarily for use by individuals with mobility disabilities – that is used by individuals with mobility disabilities for the purpose of locomotion, including golf carts/cars, electronic personal assistance mobility devices (“EPAMDs”), such as the Segway® PT, or any mobility device designed to operate in areas without defined pedestrian routes, but that is not a wheelchair within the meaning of this section. “Wheelchair” means a manually operated or power-driven device designed primarily for use by an individual with a mobility disability for the main purpose of indoor, or of both indoor and outdoor locomotion.

“Park” means any park, parkway, trail, preserve, conservation area, or land owned, supervised, or controlled by the Board of Park Commissioners of Portage Park District.

“Person” includes any individual, company, partnership, corporation, association, club, firm, society, or any combination of individuals, or any employee, agent, or officer thereof.

“Rules and Regulations” means the Rules and Regulations of Portage Park District.

“Vehicle” or “Vehicular” means everything on wheels or runners.

“Watercraft” means anything used or capable of being used for transportation on the water.

“Waters” means any lake, pond, river, reservoir, stream, channel, lagoon, or other body of water, whether natural or artificial, located in or adjoining land owned or controlled by the Board of Park Commissioners of Portage Park District.

SECTION 1. ENFORCEMENT

1.1 Failure to Obey: No person shall fail or refuse to comply with any reasonable order relating to these Rules and Regulations or any other order lawfully given by a Ranger or other commissioned officer of Portage Park District, or willfully resist, obstruct, or abuse any officer or other official in the execution of their office.

1.2 Interfering with Park Functions: No person shall threaten, resist, intimidate, or intentionally interfere with an employee or authorized agent of Portage Park District, engaged in an official duty, or on account of the performance of an official duty. Nor shall any person purposefully prevent, obstruct, delay, hamper, or impede the performance of any official business of the Portage Park District in violation of section 2921.31 of the Ohio Revised Code.

1.3 Ejection from Park: Rangers or other commissioned officers of Portage Park District may order any person violating any of the provisions of these Rules and Regulations to leave the Park and no person shall fail to obey such a lawful order.

1.4 Loss of Park Privileges: Any person repeatedly violating these Rules and Regulations may lose the privilege of entering the Park for a reasonable period of time as designated by the Executive Director.

1.5 Fines: Whoever violates these Rules and Regulations promulgated pursuant to section 1545.09 of the Ohio Revised Code, shall be subject to such fines that are legally and reasonably established by the Board of Park Commissioners pursuant to the Ohio Revised Code or any amendments thereto. Portage Park District reserves the right to assess fines under Section 2901.02 of the Ohio Revised Code or any amendments thereto and under any other applicable sections of the Ohio Revised Code.

1.6 Prosecution: Persons who violate any federal, state, or municipal law or ordinance by acts committed in or against the Park will be reported to the appropriate law enforcement authorities for prosecution to the fullest extent of the law.

SECTION 2. PRESERVATION OF PROPERTY AND NATURAL FEATURES

2.1 Destruction of Park Property: No person shall knowingly injure, deface, disturb, or destroy any part of the Park, including but not limited to any tree, flower, shrub, rock, building, sign, archeological or historical artifact, equipment or any other property found therein.

2.2 Removal of Natural Features: No person shall collect, remove, or otherwise disturb any part of the Park, including but not limited to any tree, flower, shrub, fungi, rock, soil, sand, gravel, mineral, or fossil. Persons seeking to collect materials, other than fallen leaves, for educational or research purposes must submit a written application for a permit to the Executive Director.

2.3 Introduction of Natural Features: No person shall bring or leave within the Park any plant, fungi, rock, soil, mineral or fossil without first obtaining written permission from the Executive Director.

2.4 Barricades, Signs, and Warning Lights: No person shall destroy, remove, damage or extinguish any barricade, sign, or warning light that has been placed in the Park by employees or other authorized representatives of Portage Park District for the protection of the public.

2.5 Rappelling and Rock Climbing: No person shall engage in rappelling or any type of rock climbing activity within the confines of the Park except in areas and in manners posted otherwise, or under the authority of a written permit granted by the Executive Director.

SECTION 3. DISPOSAL OF REFUSE

3.1 Garbage and Debris: No person, without obtaining a written permit from the Executive Director, shall leave behind, or dump in any part of the Park, garbage, ashes, sewage, refuse, waste, earth, or debris of any kind, other than such materials which are used in or result from a picnic, camp, or other permitted activity and which are deposited in such places and within such receptacles as are provided for such purposes. Nor shall any person bring hazardous or noxious materials into the Park.

3.2 Preservation of Park Waters: No person shall place or permit to be placed in any river, brook, stream, ditch, or drain that flows into or through the Park, any materials which may render Park waters harmful or detrimental to the public health or to animal, vegetative, or aquatic life, or which may prevent, limit, or interfere with the use of such waters for domestic, industrial, or agricultural purposes, or which may unreasonably lessen the use and enjoyment of such waters for recreational or other Park uses.

SECTION 4. HUNTING, FISHING AND HARMING WILDLIFE

4.1 Hunting: No person shall hunt, pursue with dogs, trap, or in any other way harm any wild bird or animal within the Park, unless authorized by a written permit granted by the Executive Director to do so for wildlife management or other lawful purposes, and provided that such activity is done in accordance with the Ohio Revised Code and wildlife orders then in effect.

4.2 Bird Nests and Eggs: No person shall knowingly injure any bird nest or remove or injure any bird egg within the Park, unless authorized by a written permit granted by the Executive Director to do so for wildlife management or other lawful purposes, and provided that such activity is done in accordance with the Ohio Revised Code and wildlife orders then in effect.

4.3 Fishing: Fishing is not permitted in Park waters, except in areas and in manners posted otherwise, or under the authority of a written permit granted by the Executive Director. No person may fish in Park waters without first obtaining a valid license issued by the State of Ohio pursuant to section 1533.32 of the Ohio Revised Code. Nor may any person fish in Park waters in a manner or at a time prohibited by Chapter 1533 of the Ohio Revised Code as it is now in effect or is hereafter amended. The use of traps, spears, gigs, bows, arrows, or unattended hooks for fishing is prohibited.

4.4 Feeding of Animals: No person, except employees or other authorized representatives of Portage Park District shall feed, place or distribute feed materials within the Park without first obtaining a written permit from the Executive Director. The term "feed materials" shall include, but is not limited to: bread, table scraps, manufactured pet or wildlife foods, grains and seeds.

SECTION 5. FIRES AND SMOKING

5.1 Starting Fires: No person shall build, start, maintain, or use a fire in the Park, except for (a) small charcoal fires for culinary purposes in grills provided by the Park and in such other places provided by the Park for those purposes; (b) small campfires in fire rings provided by the Parks by registered campers during their reservation at designated park campgrounds; (c) in fireplaces during a lodge/shelter reservation; (d) if authorized to do so by a written permit issued by the Executive Director for resource management or other lawful purposes.

5.2 Fire Restrictions: Fires may be prohibited for limited periods of time at any Park location or for any purpose when deemed necessary for the protection of the Park, Park visitors, or employees of Portage Park District. No person shall build, start, maintain, or use a fire in the Park during this restricted time.

5.3 Smoking Restrictions: No person shall use tobacco or vapor products inside public buildings, lodges, open air shelters and gated swim areas, and during public programs. No person shall throw or place upon the ground or within lakes and waterways any lighted match, cigar, cigarette or other burning substance.

5.4 Putting Out Fires: All fires shall be put out by the person starting or using the fire before said person leaves the immediate vicinity of the fire. No person shall dump hot charcoal, ashes, or fire onto any grass or plants, trash receptacle or any other area not designed for this purpose.

5.5 Importation of Firewood: No person may import firewood into the Park except to be used by registered campers during their reservation at a designated camp site, or unless otherwise approved by a written permit from the Executive Director. Importation of firewood may be prohibited for limited periods of time when deemed necessary for the protection of the Park.

SECTION 6. WEAPONS, FIREARMS AND FIREWORKS

6.1 Weapons and Firearms: The unlawful possession, use or discharge of firearms, as defined by section 2923.11 of the Ohio Revised Code, is prohibited within the Park. Only Park Rangers, other certified peace officers of Portage Park District, or other persons authorized by the Ohio Revised Code may carry firearms within the Park. No person except duly authorized Portage Park District employees, law enforcement officers, or persons engaged in hunting in accordance with Section 4.1 of these Rules, shall discharge or otherwise use a firearm of any description within the Park without a permit issued by the Park District. Persons possessing a valid license issued in accordance with the Ohio Revised Code may carry a concealed firearm within the Park except inside any government building located in the Park which is not used primarily as a shelter, restroom, parking facility for motor vehicles or rest facility, and subject to any other restrictions imposed by law.

6.2 Fireworks: No person shall possess or discharge fireworks on the lands or waters of the Park without first obtaining a written permit from the Executive Director and a valid fireworks exhibitor license from the State of Ohio. Persons so authorized to possess or discharge fireworks on the lands or waters of the Park must act in accordance with sections 3743.50 to 3743.55 of the Ohio Revised

Code. The term "fireworks" shall include all devices and substances subject to Chapter 3743 of the Ohio Revised Code.

SECTION 7. CAMPING

7.1 Camps and Temporary Lodging Places: No person shall establish or maintain any tent, camp, or other temporary lodging place in the Park without obtaining a written permit from the Executive Director or by obtaining a reservation of a designated camp site through the Portage Park District's website or in person at Portage Park District headquarters.

7.2 Persons engaged in 'leave no trace' camping must leave the conditions of the areas in which they camp as they found them and all campers must follow any and all other regulations governing camping posted at the camp sites or on the Portage Park District's website, which are incorporated by reference herein.

SECTION 8. PERSONAL CONDUCT

8.1 Disorderly Conduct: No person shall recklessly cause inconvenience, annoyance, or alarm to another within the Park by doing any of the following:

(a) engaging in fighting, in threatening harm to persons or property, or in violent or turbulent behavior;

(b) making unreasonable noise or an offensively coarse utterance, gesture, or display or communicating unwarranted and grossly abusive language to any person;

(c) insulting, taunting, or challenging another, under circumstances in which that conduct is likely to provoke a violent response;

(d) hindering or preventing the movement of persons on a parkway, public street, road, highway, or right-of-way, or to, from, within, or upon public or private property, so as to interfere with the rights of others, and by any act that serves no lawful and reasonable purpose of the offender;

(e) creating a condition that is physically offensive to persons or that presents a risk of physical harm to persons or property, by any act that serves no lawful and reasonable purpose to the offender;

(f) engaging in any active game endangering other persons in the Park;

(g) committing any act that is defined as disorderly conduct by section 2917.11 of the Ohio Revised Code or any amendment thereto.

8.2 Audio Disturbances: Except in connection with a public assembly or event for which a permit has been issued pursuant to Sections 11 and 16 of these Rules and Regulations, no person shall operate or play an audio device in the Park, including without limitation, radios, televisions, musical instruments, amplifiers, or public address systems, in a manner:

(a) that can be heard from a distance of 100 feet away from the audio device; or, if below that level, nevertheless;

(b) that makes noise which is unreasonable, considering the nature and purpose of the person's conduct, location, time of day or night, purpose for which the area was established, impact on Park users, and other factors that would govern the conduct of a reasonably prudent person under the circumstances.

8.3 Beer and Intoxicating Liquor: No person shall bring into, have, keep, carry, serve or drink beer or any other intoxicating liquor within the Park except in areas and in manners posted otherwise, or under the authority of a written permit granted by the Executive Director. Nor shall any person be drunk or under the influence of beer or any other intoxicating liquor within the Park. The terms beer and intoxicating liquor shall be defined as contained in section 4301.01 of the Ohio Revised Code.

8.4 Controlled Substances: No person shall bring into, have, keep, carry, distribute, use, or be under the influence of any type of narcotic drug, opiate, hallucinogen, controlled substance, marijuana, or harmful intoxicant as defined in Chapters 2925 and 3719 of the Ohio Revised Code, nor possess, use, or distribute any instrument or equipment that is customarily or primarily used for administering such drugs or substances, within the Park, except as otherwise provided in sections 2925.11 and 2925.12 of the Ohio Revised Code or any amendment thereto.

8.5 Gambling: No person shall solicit or procure participants for, engage in, or promote any game of chance within the Park which is played for money or other thing of value except in areas and in

manners posted otherwise, or under the authority of a written permit granted by the Executive Director.

8.6 Public Indecency and Nudity: Persons appearing on Park lands, waters, beaches, or facilities managed and/or controlled by the Portage Park District shall not intentionally or recklessly do any of the following under circumstances in which his or her conduct is likely to be viewed by and affront others, not members of his or her household:

(a) Appear in a state of nudity or expose his or her private parts (Nudity means, without limitation, the showing, representation, or depiction of human genitals, pubic area, buttocks, or the areola or lower portion of the female breast with less than a full opaque covering);

(b) Engage in any actual sexual conduct, as defined by section 2907.01 of the Ohio Revised Code, or masturbation or conduct that to an ordinary observer would appear to be sexual conduct or masturbation;

(c) Violate any Ohio Revised Code provisions related to nudity and/or public indecency including, but not limited to sections 2907.01 (H), 2907.07, and 2907.09 of the Ohio Revised Code or any amendment thereto.

SECTION 9. VEHICULAR TRAFFIC

9.1 Reckless Operation of Vehicles: No person shall operate any vehicle within the Park in willful or wanton disregard of the safety of persons or property, including, but not limited to peeling out or squealing of tires.

9.2 Commercial Vehicles: No person shall drive, propel, or park, or cause to be driven, propelled, or parked within the Park, any vehicle weighing more than 6,000 pounds. The provisions of this section shall not be applicable to school buses and emergency vehicles.

9.3 Parking Limited to Designated Areas: No person shall park any motor vehicle, bicycle, OPDMD, wagon, or other vehicle within the Park, except in places designated for such purpose.

9.4 Trailer Parking: No person shall park any trailer, unattached or attached to a motor vehicle, within the Park except in areas and in manners posted otherwise, or under the authority of a written permit granted by the Executive Director.

9.5 Parking Hours: No person shall park any motor vehicle, bicycle, wagon, or other vehicle within the Park, between the hours of 11 p.m. and 6 a.m., without first obtaining a written permit from the Executive Director.

9.6 Lights on Vehicles: The laws of the State of Ohio relating to lights on vehicles shall apply to all vehicles within the Park.

9.7 Travel Limited to Designated Areas: No portion of the Park shall be used for purpose of vehicular traffic, except drives, roadways, walks and trails designated for such purpose. Trails established for pedestrian, bicycle, or OPDMD travel, and bridle trails established for horseback riders shall not be used for vehicular travel. Nor shall vehicles be driven on any Park drive, roadway, walk, or trail that has been temporarily or permanently closed by the posting of signs or placement of barricades.

9.8 All-Terrain and All-Purpose Vehicles: No person shall drive or propel, or cause to be driven or propelled, any all-terrain vehicle, or other all-purpose vehicle (as defined by section 4519.01 of the Ohio Revised Code), within the Park, except upon parkways, roads or drives established for vehicular travel.

9.9 Bicycles: No person shall operate a bicycle except on paved roads, or in areas or on trails designated for such purpose. Nor shall any person operate a bicycle in a reckless manner so as to endanger the operator or any other person or any property. Bicycle operators shall comply with the requirements of all sections of the Ohio Revised Code pertaining to motor vehicles, operators, and bicycles while using Park roads.

9.10 Applicability of Ohio Traffic Laws: All motor vehicles and operators of motor vehicles within the Park shall comply with each and every requirement of the Ohio Revised Code pertaining to motor vehicles, vehicular traffic, operators of motor vehicles, and licensing.

9.11 Other Power Driven Mobility Devices: Portage Park District's regulation of OPDMDs for persons with mobility disabilities in the Park are in accordance with Revised Final Title II Regulation of the Americans with Disabilities Act of 1990 (42 U.S.C. 1213). The use of wheelchairs, motorized

wheelchairs and manually-powered mobility aids by individuals with mobility disabilities is permitted in all areas open to pedestrian use. The use of OPDMD by individuals with mobility disabilities is permitted in all areas open to pedestrian use subject to the following requirements:

- (a) OPDMDs may not have a width greater than thirty six (36) inches or a weight greater than 550 pounds;
- (b) OPDMDs must be electric powered with a noise level that shall not exceed 70dB measured on the A-weighted scale at 50 feet
- (c) OPDMDs must remain on trails and may not cause unnecessary damage to the trail surface;
- (d) OPDMDs must be operated at a safe speed, not exceeding the average speed of other trail users and be capable of maneuvering to safely negotiate trail features and obstacles, such as steps and boardwalks, with the ability to turn around without leaving the trail ;
- (e) Park District staff may make seasonal use restrictions on OPDMDs based on current or anticipated levels of user activity on trails; or based on weather and trail conditions;
- (f) Battery powered OPDMDs must be safely maintained and protected from leakage;
- (g) Specific trail features like boardwalks or bridges may be posted against OPDMD use based upon their design or capacity;
- (h) OPDMDs are not permitted in Park indoor facilities except Park restrooms;
- (i) Internal combustion engine OPDMDs are not permitted on trails or open spaces of the Park.

SECTION 10. PEDESTRIAN AND OTHER TRAFFIC

10.1 Pedestrian Travel Limited to Designated Areas: No person shall walk, run, or hike in areas of the Park that are not designated for pedestrian or vehicular traffic. Persons seeking access to off-trail environments for educational, research, or any other purpose must submit a written application for a permit to the Executive Director. This Section shall not apply to mowed areas of the Park with grass less than 8 inches in length.

10.2 Horses: No person shall ride any horse or other animal within the Park, except upon bridle trails established for horseback riders. Nor shall any person ride a horse in such a manner as to endanger the rider, horse, or any other person or property. Horseback riders shall yield right-of-way to pedestrians and motorists in the Park where bridle trails intersect with foot trails, roads, drives, and parkways. In areas along hike and bike trails which allow horses, horses must be ridden only on the trail shoulder. Horses shall not be left unattended.

10.3 Winter Sports: No person shall operate a snow mobile or engage in sledding, ice fishing, skiing, or ice skating in the Park except in areas and at times designated by the Executive Director.

10.4 Swimming and Watercraft: No person shall swim, bathe, wade, enter into, or use personally owned water craft in any Park waters except in areas and at times designated by the Executive Director.

10.5 Aircraft: No person shall operate or use aircraft on lands or waters within the Park, nor deliver or retrieve a person or object in the Park by parachute, paraglider, helicopter, or other airborne means without first obtaining a written permit from the Executive Director. Nor shall any person intentionally operate or use aircraft in the Park in a manner which harms animals or persons, or which prevents, obstructs, delays, hampers, or impedes the performance of any official business of the Portage Park District in violation of section 2921.31 of the Ohio Revised Code. The provisions of this section shall not be applicable to official government business; emergencies involving public health, safety, or serious property loss; emergency landings due to circumstances beyond the control of the operator; or as such operation is otherwise authorized by the regulations of the Federal Aviation Administration or the State of Ohio.

10.6 Toy Vehicles: No person shall operate or use any toy missiles, rockets, airplanes, drones, gliders, boats, trucks or cars within the Park that are propelled or drawn by power other than muscular power, except in areas and in manners posted otherwise, or under the authority of a written permit granted by the Executive Director.

SECTION 11. SIGNS, DISTRIBUTION OF PRINTED MATTER AND PUBLIC ASSEMBLIES

11.1 Activities Requiring a Permit: Engaging or participating in any of the following activities within the Park is prohibited without first obtaining a written permit from the Executive Director:

(a) Exposing, displaying, distributing, projecting, or placing any sign, advertisement, banner, emblem, design, or electronic image of same within the Park, other than a permanent sign on a vehicle.

(b) Selling or distributing printed matter, including but not limited to: leaflets, circulars, notices, advertisements and petitions.

(c) A public assembly, parade, picnic, meeting, gathering, exhibition, competition, demonstration, or other organized event of twenty five (25) or more persons.

SECTION 12. COMMERCIAL ENTERPRISES

12.1 Sales: No person shall sell or offer for sale any article, thing, privilege, or service within the Park without first obtaining a written permit from the Executive Director. Commercial transportation businesses and boat liveries may come onto park properties to pick up or deliver park users.

SECTION 13. PHOTOGRAPHY, VIDEO AND AUDIO RECORDING

13.1 Photography and Recording Requiring a Permit:

Persons may take still photographs or video or audio recordings within the Park without first obtaining a written permit from the Executive Director unless any of the following apply:

(a) The photographs or recordings are being taken for the purpose of advertising a product or service;

(b) The project involves professional casts, props, models, or crews, other than in the case of bona fide news media personnel covering a breaking news event that cannot be covered at any other time or at any other location;

(c) The project requires access to an area that is closed or restricted to general public use;

(d) The project carries substantial risk of damaging Park resources, disrupting Park visitors, disrupting Park operations, or compromising public health and safety regulations.

13.2 Breaking news exception: Coverage or filming of breaking news by bona fide news media personnel does not require a permit, but such personnel may not damage Park resources, disrupt Park visitors, or compromise public health and safety regulations. "Breaking news" is defined as an event that cannot be covered at any other time or at any other location.

13.3 Voyeurism: No person shall secretly or surreptitiously videotape, film, photograph, or otherwise record another person within the Park under or through the clothing being worn by that other person for the purpose of viewing the body of, or the undergarments worn by, that other person.

SECTION 14. DOGS, CATS AND OTHER ANIMALS

14.1 Restricted Areas and Leashes: Except for guide or other dogs used by blind, deaf, or mobility impaired persons, no person shall bring any dog, cat, other domesticated animal, wild animal or any animal destructive to wildlife to any building in the Park. Dogs and cats are permitted in other areas of the Park if they are controlled at all times on a leash held in hand and do not unreasonably disturb the use and enjoyment of the Park by other Park visitors. Leashes shall not be longer than eight feet.

14.2 Releasing of Animals: No person shall bring any domestic or wild animal into the Park for the purpose of releasing or abandoning said animal, nor shall any person release or abandon any animal within the Park, without written permission from the Executive Director.

14.3 Grazing: No person shall herd, graze, drive or permit to run at large within the Park any cattle, horse, mule, donkey, goat, swine, sheep, or other animal, or any poultry or other fowl.

SECTION 15. HOURS OF OPERATION

15.1 Presence in the Park During Restricted Hours Forbidden: No person shall enter, stop, or remain in the Park, except at posted times, unless otherwise authorized by a written permit issued by the Executive Director.

15.2 Schedule of Hours of Operation: The Executive Director is authorized to maintain a schedule of hours of operation for the Park.

15.3 Temporary Closure of Facilities: Consistent with the laws of the State of Ohio, employees of Portage Park District who have duly authorized management, public safety or law enforcement authority may temporarily close specific areas within the Park to all visitors upon a determination

that such action is necessary for reasons of weather, resource protection or management, scientific research, equitable allocation of use of facilities, avoidance of conflict among visitor activities, law enforcement, or other situations involving public health, safety, or welfare. Maintenance personnel employed by Portage Park District may temporarily close specific areas within the Park for construction, reconstruction, or maintenance purposes.

15.4 Public Notice Required for Temporary Closure of Facilities: Except in emergency situations, whenever specific areas within the Park are temporarily closed pursuant to Section 15.3 of these Rules and Regulations, the public shall be notified by one or more of the following methods:

(a) Signs posted at conspicuous locations, such as normal points of entry and reasonable intervals along the boundary of the affected Park locale;

(b) Maps available in the office of the Executive Director and other places of convenience to the public;

(c) Publication in a newspaper of general circulation in the affected area; Other appropriate methods, such as the use of electronic media, brochures, maps, or handouts;

(d) Physical barriers such as barricades, barriers, fences and locks which actually limit or bar access to the area.

15.5 Trespass: When use of the Park or areas within the Park is restricted to certain persons, purposes, modes, or hours of operation, including temporary closure of facilities described in Section 15.3 of these Rules and Regulations, and such restriction is actually communicated to persons, or is posted on signs in conspicuous locations, or when access is restricted or prevented by fences, gates or other barriers, no person shall violate such restrictions. Any person who violates this Section or who remains in the Park after lawfully being ordered to leave by a Ranger or other commissioned officer of the Portage Park District commits an act of criminal trespass under section 2911.21 of the Ohio Revised Code.

15.6 Employee Presence in the Park: Employees of the Portage Park District may enter or remain on Park lands, waters, or premises as necessary, for the performance of their duties.

SECTION 16. PERMITS

16.1 Written Application: Prior to engaging in any activity for which a permit is required in any of the above sections of the Rules and Regulations, a person must submit a written application for a permit to the Executive Director on a form that may be obtained from the Executive Director. A person who is seeking a permit to display a sign or to sell or distribute printed matter within the Park must also submit a copy of same to the Executive Director for approval.

16.2 Review of Application: The Executive Director will grant or deny an application for a permit within fourteen (14) days of its receipt, unless by written notice to the applicant, the Executive Director extends the period for review for an additional fourteen (14) days. Applications for permits will be reviewed in order of receipt.

16.3 Grounds for Denial of Permit: The Executive Director's denial of a permit must clearly set forth in writing the grounds for denial and, where feasible, must propose measures to cure defects in the application or suggest alternative times and places for the activity. The Executive Director may deny an application for a permit on any of the following grounds:

(a) the applicant or the person on whose behalf the application was made has on prior occasions made material misrepresentations regarding the nature or scope of an event or activity previously permitted or has violated the terms of prior permits issued to or on behalf of the applicant; the application for permit (including any required attachments and submissions) is not fully completed and executed;

(b) the applicant has not tendered the required application fee with the application or has not tendered the required user fee, indemnification agreement, insurance certificate, or security deposit within the times prescribed by the Executive Director;

(c) the application for permit contains a material false hood or misrepresentation;

(d) the applicant is legally incompetent to contract or to sue and be sued;

(e) the applicant or the person on whose behalf the application for permit was made has on prior occasions damaged Park property and has not paid in full for such damage, or has other outstanding and unpaid debts to the Portage Park District;

- (f) fully executed prior application for permit for the same time and place has been received, and a permit has been or will be granted to a prior applicant authorizing uses or activities which do not reasonably permit multiple occupancy of the Park or part thereof;
- (g) the use or activity intended by the applicant would conflict with previously planned programs organized and conducted by the Portage Park District and previously scheduled for the same time and place;
- (h) the proposed use or activity is prohibited by or inconsistent with the classifications and uses of the Park or part thereof that have been properly designated and/ or posted pursuant to any of the above sections of these Rules and Regulations;
- (i) the use or activity intended by the applicant would present an unreasonable danger to the health or safety of the applicant, or other users of the Park, of the public, or of employees of the Portage Park District;
- (j) the applicant has not complied or cannot comply with applicable licensure requirements, ordinances, laws or regulations of the State of Ohio or of the Portage Park District concerning the sale or offering for sale of any goods or services;
- (k) the use or activity intended by the applicant is prohibited by law, by these Rules and Regulations, or by other policies or regulations properly adopted by the Board of Park Commissioners and promulgated by the Executive Director.

16.4 Appeal of Denial of Permit: A person who has unsuccessfully applied for a permit has seven (7) days to file a written appeal to the Board, which must act upon the appeal within fourteen (14) days of receipt.

SECTION 17. EMPLOYEE EXEMPTION

17.1 Limited Exemption for Park Employees and Representatives: Acts of employees and duly authorized representatives of Portage Park District, to the extent necessary for the performance of their authorized duties or in furtherance of programs or events organized and conducted by the Portage Park District, shall be exempt from the provisions of these Rules and Regulations.

The above Rules & Regulations were adopted by the Portage Park District Board of Park Commissioners per RESOLUTION 2018-15 on April 16, 2018 and became effective on May 11, 2018 and replace any prior version.

Contact the Portage Park District at:
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