

## **Chapter 34: Parks Ordinance**

### **Purpose**

The purpose of this chapter is to establish and consolidate rules and regulations for all Alexander County Government Parks and to maintain a clean and safe environment for all visitors.

### **Alexander County Government Owned and/or Operated Parks**

Alexander County Courthouse Park and Rotary Performance Stage  
101 West Main Ave, Taylorsville

Bethlehem Park (Recreation Ball Fields)  
369 Bethlehem Park Lane, Taylorsville (Bethlehem)

Dusty Ridge Park (Recreation Ball Fields)  
360 Dusty Ridge Access Road, Taylorsville (Wittenburg)

East Park (Recreation Ball Fields)  
201 East Alexander Park Lane, Hiddenite

Jaycee Park (Recreation Ball Fields)  
167 Jaycee Park Loop, Taylorsville

Rocky Face Mountain Recreational Area  
3451 Rocky Face Church Road, Hiddenite

Wittenburg Access Area  
175 Wildlife Access Road, Hickory (Bethlehem)

In some cases, park-specific rules or policies apply within an individual park. A Park Activity Permit may be required.

### **Closing and Opening Hours**

- 1) No person is allowed on any Alexander County Government owned or operated park between posted closing and opening hours except with a Park Activity Permit, Park Camping Permit, or Alexander County Special Event Permit.
- 2) All parks shall be closed from 10:00 pm until 8:00 am, unless otherwise posted or permitted for a specific park or area.

### **Business Activity**

Conducting commercial business activity in any Alexander County Government owned or operated park is PROHIBITED except with an approved Park Activity Permit or Special Event Permit.

### **Park Activity Permit**

- 1) Certain activities may be allowed with an approved Park Activity Permit. The fee is \$45.
- 2) Park Activity Permit applications are available online.
- 3) A completed application must be submitted 30 days prior to activity.

### **Facility Reservations**

Certain areas of Alexander County Government owned or operated parks may be reserved for special activities such as parties, club meetings, etc. Reservation fees vary. Please check online or with the specific park for reservation details.

### **Public Assemblies and Meetings**

- 1) Public assemblies, meetings, gatherings, demonstrations, events, religious activities, and other public expressions of views (hereinafter "event or activity") protected under the First Amendment of the U.S. Constitution, including the distribution of non-commercial printed matter, are allowed so long as the requirements of this section are met.
- 2) Where the number of persons expected to attend or participate in the event or activity is 100 or less, a Park Activity Permit is required. If more than 100 persons are expected to attend or participate, an approved Special Event Permit is required.
- 3) The Park Director or his/her designee shall also determine if a Park Activity Permit is required by groups that have concurrently reserved shelters, lodges, or similar meeting places.
- 4) The 30-day time frame shall be waived if the applicant can demonstrate that there will be no adverse effect on park operations, resources, or facilities.
- 5) Park Activity Permit applications shall be approved or denied within 10 business days. All General Rules and Regulations apply. Regardless of whether a permit is required, participants in events or activities covered under these rules are:

- A. Subject to park rules or directives;
- B. To adhere to locations specified for their event or activity while partaking in such event or activity;
- C. Subject to the usual fees for parking, admission, or use;
- D. Not to place printed materials on park signs, infrastructure, natural resources, or vehicles;
- E. Not to obstruct or impede pedestrians or vehicles, or harass park visitors with physical contact or persistent demands;
- F. Not to threaten the health, safety, and welfare of persons using the park;
- G. The Park Director shall designate and maintain information on locations not available for events or activities. Locations may be designated as not available only if such activities would:
  - Cause injury or damage to park resources or facilities;
  - Unreasonably impair the atmosphere of peace and tranquility maintained in specially protected natural or historic areas;
  - Unreasonably interfere with interpretive programs, visitor services, or other program activities, or with the administrative activities of the park;
  - Substantially impair the operation of public use facilities or services of park concessioners or contractors.
- H. Violation of the terms and conditions of a permit issued in accordance with this Rule shall result in the suspension or revocation of the permit by the Park Director.

**Loitering**

Loitering around restrooms, dressing rooms, or vehicles is PROHIBITED.

**Soliciting**

Soliciting is PROHIBITED.

### **Noise Control**

The use of generators, playing amplified music, or any other loud and disturbing noises are PROHIBITED without a Park Activity Permit or a Special Event Permit.

### **Inflatables**

Bouncy houses, inflatable pools, or other similar inflatable devices are PROHIBITED, with the exception of Special Events hosted or co-hosted by Alexander County Government or an otherwise approved Park Activity Permit or Special Event Permit.

### **Tents**

All tents and membrane structures must meet the standard qualifications outlined in the NC Fire Code § Chapter 24.2403.9. Tents or membrane structures and their appurtenances shall be adequately secured. Specific rules apply to individual parks. A Park Activity Permit or Special Event Permit may be required.

### **Food Vendors**

Food Vendors are PROHIBITED in all Alexander County Government owned and operated parks, with the exception of Special Events hosted or co-hosted by Alexander County Government or otherwise approved Park Activity Permit or Special Event Permit.

### **Advertising**

No one except authorized park employees may erect or post within any park a notice or advertisement without an authorized Park Activity Permit or Special Event Permit.

### **Minors**

- 1) All minors must be accompanied by an adult at all times at any Alexander County Government owned or operated park.
- 2) Some activities may require a legal parent/guardian signature. Please refer to the park for more information.

### **Alcohol**

- 1) Possession or consumption of alcoholic beverages is PROHIBITED with the exception of an authorized Special Event Permit.
- 2) Visitors shall not be or become intoxicated while within any Alexander County Government owned or operated park.

### **Tobacco Use**

- 1) Tobacco use is PROHIBITED at any Alexander County Government owned or operated park as stated in Chapter 30 of the Alexander County Tobacco Use Ordinance.
- 2) Tobacco is defined as cigarettes, cigars, pipe tobacco, loose tobacco, snuff, chewing tobacco, tobacco substitute including herbal mint snuffs and chews, or any product that contains tobacco or is labeled tobacco-less and is intended for human consumption.

### **Guns/Weapons/Fireworks**

- 1) Firearms and other weapons are PROHIBITED, except those with a property permit may possess a concealed handgun in permitted areas and under the requirements of North Carolina G.S. 14-415.11. All firearms are PROHIBITED at/in swim beaches, buildings, sports areas, and playgrounds.
- 2) Fireworks, cap pistols, air guns, bows and arrows, slingshots, and lethal projectiles or missiles of any kind are PROHIBITED on all properties owned or operated by Alexander County Government.

### **Motorized Vehicles**

- 1) Motorized vehicles such as, but not limited to, golf carts, motorized scooters, utility vehicles, mini-bikes, ATV's, dirt bikes, and mopeds are permitted only in the designated parking areas and PROHIBITED on any park trails, excluding emergency response.
- 2) Motorized wheel chairs/scooters used for handicap persons are allowed on ADA areas and trails.

### **Bicycles**

- 1) In all Alexander County Government owned and operated parks, bicycles are permitted only on trails or park areas specifically designated for their use. Not all parks allow bicycles or have bicycle trails. Please check with the individual park for availability.
- 2) Bicycled riders under age 16 must wear a helmet.
- 3) E-bikes are allowed on all trails where traditional bikes are allowed.
- 4) The speed limit on all bike trails is 15 mph.

### **Scooters/Roller Skates/Roller Blades/Skateboards**

The use of scooters, skateboards, roller blades, roller skates, hover boards and similar devices are PROHIBITED on park roads, sidewalks, walking tracks, and pedestrian areas and on park infrastructure to include walls, railings, and culverts.

### **Drones and Remote Controlled Flying Machines**

- 1) Park visitors are PROHIBITED from ascending or taking-off within or upon any Alexander County Government owned or operated park area or park water surface, any airplane, flying machine (*includes drones, UAS, quadcopters*), balloon, parachute, glider, hang glider, or other apparatus for aviation.
- 2) In some limited circumstances, these machines may be operated after obtaining a Park Activity Permit.
- 3) Additionally, State law prohibits persons from launching or recovering any unmanned aircraft systems from property without consent.

### **Remote Controlled Cars**

Park visitors are PROHIBITED from using remote controlled cars within any Alexander County Government owned or operated park unless authorized by a Park Activity Permit. RC cars must remain on marked trails, remain visible to operator, and be within 6 feet of operator AT ALL TIMES. RC cars are PROHIBITED on all ADA walkways. No more than five RC cars on marked trails per group at a time.

### **Metal Detecting**

Park visitors are PROHIBITED from using metal detectors within any Alexander County Government owned or operated park unless authorized by a Park Activity Permit.

### **Boating and Fishing**

- 1) All Federal and State laws and regulations apply. Laws and regulations are enforced by the NC Wildlife Resources Commission as well as other regulatory agencies.
- 2) Fishing is PROHIBITED within designated swimming areas, from any boat ramp, or any area designated by signage as a non-fishing area.
- 3) Boats, rafts, canoes, and kayaks are PROHIBITED within designated swimming areas.

### **Hiking**

For their safety and protection, visitors of any Alexander County Government owned or operated park must stay on designated trails and within hiking areas. Some parks contain hazards associated with rocks, steep slopes, and cliffs. Injury or death is possible.

### **Horses**

Horses are PROHIBITED in all Alexander County Government owned or operated parks.

### **Pets**

- 1) Pets must be on a leash no longer than 6 feet at all times. Pets must not be left unattended. All pets must have a current rabies vaccination. Pets in heat or aggressive pets are not allowed. Pets are not allowed in restrooms or park offices with the exception of service animals. ALL pets are PROHIBITED in swim beach areas and splash pads. Pet owners are responsible for cleaning up after their pets.
- 2) Owners may be asked to remove dangerous or noisy pets from the park. If it is found that owners are not following the rules and regulations, they and/or their pet may be banned from any Alexander County Government owned or operated park.

### **Hunting**

Hunting, pursuing, trapping, shooting, injuring, killing, taking, or molesting any bird or animal is PROHIBITED.

### **Fires**

Fires are PROHIBITED in all Alexander County Government owned or operated park, except in designated fire rings provided. An approved Park Activity Permit is required.

### **Camping**

- 1) Camping is PROHIBITED in all Alexander County Government owned or operated parks, except in designated parks with a valid Park Camping Permit.
- 2) A person shall not camp in an Alexander County Park or Recreation Area except:
  - A. In a designated camping area;
  - B. Under a valid Park Camping Permit;

- C. The maximum period of consecutive overnight camping in any park or recreation area is 14 days within any 30-day period beginning with the first night of stay;
- D. No camper shall leave a set-up camp unattended for more than 12 hours. Camping equipment, tents, trailers, recreation vehicles, and articles on a campsite left unattended for more than 12 hours are subject to removal at the owner's expense;
- E. At least one adult, 18 or older, shall accompany each camping group;
- F. No campfires shall be left unattended. Campfires are to be properly extinguished when not attended;
- G. Tents shall only be used in areas delineated for such use;
- H. Connecting to a utility system without payment of required fees is PROHIBITED;
- I. To prevent the spread of dangerous insects and diseases, no outside firewood can be brought into any Alexander County Government owned or operated park.

### **Climbing and Rappelling**

Climbing and rappelling are allowed only at Rocky Face Park with a Rock Climbing Permit.

### **Cooking Devices – Camping Stoves, Gas Grills, etc.**

Gas/propane self-contained camping stoves are allowed. Gas grills and appliances are allowed under certain conditions with an approved Park Activity Permit.

### **Glass**

ALL glass containers are PROHIBITED in all Alexander County Government owned and operated parks.

### **Trash and Food**

- 1) As stated in the North Carolina General Statute 14-399, littering is illegal.
- 2) The minimum fine is \$250.00. Subsequent offenses can result in community service requirements and fines of up to \$2,000.00.

- 3) Depositing household garbage is PROHIBITED at all Alexander County Government owned and operated parks.
- 4) To help maintain a clean and safe environment for park visitors and wildlife, place trash, food, and peelings in proper containers. Wildlife may mistake plastic bags for food and become entangled in discarded litter.
- 5) Burying trash is PROHIBITED at all Alexander County Government owned and operated parks.

### **Swimming and Wading**

- 1) Swimming and wading are PROHIBITED in all areas except in designated swim areas.
- 2) No bathing, surfing, diving, or scuba diving in any waters in any Alexander County Government owned or operated park.
- 3) No bathing animals in any waters.

### **Public Nudity**

Public nudity, including nude bathing or sun bathing is PROHIBITED in any Alexander County Government owned or operated park.

### **Proper Swim Attire**

- 1) Proper swim attire is required in designated swim areas and splash pad area. Clothing and swim attire must cover private parts.
- 2) Infants and toddlers must wear swim diapers.

### **Indecent Conduct**

Any type of behavior that includes profanity, abusive language, disorderly conduct, lewd conduct, harassing, threatening, derisive comments, making or doing any type of indecent or vulgar motion in view of any person within any Alexander County Government owned and operated park shall result in the immediate removal of patron(s) from park property and could result in being excluded from future use of any Alexander County park facility.

### **Vandalism of Park Property**

It shall be unlawful to remove, alter, or deface any real property, building, statue, monument, or landmarks. (North Carolina G.S. 14-147 and G.S. 127.1)

### **Research and Collection**

- 1) A permit is required for any project involving the collection, removal, or disturbance of any natural or cultural resource of any Alexander County Government owned or operated park and for projects that require placing monitoring equipment in any park.
- 2) Certain research projects may require compliance with other environmental and administrative regulations. It is the applicant's responsibility to determine if additional permits are required and to contact the appropriate organization for permit information.
- 3) Regulations that may require compliance include, but are not limited to:
  - A. Endangered Species Act;
  - B. Archaeological Resources Protection Act;
  - C. NC Wildlife Resources Commission;
  - D. US Fish and Wildlife Service;
  - E. NC Department of Agriculture's Plant Conservation Program;
  - F. Duke Energy.

### **Natural Resources**

- 1) All Federal and State laws apply.
- 2) The removal, destruction, or injury of any tree, flower, artifact, fern, shrub, rock or other plant, mineral, animal, or insect in any Alexander County Government owned or operated park is PROHIBITED unless with an approved collection permit for scientific or educational purposes, with the exception of fishing as a recreational activity.
- 3) Certain areas of a park may be closed to public use for safety or for the management and protection of natural resources.
- 4) Visitors should remain on designated trails to prevent destruction of habitat.

Adopted the 18<sup>th</sup> day of April 2022.