

CODIFIED ORDINANCES OF RIVERSIDE

PART NINE - STREETS, UTILITIES AND PUBLIC SERVICES CODE

TITLE ONE - Street and Sidewalk Areas

Chap. 901. Excavations in Public Places.

TITLE THREE - Other Public Services

Chap. 931. Residential Waste Collection.

Chap. 933. Parks.

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TITLE ONE - Street and Sidewalk Areas

Chap. 901. Excavations in Public Places.

CHAPTER 901

Excavations in Public Places

<p>901.01 Permit required.</p> <p>901.02 Permit application; fee and deposit.</p> <p>901.03 Time period and specifications for surface restoration and</p> <p>901.04 Maintaining traffic.</p> <p>901.05 Notification of underground utilities.</p>	<p>901.06 Notification of public officials.</p> <p>901.07 Liability insurance.</p> <p>901.08 Public utility emergencies.</p> <p>901.09 Bond in lieu of security deposit.</p> <p>901.10 Forfeiture of bonds.</p> <p>901.99 Penalty.</p>
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CROSS REFERENCES

Liability for damage - see Ohio R.C. 723.49 et seq.

Barricades and warning lights - see GEN. OFF. 521.03

901.01 PERMIT REQUIRED.

No person, firm or corporation shall do, or permit to be done by his, her or its agents, servants or employees, any of the following acts without having first obtained a permit therefore from the City Engineer or in the absence of a City Engineer, the City Manager:

- (a) Make any excavation or dig into any street, sidewalk, alley or other public way or public place in any manner or direction;
- (b) Install, place or join together any pipes or conduits of any kind for the conduct of water, gas, electricity, drainage or seepage, or for any other purpose whatsoever, upon or beneath the surface of a street, sidewalk, alley, public way or public place.
(Ord. 95-0-42. Passed 5-4-95.)

901.02 PERMIT APPLICATION; FEE AND DEPOSIT.

(a) A person, firm or corporation desiring to acquire a permit to do any of the acts specified in Section 901.01 shall apply to the City Engineer. The applicant shall pay a permit fee of seventy-five dollars (\$75.00) for commercial installations and twenty-five dollars (\$25.00) for owner-occupied residential installations.

(b) Applicants desiring a permit to do any of the acts specified in Section 901.01 shall also deposit with the City a security deposit of five thousand dollars (\$5,000) or seventy-five percent (75%) of the cost of the project or portion of the project within the public right-of-way whichever is greater. This security deposit may be reduced by the City Engineer, but only in regard to walks, driveways, curbs and gutters, adjacent to and serving owner-occupied residential properties; provided the deposit is not reduced below twenty-five percent (25%) of the cost of the project and the work is performed by the owners themselves. The permit fee and deposit so required shall be paid in cash, certified check or money order to the Finance Director. (Ord. 98-0-122. Passed 5-7-98.)

901.03 TIME PERIOD AND SPECIFICATIONS FOR SURFACE RESTORATION

(a) An applicant shall be required to restore the sidewalk, street, alley or public way excavated under a permit to its original pavement condition, subject to further regulation, specifications and control by the City Engineer for such restoration, which restoration and reconstruction shall be completed within thirty days from the date of issuance of the permit; provided, however, that for large projects, completion may be in phases or on a schedule as approved by the City Engineer. Upon completion as required, the applicant shall immediately notify the City Engineer that such restoration and reconstruction has been made. Thereafter, the Finance Director shall retain the deposit made upon the issuance of the permit for a period of 180 days, beginning with the date of notification by the applicant of completion as heretofore required. If, at the end of the 180 day period, the restoration and reconstruction in connection with such excavation are finally approved upon inspection by the City Engineer, then the deposit shall be returned to the grantee of the permit. The purpose of the additional 180 day period is to provide a period for proving the reconstruction against settling or faulty workmanship. If the grantee of the permit fails to complete the restoration and reconstruction of the excavated portion within the period provided for herein, then the deposit shall be forfeited to the City, unless the City Engineer extends the period for good cause shown.

(b) Restoration of excavations within the public rights of way shall be accomplished in the following manner:

- (1) Bedding. All utilities shall be bedded in compacted granular material or concrete meeting the utility's requirements. Bedding shall extend to the top of the utility minimum and may extend to six inches above the top of the utility. (Ord. 95-0-42. Passed 5-4-95.)

(2) Backfill.

A. Backfill of all excavations supporting arterial and collector streets shall consist of low strength mortar backfill meeting the requirements of ODOT Item 613, on file with the City Engineer. Backfill shall be considered supporting a street or a pavement if it is under the street or pavement or within the zone of influence adjacent to the pavement extending downward at a 45° angle from the back of curb, or edge of pavement for uncurbed roadways. The City Engineer may require additional low strength mortar backfill adjacent to arterial and collector streets in anticipation of future projects or needs, if necessary. The City Engineer shall determine which streets shall be classified as arterials and collectors for the purposes of this chapter.

B. Backfill of all excavations not requiring low strength mortar backfill shall consist of granular backfill meeting the requirements of ODOT Item 603, or may be low strength mortar backfill. Excavated material shall not be used as backfill unless the applicant demonstrates that the excavated material fulfills the requirements of ODOT Item 603, to the City Engineer's satisfaction, or the City Engineer determines that the excavation is in a public right-of-way which is not in use or is in a portion of a public right-of-way which is not necessary for the support of existing or proposed public or private roads, walks, pavements, drives or other improvements or other appurtenances.

(Ord. 98-0-22. Passed 5-7-98.)

C. Backfill shall extend from the top of the bedding to the under side of the surface restoration.

(3) Surface Restoration. All surfaces of all excavations shall be restored to equal or better conditions than existed prior to construction. All surface restoration shall be placed upon subgrades compacted per ODOT item 203.13

A. Grass and sod areas shall be surfaced with six inch minimum Topsoil, ODOT Item 653. Topsoil shall be covered with seed and mulch, including fertilizer, per ODOT Item 659 or Sodding per ODOT 660. If seeded, all areas shall be considered urban in nature under 659.09 unless otherwise specified by the City Engineer. The City Engineer may require certain or all areas be sodded, based upon the condition of the existing areas prior to the excavation.

(Ord. 95-0-42. Passed 5-4-95.)

B. Curbs, gutters, walks and drive approaches shall be replaced per ODOT Items 608 and 609. All shall be replaced with concrete unless specifically waived by the City Engineer. Existing curbs, gutters, walks and drive approaches shall be removed to the next joint beyond the limits necessary for the excavation and repair. Limits of removal shall be neatly sawed. Walks shall be a minimum thickness of six inches at driveways and four inches in all other areas. Drives shall be six inches minimum thickness in residential areas and eight inches minimum or greater for all other areas. All concrete shall be properly consolidated and jointed.

(Ord. 98-0-122. Passed 5-7-98.)

- C. Asphalt streets shall be replaced with a concrete cap meeting ODOT Item 305, and overlaid with one and one-half inch surface course of asphalt meeting ODOT Item 404. The concrete cap shall be six inch minimum wider than the top of the excavation in all directions. If the asphalt street has a concrete base, or if the street is a concrete street overlaid with asphalt, the existing concrete shall be removed back to an existing joint beyond the excavation limits, and be replaced integrally with the repair. The concrete cap shall be six inch minimum thickness for local residential streets and eight inch minimum thickness for all other streets. The applicant shall remove by milling or other methods approved by the City Engineer, sufficient width beyond the cap so that the edges of the surface course of asphalt coincide with lane lines or the edges of the pavement. All joints between new and existing asphalt surfaces shall be sawed, or otherwise neatly created by milling, and be sealed. The surface of the repaired pavement shall be at the same elevation as the existing pavement, unless directed otherwise, and shall meet the surface tolerances set forth in ODOT 404.
- D. Concrete streets shall be replaced with concrete pavement meeting ODOT Item 451 for reinforced concrete pavement, or ODOT Item 452 if the existing pavement is not reinforced. Existing concrete shall be removed back to an existing joint beyond the excavation so that replacement sections of concrete streets shall consist of whole sections or panels, unless directed otherwise by the engineer. Partial panel or sections will only be permitted if both the existing and replacement portions exceed five feet in width and length, that both portions are properly jointed and the City Engineer determines that the resulting pavements will be structurally sound. Concrete shall be seven inch minimum thickness for local residential streets and nine inch minimum thickness for all other streets.
- E. The City Engineer shall have the authority to modify or waive the bedding, backfill and restoration requirements based upon sound engineering judgment. The City Engineer may require the contractor to bore under major or critical roadways in lieu of allowing an open-cut. All excavations shall be planned to minimize disruption to traffic flows, inconvenience to adjacent property owners and to protect all existing and proposed improvements in the vicinity of the work.
(Ord. 95-0-42. Passed 5-4-95.)

901.04 MAINTAINING TRAFFIC.

(a) Traffic shall be maintained at all times in accordance with the Ohio Manual of Uniform Control Devices (OMUTCD). All signs, signals and markings used in directing and/or detouring traffic shall conform and be applied in conformance with the manual. Applicant shall submit with his application a plan detailing how traffic is to be maintained. The level of detail necessary shall be commensurate with the complexity and location of the project, i.e., overnight, long-term situations may require additional signs and/or markings. The applicant shall provide any additional explanations, notes and details required by the City Engineer to ensure the safety and convenience of the traveling public.

(b) If access to local properties is to be interrupted, the applicant shall provide forty-eight hours written notification to each property owner. All paved roadways shall be reopened to traffic at the end of each workday, unless approved in advance by the City. The applicant may be required to place additional signs, barricades, plates, backfill, asphalt, etc. as directed by the City to protect the public.

(c) Local streets may be closed during the workday provided alternate routes exist in the immediate vicinity. The requirements for closing portions of collector and arterial streets shall be determined by the City Engineer on a case by case basis. Major streets may not be able to be closed, or may require restrictions on hours and/or days work may proceed.
(Ord. 95-0-42. Passed 5-4-95.)

901.05 NOTIFICATION OF UNDERGROUND UTILITIES.

Prior to commencing any excavations applicant shall notify the Ohio Utility Protection Service and all affected utility owners in accordance with the Ohio R.C. Ch.153. In addition, if any excavation is in the vicinity of any traffic signals, loop detectors or underground signal interconnect cables, the applicant shall hire an electrical contractor specializing in traffic signals and approved by the City Engineer to mark the City's underground facilities prior to construction, and to repair any damages caused by the applicant during construction.
(Ord. 95-0-42. Passed 5-4-95.)

901.06 NOTIFICATION OF PUBLIC OFFICIALS.

(a) The applicant should notify the City Engineer three days prior to commencing construction, and three days prior to resuming construction after any suspension of work. Restoration shall be completed within thirty days of commencing work.

(b) The applicant shall notify both the City of Riverside Fire Department and Police Dispatch prior to commencing any operation which may impede, obstruct, or close any public way to the free flow of traffic or impede the timely response of any emergency vehicles or personnel. The applicant shall advise the Dispatcher of the expected dates and times of disruption, modifications to the schedule as work progresses, and upon completion of the work.
(Ord. 95-0-42. Passed 5-4-95.)

901.07 LIABILITY INSURANCE.

Any permit granted shall be subject to the obligation of the grantee of the permit to procure and furnish satisfactory evidence that the grantee has procured and is keeping in full force and effect a policy of liability insurance providing the grantee and the City with indemnification against any claim, demand, lawsuit or judgement arising out of any exercise of the privilege granted by such permit, and providing for the defense on behalf of the City against any claim, demand, law suit or judgement. The requirements of this section may be waived when, in the opinion of the City Engineer, the nature of the undertaking does not require it.
(Ord. 95-0-42. Passed 5-4-95.)

901.08 PUBLIC UTILITY EMERGENCIES.

In case of an emergency occasioned by a breach or a sudden discontinuance in service from an unknown cause in any public utility line lying in the City, a public utility firm or corporation shall not be required to first obtain a permit to make a lawful excavation, but may, in order to repair the line, immediately make such excavation. The firm or corporation shall then take all steps necessary to continue complete and adequate service to its customers in the City. As soon as practicable a permit shall be obtained for such excavation.
(Ord. 95-0-42. Passed 5-4-95.)

901.09 BOND IN LIEU OF SECURITY DEPOSIT.

By reason of the extensive lines, pipes and conduits within the City, a contractor or a public utility firm may, at his, her or its option, be exempted from that part of Section 901.02 which requires a cash, certified check or postal money order security deposit. If such contractor or public utility firm elects to be so exempted, then it shall forthwith deposit, with the City, a performance bond or irrevocable letter of credit in a sum to be determined by the City Engineer to ensure the restoration to its original pavement condition of any street, sidewalk, curb, gutter, drive approach, alley or public way which may be excavated under a permit issued as provided for in this chapter. (Ord. 98-0-122. Passed 5-7-98.)

901.10 FORFEITURE OF BONDS.

The performance bond set forth in Section 901.09 shall provide that in the event a contractor or public utility firm for any reason fails to reconstruct and restore a street, sidewalk, curb, gutter, drive approach, alley or public way within a reasonable time as determined in the sole discretion of the City Engineer, in accordance with their standards and specifications referred to in Section 901.03, then the sum of the performance bond shall be forfeited and paid over to the City. (Ord. 98-0-122. Passed 5-7-98.)

901.99 PENALTY.

Whoever violates or fails to comply with any of the provisions of this chapter is guilty of a minor misdemeanor and shall be fined not more than one hundred dollars (\$100.00) for each offense. Each opening made in violation of any provision of this chapter shall constitute a separate offense. (Ord. 95-0-42. Passed 5-4-95.)

TITLE THREE - Other Public Service

Chap. 931. Residential Waste Collection.

Chap. 933. Parks.

**CHAPTER 931
Residential Waste Collection**

931.01	Definitions.	931.04	Unlawful transportation or collection.
931.02	Solid waste collection service.	931.05	Charges as lien.
931.03	Charges for garbage refuse and recycling service.	931.99	Penalty.

CROSS REFERENCES

Collection and disposal of garbage - see Ohio R.C. 715.43, 717.01

Disposal and transportation upon public ways - see Ohio R.C. 3767.20 et seq.

Vehicle loads dropping, sifting, leaking - see GEN. OFF. 339.08

Littering - see GEN. OFF. 521.08

931.01 DEFINITIONS.

As used in this chapter:

- (a) "Disposable solid waste" means all trash or rubbish ordinarily produced by a family at their present residence.
- (b) "Bulky waste" includes but is not limited to furniture, auto parts, springs, mattresses, stoves, ranges, refrigerators, dishwashers, carpet, discarded household items, minor homeowner construction debris and other similar items.
- (c) "Recyclables" means all bundled or unbundled newspaper, unwaxed corrugated cardboard, other paper waste, ferrous and nonferrous metals, plastic containers, glass containers, and any other materials that from time to time the City at its discretion may determine are recoverable from waste and recyclable, and which are placed in containers for collection.
- (d) "Yard waste" means wood chips, branches, leaves, flowers, shrubs, grass and other organic materials grown on-site.
- (e) "Residential unit" means any dwelling unit occupied by a single family or each half of a double unit occupied by a single family.
- (f) "City" means the City of Riverside, Ohio.
- (g) "Person" means any individual, residential unit or legal entity as used herein.
- (h) "Waste contractor" means Waste Management of Ohio/Industrial Waste Disposal. (Ord. 01-0-228. Passed 9-6-01.)

931.02 SOLID WASTE COLLECTION SERVICE.

All persons owning a residential unit within the City of Riverside, Ohio shall be required to pay for disposable solid waste, bulky waste, recyclables and yard waste collection service provided by the waste contractor in accordance with the agreement between the waste contractor and the City.

(Ord. 01-0-228. Passed 9-6-01.)

931.03 CHARGES FOR GARBAGE, REFUSE AND RECYCLING SERVICE.

The charge per residential unit shall be established by ordinance of Council.

(Ord. 01-0-228. Passed 9-6-01.)

931.04 UNLAWFUL TRANSPORTATION OR COLLECTION.

No, person, partnership, corporation or other entity, other than the waste contractor retained by the City for the purpose of disposable solid waste, bulky waste, recyclables and yard waste collection services, shall for a fee collect disposable solid waste, bulky waste, recyclables and yard waste from any residential unit located within the City if the service is of the kind or nature that the waste contractor will collect and dispose of pursuant to its contract with the City.

(Ord. 01-0-228. Passed 9-6-01.)

931.05 CHARGES AS LIEN.

Each charge for service under Section 931.03, is made a lien upon the corresponding lot, parcel of land, building or premises identified herein as a residential unit and shall be certified to the Auditor of Montgomery County on an annual basis, at which time the lien shall vest, and the Auditor shall place the same on the tax duplicate of the County with the interest and penalties allowed by law together with a five percent (5%) service charge and be collected as other taxes.

(Ord. 01-0-228. Passed 9-6-01.)

931.99 PENALTY.

Whoever violates the provisions of Section 931.04 shall be fined not more than five hundred dollars (\$500.00). A separate offense shall be deemed committed for each day during or on which the violation occurs or continues.

(Ord. 01-0-228. Passed 9-6-01.)

CHAPTER 933
Parks

933.01	Definitions.	933.10	Erecting and attaching signs.
933.02	Removal or destruction of property and natural features.	933.11	Hours of use.
933.03	Deposit of material.	933.12	Fireworks and explosives.
933.04	Protection of animals.	933.13	Traffic regulation.
933.05	Personal conduct.	933.14	Power models, toy engine units and sirens.
933.06	Fires.	933.15	Swimming and wading.
933.07	Camping.	933.16	Prohibited activities.
933.08	Firearms and weapons.	933.17	Ejection from park.
933.09	Commercial activities.	933.99	Penalty.

CROSS REFERENCES

Parks and playgrounds - see Ohio R.C. Ch. 755

Parks and Recreation Commission - see ADM. Ch. 133

933.01 DEFINITIONS.

As used in this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

- (a) "Animal" or "animals" means all quadrupeds, birds, fish, reptiles, amphibians and insects.
- (b) "Department" means the Department of Public Service.
- (c) "Director" means the Director of Public Service.
- (d) "Enforcement officer" means any City employee whose duties include enforcement of ordinances of the City relating to public parks; any police officer of the City and shall also mean any employee of Montgomery County assigned to City parks pursuant to an agreement between the City and the Board of County Commissioners of Montgomery County for Recreation Program Services and Supervision.
- (e) "Motor vehicle" means any vehicle propelled or drawn by power other than muscular power (excluding models and toys that are regulated under this chapter).
- (f) "Park" means any land or water area owned, leased or otherwise controlled by the City and managed by or through the City; including bikeways, greenways, linear parks, transportation corridors and staging areas.

- (g) "Person" means any individual, company, partnership, corporation, association, any combination of individuals or any employee or agent or officer thereof.
- (h) "Vehicle" means everything on wheels (excluding models and toys that are regulated under this chapter).
(Ord. 97-0-91. Passed 3-20-97.)

933.02 REMOVAL OR DESTRUCTION OF PROPERTY AND NATURAL FEATURES.

- (a) No person shall remove from a park (without a permit from the Director) any property that is owned, leased or otherwise controlled by the City.
- (b) No person (without permission from an enforcement officer) shall move any property owned, leased or otherwise controlled by the City from one location within a park to another location in that or in any other park.
- (c) No person in a park shall write upon, cut, mutilate, deface, or damage in any manner any building, structure, equipment or other property or part thereof that is owned, leased or otherwise controlled by the City.
- (d) No person in a park shall dig, move or carry away any rock, stone, sod, sand, earth, tree, wood, shrub, plant, flower, root or other seed except with a permit from the Director.
- (e) No person in a park shall trample upon, injure, destroy, break, cut, chop or deface in any manner any stone, tree, shrub, plant or flower.
- (f) No person in a park shall install or plant any materials except with a permit from the Director.
- (g) No person in a park shall walk, nor shall any such person ride any vehicle or animal, off any designated hiking or walking trail or designated recreation area except by permission of the Director.
- (h) No person, without privilege to do so, shall knowingly move, deface, damage, destroy or otherwise tamper with any survey marker, parking boundary marker, a park sign or safety device.
(Ord. 97-0-91. Passed 3-20-97.)

933.03 DEPOSIT OF MATERIAL.

- (a) No person shall bring in a park and deposit, intentionally or unintentionally, any trash materials, garbage, ashes or other noxious or waste material.
- (b) No person in a park shall deposit or discard, intentionally or unintentionally, any trash materials, garbage, ashes or other noxious or waste materials other than in receptacles provided for the disposal of such materials.
- (c) No person shall deposit or discard or cause to be deposited or discarded, intentionally or unintentionally, adjacent to a park any paper, garbage, ashes, refuse or other noxious or waste/hazardous material, or chemical which may blow, wash, or be transported by any other means into a park.

(d) No person in a park shall discharge, throw, drop or cause to flow into the park waters any noxious or deleterious substance, either solid or liquid, which renders any water-course in the park harmful or is inimical to the public health or to animal life.

(e) No person shall discharge, throw, drop or cause to flow in water adjacent to any park, any noxious or deleterious substance, whether solid or liquid, which renders park waters harmful or is inimical to the public health or to animal life.
(Ord. 97-0-91. Passed 3-20-97.)

933.04 PROTECTION OF ANIMALS.

(a) No person in a park shall hunt, trap, or in any way abuse, molest, injure, pursue or destroy any animal.

(b) No person in a park shall move, injure or destroy any bird nest or an animal habitation.

(c) No person in a park shall have in his possession an animal of any kind unless the animal is controlled or unless the animal is kept in a vehicle or suitably caged.

(d) No person in a park shall abandon an animal.

(e) No person shall herd, graze, drive or permit to run at large within a park, any cattle, horse, mule, donkey, goat, swine or other animal, any poultry or fowl.

(f) Any person bringing into a park or having or keeping in a park, a dog, cat, or domesticated animal shall keep such dog, cat or animal under control at all times and on a leash not more than eight feet long. No person shall bring into a park or have or keep in a park any dog, cat, household pet, wild animal or any other animal that may be destructive, harmful, or present a threat or be dangerous to any person, bird or wildlife.

(g) No person shall leave behind, or otherwise abandon any domestic animal within or adjacent to any park.

(h) No person shall release any wild or exotic animal within the confines of a park without a written permit from the Director.

(i) It shall be the duty of any person who owns, possesses or controls a dog to remove and dispose of any feces or excrement left or created in a park by that person's dog. If any such dog of any such person creates or leaves feces or excrement in a park, then such person shall immediately and promptly remove and dispose of all such feces with tools, implements or other devices carried by that person for such purpose.

(j) No person who owns, possesses or controls a dog shall bring such dog to a park or allow such dog to be in a park without that person having immediately available the means to remove and dispose of any feces or excrement left or created by that person's dog. For the purposes of this section, the means of removal shall be by any tool, implement or other device carried for the purpose of picking up and containing such feces or excrement in a manner that such feces or excrement shall be unexposed to said person, any park user, and the public. For the purposes of this section, disposal shall be accomplished by transporting such feces or excrement to a place suitable and regularly used for the disposal of human feces, specifically designated for the disposal of canine feces, or otherwise designated as appropriate by the Director.

(k) Subsections (i) and (j) hereof shall not apply to any visually impaired or physically handicapped person who owns, possesses or controls a dog in a park and such dog is a guide dog or a handicapped assistance dog.
(Ord. 97-0-91. Passed 3-20-97.)

933.05 PERSONAL CONDUCT.

(a) No person in or adjacent to a park shall conduct himself by word or by act in a riotous, disorderly, boisterous, threatening or other manner so as to disturb the peace and good order in a park.

(b) No person in or adjacent to a park shall operate or play a radio, TV, musical instrument or amplifying or sound equipment so as to disturb the peace and good order.

(c) No person in a park shall solicit or procure participants for, engage in, or promote any game which is played for money or other thing of value.

(d) No person in a park shall use insulting, abusive, threatening, profane or indecent language.

(e) No person in a park shall loiter in the vicinity of a restroom and no person shall enter a restroom facility provided for the exclusive use of the opposite sex.

(f) No person or group of persons shall loiter in or adjacent to any park lands or facilities.

(g) No person in a park shall resist, obstruct, or abuse an enforcement officer while such enforcement officer is engaged in the lawful execution of his duties.

(h) No person in a park shall willfully assault or commit bodily injury upon another or engage in or abet or aid in any fight, quarrel, or other disturbance.

(j) No person or groups of persons shall assemble in or adjacent to a park for any unlawful purpose or in a riotous assemblage or with intent to annoy, harass, or inflict property damage or bodily injury upon another person or persons or inflict damage to a park.

(k) No person in a park shall solicit or attempt to solicit another to engage in an act of sexual perversion or solicit or request another to commit, perform or engage in any lewd, lascivious, obscene or indecent act or behavior.

(l) No person in a park shall appear in a state of nudity or make any indecent exposure of his or her person.

(m) No person in a park shall sell or offer for sale any intoxicating liquor or alcoholic beverage, without first obtaining a permit from the Director and from the Ohio Department of Liquor Control.

(n) No person in a park shall be intoxicated or be under the influence of any intoxicating liquor or alcoholic beverages as defined in Ohio R.C. 4301.01.

(o) Except as may be permitted by the Ohio Revised Code, no person in a park shall be under the influence, possess, sell or offer for sale any type of narcotic drug, controlled substance, opiate or hallucinogen, or any equipment for administering such drugs, opiates or hallucinogens. Except as may be permitted by the Ohio Revised Code, no person in a park shall smoke, drink, have injected or inject into himself, or otherwise use any type of narcotic drug, opiate, controlled substance or hallucinogen.

(p) No person shall bring into a park, display or leave behind any photograph, publication or apparatus of a lewd, lascivious, obscene, indecent, or pornographic nature.

(q) No person shall pass from any park so as to trespass onto private property. All persons using any park shall enter and exit such park in or at areas designated for ingress and egress.

(r) No person shall leave personal property in a park unattended.
(Ord. 97-0-91. Passed 3-20-97.)

933.06 FIRES.

(a) No person in a park shall start or maintain a fire except in a place or at a site designated for such purpose. A person who starts or maintains a fire shall not leave a fire unattended and shall see that it is properly contained and fully extinguished before leaving the park.

(b) No person in a park shall collect wood in the park for any purposes.

(c) No person in a park shall place portable stoves or grills in shelters or on combustible picnic tables.

(d) No person in a park shall deposit burning material or hot ashes on grass, plants or in refuse receptacles.

(e) No person in a park shall build a fire at a time or period when the Director has prohibited the building of fires. (Ord. 97-0-91. Passed 3-20-97.)

933.07 CAMPING.

(a) No person in a park shall camp in an area or on a site which is not designated for this purpose by the Director and without a written permit from the Director.

(b) No person in a park shall establish or maintain any camp or other temporary lodging or sleeping place within a park without a permit from the Director.

(c) No group shall camp in a park without a permit from the Director.
(Ord. 97-0-91. Passed 3-20-97.)

933.08 FIREARMS AND WEAPONS.

(a) No person except a police officer shall discharge into a park from an area outside the park a firearm, arrow, air or gas gun, missile, slingshot or any other missile-throwing device.

(b) No person in a park except a police officer shall discharge a firearm or shoot an arrow, air or gas gun, missile, slingshot or any missile-throwing device, except that bows and arrows may be used in areas designated by the Director for their use.

(c) Firearms, knives, air or gas guns, missiles, slingshots or other missile-throwing devices or any snares or traps brought into a park may be confiscated by a police officer.

(d) Notwithstanding the provisions of subsections (a), (b), and (c) above, nothing in this section shall be construed to limit or restrict either of the following:

- (1) The otherwise legal, open carry of a firearm;
- (2) Any conduct in accordance with a valid license to carry a concealed handgun issued under Ohio R.C. 2923.125, or valid temporary emergency license to carry a concealed handgun issued under Ohio R.C. 2923.1213.
(Ord. 09-0-412. Passed 5-21-09.)

933.09 COMMERCIAL ACTIVITIES.

(a) No person in a park shall sell or offer for sale any article, privilege or service unless such sale or offer is pursuant to a contract with the City.

(b) No person in a park shall beg, peddle or solicit for money, a privilege or service unless such activity is pursuant to a contract with the City.

(c) No park shall be used for commercial purposes except with a permit from the Director.
(Ord. 97-0-91. Passed 3-20-97.)

933.10 ERECTING AND ATTACHING SIGNS.

No person in a park shall erect a sign or attach a sign to property owned or controlled by the City; nor shall any person display any placard, notice, advertisement, circular, banner, or statement of any kind, except in areas designated by the Director, other than a permanent sign on a vehicle parked in a designated parking area.
(Ord. 97-0-91. Passed 3-20-97.)

933.11 HOURS OF USE.

(a) No person shall enter a park or remain in a park except during the hours that parks are open and so posted except with a permit from the Director.

(b) No person shall be permitted to remain within a park between sunset and sunrise, or when a park is either permanently or temporarily closed except upon permission of the Director.

(c) The Director, or the City Manager or Chief of Police may temporarily close a park or curtail or stop activities within or upon a park or any portion thereof, when it is deemed by such official or officials that such closing or curtailment or stopping is in the best interest of the public health, safety or welfare, or to maintain public order.

(d) Any park, or any portion thereof, may be closed to the public when it has been determined by the City Manager that the park or any portion thereof, is especially environmentally sensitive and human presence will endanger or harm the especially environmentally sensitive area of the park.
(Ord. 97-0-91. Passed 3-20-97.)

933.12 FIREWORKS AND EXPLOSIVES.

(a) No person in a park shall have in his possession or ignite any fireworks except with a permit from the Director.

(b) No person in a park shall have in his possession or detonate any explosive except with a permit from the Director.
(Ord. 97-0-91. Passed 3-20-97.)

933.13 TRAFFIC REGULATION.

(a) While using any path or road provided for vehicles in a park, all motor vehicles and operators shall comply with the requirements of all sections of the Ohio Revised Code pertaining to motor vehicles and all sections of the Riverside, Ohio Traffic Code pertaining to motor vehicles.

(b) Excluding the operation of emergency, police, fire and law enforcement vehicles, no person shall operate any vehicle in a park in excess of twenty miles per hour.

(c) No person in a park shall park any vehicle except in places designated for this purpose. Any vehicle not so parked shall be subject to removal at the owner's expense.

(d) No person shall leave a vehicle in a park during the hours when a park is closed. Any vehicle so parked shall be subject to removal at the owner's expense.

(e) No person in a park shall consume any beer or intoxicating liquor while driving or parked in a motor vehicle.
(Ord. 97-0-91. Passed 3-20-97.)

933.14 POWER MODELS, TOY ENGINE UNITS AND SIRENS.

No person in a park shall operate any engine-powered model or toy airplane, boat, car siren or any noisemaking device except by permit from the Director.
(Ord. 97-0-91. Passed 3-20-97.)

933.15 SWIMMING AND WADING.

No person shall swim or wade in any park waters.
(Ord. 97-0-91. Passed 3-20-97.)

933.16 PROHIBITED ACTIVITIES.

(a) No person in a park shall operate an all-terrain vehicle, go-cart, air balloon, hang glider, hover craft, skateboard, roller skates or roller blades (in-line skates) without approval by the Director.

(b) No person in a park shall operate a snowmobile or engage in sledding, skiing or ice skating except in areas and at times designated by the Director.

(c) No person shall practice or play golf in the parks except in areas designated for such purpose by the Director.
(Ord. 97-0-91. Passed 3-20-97.)

933.17 EJECTION FROM PARK.

(a) Enforcement officers may order any person violating any of the provisions of this chapter to leave a park and no person shall fail to obey such an order.

(b) Any person violating these rules and regulations may lose the privilege of entering the park for a period of time as designated by the Director.
(Ord. 97-0-91. Passed 3-20-97.)

933.99 PENALTY.

Any person who violates any provision of this chapter shall be guilty of a minor misdemeanor and shall be fined not more than one hundred dollars (\$100.00) for the first offense. For each subsequent violation, whether of the same particular subsection or not, such person shall be guilty of a misdemeanor of the fourth degree so as to be subject to a fine of not more than two hundred fifty dollars (\$250.00) or imprisonment for not more than thirty days or both.
(Ord. 97-0-91. Passed 3-20-97.)