Chapter 11 - Parks and Recreation

**State Law reference—** Municipal power to establish, provide, operate, and fund parks and other recreational grounds and facilities, G.S. § 160A-353.

ARTICLE I. - IN GENERAL

Sec. 10.5-1. - Authority to post and enforce rules and regulations in Town recreational facilities.

The Town Board of Aldermen authorizes the Town Administrator to post and enforce rules and regulations approved by the Board.

Sec. 10.5-2. - Presence of registered sex offender on or about public parks.

(a) Definitions.

[The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:]

*Public Park.* Any publicly owned or maintained land which is designated by the Town of Glen Alpine as a park or recreational facility.

*Registered sex offender.* An individual who is registered by any state or federal agency as a sex offender and whose name is published on any state or federal registered sex offender listing, including, but not limited to the sex offender registry established in G.S. Ch. 14, Art. 27A.

(b) It shall constitute a general offense against the regulations of the Town of Glen Alpine for any person or persons registered as a sex offender with the State of North Carolina and or any other state or federal agency to knowingly enters into or on any public park owned, operated, or maintained by the Town of Glen Alpine.

(c) Anyone who is found in violation of this section shall be subject to a fine of not less than $500.00 per offense and/or 30 days in jail as provided for in G.S. § 14-4. Each and every entry into the park, regardless of the time period involved shall constitute a separate offense under this section;

(d) The Town of Glen Alpine shall be charged with posting this regulation at the main entrance of each park.

Sec. 10.5-3. - Hazardous recreational activity—Definitions.

[The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:]

*Hazardous recreational activity* means skateboarding, inline skating, roller hockey, freestyle bicycling or riding a motorized play vehicle.

Sec. 10.5-4. - Duties of persons involved in hazardous recreation activities.

Any person who participates in or assists in a hazardous recreational activity assumes the known and unknown inherent risks of these activities, irrespective of age, and is legally responsible for all damages, injury or death to himself or herself or other persons or property that result from these activities.

Sec. 10.5-5. - Compliance with regulations; enforcement.

All persons entering or using any park, playground, recreation or community area or center, or facility (collectively "park") owned or operated by the Town shall be obedient to the rules and regulations governing the use of such park. All such rules and regulations and other provisions of this chapter pertaining to a park shall be enforced in the same manner that other ordinances of the town may be enforced pursuant to section 10.5-5 of this chapter. These regulations and other provisions of this article

may be enforced by any law enforcement officer within the officer's appropriate territorial and subject matter jurisdiction or as directed by the Town Administrator.

Sec. 10.5-6. - Penalty for violating the provisions of chapter.

*Penalties for violation.* The following shall be deemed to be expressly incorporated and be referenced within each section of this chapter: A violation of this section or any part thereof, shall constitute a Class 3 misdemeanor.

Sec. 10.5-7 - Lease Agreement and Joint Use Agreement adopted by reference.

 The Lease Agreement and Joint Use Agreement entered into between the Town and Burke County, North Carolina for premises located on Hennessee Street (Simpson Park), of April 3, 2007 and subsequent amendments as entered into by the Town and Burke County, North Carolina is herein adopted by reference and shall be in effect in the Town.