

Winchester Parks & Recreation

Advisory Board Agenda

Monday, September 24, 2018 – 6:30 PM

Agenda

Welcome - President Bill Stewart

Introduction of New Board Member – Katie Landi Jordan

Approval – August 2018 Meeting Minutes (Attached)

Park Naming Contest – Announcement of Winning Entry & Designer – Molly Minch, Casey Stine, Shelly Lee, Samantha Crisman & Sabrina Griffin

Public Comments –

President’s Report –

WPR Board Suggestions/Ideas (Fundraising & Other)

Liberty 5K Donation

WPR Board Member – Term Information

Additional Comments –

Board Members -

City Manager’s Comments –

Projects & Programs Committee Report (Cal Allen, Andy Gail) –

Facilities Tour – (Schedule Attached)

Director’s Report –

Sensory Trail –

Limestone Dust Spread

Awaiting Input from Host Lions Club

September 11th Observance – WPR Advisory Board attendees: Cal Allen, Bill Stewart

Outdoor Pool -

All Paws on Deck – WPR Advisory Board attendees: Andy Gail

Closed for Season – Tough Season

Fall Tasking – Repairs, Winter Projects

Maintenance -

Mowing Continuing

Field Maintenance

Establishing Fall & Winter Tasks List

Maintenance Facility

Personnel Update -

Aquatics Positions

Front Desk Staff

Child Care

Facilities -

Maintenance Continuing

Proposed Wireless Facility –

October Board Meeting – Board & Staff Review

City of Winchester Code of Ethics (Attached)

City Code – Chapter 18 – Parks & Recreation (Attached)

December Board Meeting –

FY-2019 Budget Review

FY-2020 Budget Request

Assistant Director's Report –

Programs & Events –

Athletics

Flag Football – 75 kids registered

Adult Kickball & Wiffleball – unfortunately cancelled due to low enrollment

Volunteers/Referees – continue to have a need for both roles

Aquatics

Swim lesson registration #'s - 73 group; 14 private

Child Care/HIVE

PB&J started September 12; 2nd & 4th Wednesday of the month (9-11:30am)

Ghouls and Gals – middle school dance; October 20

Community Rec

Dance-abilities – Zumba on Friday mornings

Bus trip to NYC – October 6; bus pickups now taking place at War Memorial

Special Events

Christmas parade registration is now open! Anticipating high number of entries

Additional Items – Reminder

November/December Meeting

Monday, December 10, 2018

6:30 PM

Jim Barnett Park – Lord Fairfax Room

Board Member's Comments –

Adjournment –

Next Meeting – Monday, October 22, 2018

Jim Barnett Park – War Memorial Building

Lord Fairfax Room

6:30 PM

Winchester Parks and Recreation
Park Advisory Board Meeting
Monday, August 27th, 2018
6:30pm

6:30 pm- Lord Fairfax Room, War Memorial Building

Present: Bill Stewart, President, Shelly Lee, Vice President, Cal Allen, Andy Gail, Casey Stine, Michael Miller

Absent: Regina Coats, Hector Robinson

City Staff: Eden Freeman, Lynn Miller, Matt Little

Media: None

Guests: None

July 23rd, 2018 Minutes Approval- A motion was made to approve the July minutes and seconded. The July minutes were approved unanimously.

Public Comments- Tim Grove addressed the Board in opposition to a Cell Tower in Jim Barnett Park and questioned the interpretation of City Code restricting construction within City Parks. Mr. Grove stated he had served on the Park Board and was President for two terms. He stated Shentel should better clarify the proposed site for the tower. He stated that if this was a safety issue individuals should get a landline. He stated something to the effect the park should not be sold short. He questioned where the money from the tower would go. He also stated the tower was ugly and should be disguised. He left a copy of his remarks with the Board (attached).

Ms. Freeman responded to Mr. Grove and attempted to provide possible alternatives that could be considered in relationship to how the funds could be designated for the park.

President's Report- President Stewart indicated he was looking forward to his new position and working in the best interest of the park. He would like to consider a fund raiser in a coordinated effort with the Foundation. He encouraged all members to review the guide and if they see something in the paper or other media release relating to the department, good or bad to bring it in and share it. He also encouraged the members to be more visible at park events. This provides an opportunity to talk with patrons and receive input. He cited the example of being in attendance during the 50th Anniversary of the Winchester Swim Team. Andy Gail inquired as to if there were any limitations relating to fundraising and the response was there was no knowledge of such. Bill indicated there was no timeline for ideas but would like to have something between now and July.

City Manager Comments- Ms. Freeman indicated Ms. Katie Jordan would be appointed to the Board on Tuesday, August 28, 2018 at the Regular Meeting of the Winchester Common Council

Projects and Programs Committee- None

New Format Implementation – Jim Barnett Park – Those in attendance boarded the trolley to tour additional Parks & Recreation facilities. This was the third tour. The fourth and final tour will be conducted in September. Following the tour the members of the Board returned to the meeting room for light refreshments and discussion.

Park Director's Report –

FY-2018 Park Operational Information -

Sensory Trail – Awaiting ground conditions allowing

Outdoor Pool –

Evaluation of Facilities & Repairs during Fall prior to following closing and prior to Winterizing
Continuing to Hire Life Guards
A Splash of Salsa – Saturday, August 25th
All Paws on Deck – Saturday, September 15th 1:00 – 3:00 PM

Creating Fall & Winter Tasks List -

Abrams Creek Wetland –

Ground Conditions Impeding Mulching of Cut Materials
Collaborative effort with Clarke County Garden Club to obtain a grant to pursue conservation efforts within the wetlands area

Maintenance Facility – Pursuing Design Build

Personnel Update – Full Time & Part Time

Aquatics Specialist – Applications & Interviews
Desk Staff – Posting
New Background Check Policy -

Facilities –

Building Maintenance Continuing w/modifications to tasks assignments
Code Compliance Issues –
Park Naming Contest – Review Committee – Board Members, Vice President, Shelly Lee, Board Member Casey Stine, Staff Molly Minch, Samantha Crisman & Sabrina Griffin – Winner to be Announced during the September 24th Board Meeting

Proposed Wireless Facility – Correspondence Attached -

Board and Staff Orientation/Work Session – October 22nd Advisory Board Meeting

Advisory Board Meeting Modification – Meeting December 10th in lieu of meeting on November 26th and December 24th

FY-2019 Budget – Review December 10th Advisory Board Meeting

Resurfacing - Potts Basketball Courts & Lowry Tennis Courts

Shentel Telecommunications Public Meeting -

Tuesday, August 14, 2018 @ 6:30PM Friendship fire Company, N. Pleasant Valley Road

Harley Owners Group – June 2019

Winchester Swim Team –

50th Anniversary Celebration -
Long Course Meet, June 2019

Additional - It was mentioned the October 22nd Board Meeting would entail a review of the City's Code of Ethics and the City Code as it applies to the Parks & Recreation Department. This will serve as a catalyst to familiarize the Board and Staff with the contents of these documents and act as a vehicle to orient new Board members and staff.

There will be the September 11th Observance Program which will be conducted at Bridgeforth Field on September 11, 2018 at 8:45 AM. If there is inclement weather the program will be conducted in the gym. There will also be a Veteran's Day Blood Drive which will be conducted on Friday, November 9, 2018 from 11:00 – 5:30 PM in the Social Hall.

Assistant Park Director's Report –

Child Care –

Summer Camp – Overall, camp went really well. All sessions were full – close to 100 attendees each week

School Year - HIVE & HIVE Club – Registration very active, all schools have reached capacity and waitlist spots are being filled.

Activity Guide –

Fall – Completed & distributed; registration is open

Winter/Spring – information due first part of October

Programs & Events –

Athletics

Summer sports camps

Total participation = 255 participants; 121 Residents, 134 Non residents

Swinging Fore Sports

12 registered teams; doubled from last year

NEW – Adult Wiffleball – offered this fall; starting September 6

Aquatics

Swim lessons starting again week of September 10

Community Rec

Private music lessons – hoping to add drum lessons

Additional Zumba class added – adults with disabilities

Special Events

NEW – Mini Cardboard Drive-in movie – October 5

Additional –

Board Comments/Idea Sharing:

- Board Member Andy Gail was appointed to the Programs and Projects Committee by unanimous vote.
- There was discussion relating to the November and December Board Meetings and the conflict with the Thanksgiving and Christmas Holidays. It was discussed and it was suggested the meetings be combined into one meeting to be conducted on Monday, December 10, 2018. A motion was made, seconded and the modification accepted unanimously.
- President Stewart reminded all in attendance “Bring Your Ideas” and review the minutes.

Next Monthly Park Advisory Board Meeting: Monday, September 24th, 2018 @ 6:30pm.

Adjournment- With no further business to discuss, a motion to adjourn the meeting was made, seconded and approved unanimously. The meeting adjourned at 9:02pm.

Respectfully submitted by Samantha Crisman; Secretary to the Park Advisory Board

CHAPTER 18 - PARKS AND RECREATION

Sec. 18-1. - Parks and Recreation Advisory Board.

There is hereby created a Parks and Recreation Advisory Board for the City. This Board shall be composed of: nine members of the Board shall be appointed by the Common Council for terms of three years each. The members of the Board appointed under the prior City Code chapter shall complete their terms as initial terms. Thereafter, all appointments shall be for terms of three years with no more than two consecutive terms. Past Parks and Recreation Board members who have fulfilled their two consecutive term limit may be considered by the Common Council or a new appointment no sooner than three years after their last expired term. (Ord. No. 029-95, 7-11-95; Ord. No. 2009-36, 11-10-09; Ord. No. 2011-16, 7-12-11; Ord. No. 2014-07, 5-13-14)

Sec. 18-2. - Election of officers.

The Parks and Recreation Advisory Board shall elect annually from its members a president and a vice-president. (Code 1959, § 19-19; Ord. No. 029-95, 7-11-95; Ord. No. 2011-16, 7-12-11)

Sec. 18-3. - General powers and duties.

The Parks and Recreation Advisory Board shall meet monthly or more often as necessary based on need. Board members who miss three regular meetings within a 12-month period will be presumed to have resigned, and the Advisory Board chair will notify the Clerk of Council in writing, requesting that Council remove the member from the Board and advertise to fill the vacancy. The decision to remove or replace any member of the Board shall remain at the sole discretion of Common Council. Consideration for extenuating circumstances will be given on an individual basis.

The Parks and Recreation Advisory Board shall serve as an advisory body for the Winchester City Council. The Board shall consult with and advise Council in matters affecting parks, trails, indoor and outdoor recreation facilities, recreation programs, and City -sponsored special events, including promotion, marketing, membership, programming, planning, fee structures, naming of park entities, and maintenance, and to input its long-range planning for resources for capital projects for rehabilitation, design and/or development for indoor/outdoor recreation. At least semi-annually, the Board shall confer with civic, business, fraternal, educational, social, recreational and religious organizations based in the City to discuss parks and recreation activities and to receive input and advice on such topics which are within the Board's jurisdiction.

The Parks and Recreation Advisory Board shall ensure adequate coordination of all matters affecting policy of joint community use of schools with the City School Board in accordance with agreements between Council and School Board.

The Parks and Recreation Advisory Board is advisory in nature only and will have no authority over operations or personnel decisions.

In rendering advice or making recommendations to Council as to program, maintenance, acquisition, or development, the Parks and Recreation Advisory Board shall also give consideration as to methods of implementing and financing, after consultation with the City Manager. Particular attention shall be given to such projects as are applicable for inclusion in the capital improvement plan of the City.

Notwithstanding any of the other provisions of this article, any matter recommended by the Parks and Recreation Advisory Board to the Council will be forwarded to the City Manager for his comments prior to consideration by the City Council (Code 1959, § 19-18; Ord. No. 029-95, 7-11-95; Ord. No. 2011-16, 7-12-11)

Charter reference— Borrowing by city for construction of parks, § 18.

Cross reference— Trees growing in parks, § 30-16 et seq.

State Law reference— Authority of council to establish and maintain parks and playgrounds, Code of Virginia, § 15.1-15; authority to establish and conduct system of public recreation and playgrounds, § 15.1-271 et seq.; liability of city in operation of swimming pool, park, playground or other recreational facility, § 15.1-291; regulation by city of use of parks, playgrounds, playfields and recreation facilities, § 15.1-871; operation of sports facilities by city, § 15.1-886.

Sec. 18-4. - Finances; reports.

The Parks and Recreation Advisory Board shall devise and recommend ways and means to procure funds necessary for the maintenance of programs of the City. The Board may solicit or receive any gifts or bequests of money or other personal or real property or any donations for the operation of the parks facilities and parks programs. Any such gifts or bequests of land shall be titled in the name of the City of Winchester. The Board shall recommend to Council procedures to supervise all such grants and gifts and shall make a full report of at least annually to Council on the matters under its jurisdiction. The Board shall not contract for nor incur any obligations or liabilities in the name of the City. (Code 1959, § 19-20; Ord. No. 029-95, 7-11-95; Ord. No. 2011-16, 7-12-11)

Sec. 18-5. - Appointment of parks and recreation director and other personnel.

The City Manager shall appoint and supervise the Director of Parks and Recreation. Other personnel of the department shall be appointed by the City Personnel Director upon recommendation of the Parks and Recreation Director, with concurrence of the City Manager in accordance with the Comprehensive Employee Management System. (Ord. No. 029-95, 7-11-95; Ord. No. 2011-16, 7-12-11)

Sec. 18-6. - Statement of parks property and facilities.

For the purpose of this chapter, the term "recreation facility" shall be defined as any and all park lands, including waters, roadways, trail systems, recreation equipment, buildings, structures, areas and natural environment therein, located within the limits of the City of Winchester, that are owned, or may come to be owned, by the City and designated as park property. (Ord. No. 2011-16, 7-12-11)

Sec. 18-7. - Functions of the Parks and Recreation Department.

The department of parks and recreation shall be responsible for operating and maintaining all public parks, playgrounds, and recreation facilities and grounds within the City government and organizing and conducting recreation programs and shall have such other powers and duties as may be assigned by Council.

The Director of Parks and Recreation is hereby authorized to (i) establish reasonable fees, (ii) adopt and enforce reasonable policies, procedures, rules and regulations, pertaining to the use of City parks, recreational facilities, and parks and recreation equipment, and (iii) establish hours of operation, subject to the recommendation of the Park Advisory Board with approval of the City Manager. (Ord. No. 2011-16, 7-12-11)

Sec. 18.8. - Rules, regulations, and enforcement.

It shall be the duty and responsibility of all public safety and law enforcement officials who have the authority to enforce the provisions of this Code and other ordinances relative to parks and police regulations within the limits of all parks and other recreational areas maintained and operated by or within the City to enforce the provisions of this chapter.

Law enforcement officers and park employees shall, in connection with their duties imposed by law, diligently enforce the provisions of this chapter. (Ord. No. 2011-16, 7-12-11)

Sec. 18-9. - Park property—Prohibited acts.

At all times while upon property owned and/or operated by the Winchester Department of Parks and Recreation, patrons shall adhere to the Rules and Regulations promulgated by the Parks and Recreation Department and the Parks and Recreation Advisory Board. Failure to adhere to these Rules and Regulations may result in immediate eviction from park property.

In addition to any penalty imposed by applicable law, any patron who fails to cease and desist a prohibited act or leave park property upon notification by a City employee or law enforcement officer, shall be subject to a criminal charge for trespass.

Such prohibited acts shall include the following:

Prohibited acts—Generally. The following shall be the general prohibited acts:

- (1) *Disfiguration and removal.* No person in a park shall willfully mark, deface, disfigure, injure, tamper with or displace or remove any buildings, bridges, tables, benches, fireplaces, railings, tree guards, paving or paving material, public utilities or parts or appurtenances thereof, signs, notices or placards whether temporary or permanent, facilities or park property or appurtenances whatsoever, either real or personal.
- (2) *Restrooms and washrooms.* No person in a park shall fail to cooperate in maintaining restrooms and washrooms in as neat and sanitary condition as prior to personal use.
- (3) *Removal of natural resources.* No person in a park shall dig or remove any sand, soil, rock, stones, water, trees, shrubs, fruit, flowers or plants, downed timber or other wood or materials, or make any excavation by tool, equipment, blasting or other means or agency.
- (4) *Erection of structures.* No person in a park shall construct or erect any building structure or utility service of whatever kind, whether permanent or temporary in character in any park except by special written permit issued by the Director of Parks and Recreation with endorsement by the Parks and Recreation Advisory Board.
- (5) *Paint or spray paint.* No person in a park shall have on or in their possession paint or spray paint of any type with the exception of department-authorized event managers preparing for special events such as shows, festivals, races, or walks that require removable paints for directional purposes. Permission for such uses shall be requested in a special event application and approved by the Director of Parks and Recreation or his/her designee.

Prohibited acts—Trees, shrubbery, lawns. The following shall be the prohibited acts for trees, shrubbery, lawns, etc. on park property:

- (1) *Injury and removal.* No person in a park shall damage, cut, carve, transplant or remove any tree or plant or injure the bark, or pick the flowers or seeds of any tree or plant; nor attach any rope, nail, wire, or other contrivance to any tree or plant; or dig in otherwise distributed grass areas, or in any other way injure or impair the natural beauty or usefulness of any area.
- (2) *Climbing trees, etc.* No person in a park shall climb any tree or walk, stand, sit or attach any rope or cable or other contrivance upon monuments, vases, fountains, railings, fences, buildings, or upon any other property not designated or customarily used for such purposes.

Prohibited acts—Wild animals, birds, etc. The following shall be the prohibited acts for wild animals, birds, etc., on park property:

- (1) *Hunting.* No person in a park shall hunt, molest, frighten, kill, trap, chase, tease, shoot, or throw projectiles at any animal, reptile or bird; nor shall any person remove or have in his possession the young of any wild animal, or the eggs or nest, of any reptile, bird or other animal. Park employees or contractors may submit application for special permits to manage wildlife populations within the park boundaries.
- (2) *Feeding.* No person in a park shall give or offer, or attempt to give to any wild animal food or other noxious substances.

Prohibited Acts—Pollution of waters. No person in a park shall throw, discharge, or otherwise place or cause to be placed in the waters of any fountain, pond, lake, stream, or other body of water in or adjacent to any park or any tributary, stream, storm sewer, or drain flowing into such waters, any substance, matter or thing, liquid or solid, which will or may result in the pollution or littering of said waters.

Prohibited Acts—Rubbish and refuse matter. No person in a park shall have brought in or shall dump, lay, cast, drop, discharge, deposit or leave any bottles, rubbish, waste, garbage or refuse, or any other trash. No such refuse or trash shall be placed in any water in or contiguous to any park, or left anywhere on the grounds thereof, but shall be placed in the proper receptacles where these are provided; where receptacles are not provided, all such rubbish or waste shall be carried away from the park by the person responsible for its presence and properly disposed of.

Prohibited Acts—Motor vehicles, traffic, and parking, idling, skateboards and rollerblades. The following shall be prohibited acts for vehicular traffic, parking, idling and skating or rollerblading:

- (1) *Motor vehicle laws apply.* No person in a park shall fail to comply with all applicable provisions of the State and City motor vehicle traffic laws in regard to equipment and operation of vehicles together with such regulations as are contained in this and other sections of the Winchester City Code.
- (2) *Enforcement of traffic regulations.* No person in a park shall fail to obey all police officers and park employees, such persons hereby being authorized and instructed to direct traffic whenever and wherever needed in the parks and on the highways, streets or roads immediately adjacent thereto in accordance with the provisions of these regulations and such supplementary regulations as may be issued subsequently by the parks and recreation director, chief of police, City Manager or their designee.
- (3) *Obey traffic signs.* No person in a park shall fail to observe all traffic signs indicating speed, direction, caution, stopping or parking and all others posted for proper control and to safeguard life and property.
- (4) *Speed of vehicles.* No person in a park shall ride or drive a vehicle at a rate of speed exceeding 15 miles per hour, except upon such park roads as the City may designate, by posted signs for other speed limits.
- (5) *Operation confined to roads.* No person in a park shall drive any vehicle on any area, except the paved park roads or parking areas, or such other area as may on occasion be specifically designated as temporary parking areas by the Director of Parks and Recreation or his designee.
- (6) *Recreational vehicles.* No person in a park shall operate in any park or recreation area snowmobiles, minibikes, motorcycles, go-carts, ATVs, mopeds, motorized scooters or any other unlicensed vehicle, except in areas specifically designated by the Director of Parks and Recreation for such use.
- (7) *Trucks and commercial vehicles.* No person in a park shall operate in or through any park, any trucks or commercial vehicles with a gross weight in excess of five tons, except for the delivery of the load thereon for use in such parks as expressly approved by the Director of Parks and Recreation or his/her designee.
- (8) *Designated areas.* No person in a park shall park a vehicle in other than an established or designated parking area, and such use shall be in accordance with the posted signage and directions and with the instructions of any park employee or law enforcement officer who may be present.
- (9) *Prohibited activities.* Overnight parking not permitted without prior written authorization from the Director of Parks and Recreation or his/her designee. Tractor trailers, campers, RV vehicles, boats/jet skis and related trailers, and over-sized vehicles are not permitted in parking areas at any time without prior written authorization.
- (10) *Unnecessary prolonged idling of vehicles is prohibited.*

- (11) *Double parking.* No person in a park shall double park any vehicle on any road or parkway, unless directed by a park employee or law enforcement officer.
- (12) *Skateboards, rollerblades, etc.* No person shall ride or use a skateboard in a public park and recreational facilities except in areas so designated for such use.
- (13) *Washing, waxing or repairing vehicles in parks or playgrounds.* It shall be unlawful for any person to wash, wax or repair any motor vehicle of any kind within the boundaries of any City park or playground.

Prohibited acts—Solicitation and advertising. The following shall be prohibited acts for solicitation and advertising within the parks:

All permissions or approvals required by this subsection shall be given upon a showing that public peace and safety will not be endangered, park property is not damaged or vandalized and a further showing that no law or ordinance will be violated.

- (1) *Distribute or display.* No person in a park shall post, paint, affix, distribute, hand out, deliver, place, cast, or leave about any bill, billboard, placard, ticket, handbill, circular, or advertisement; display any flag, banner, transparency, target, sign, placard or any other matter for advertising purposes; operate any amplified musical instrument unless expressly authorized through a permit by the Director of Parks and Recreation or his designee.
- (2) *Contributions.* No person in a park shall solicit contributions for any purpose without written approval of the Director of Parks and Recreation, City Manager or their designee.

Prohibited acts—Bathing, swimming, fishing and hunting. No person in a park shall:

- (1) *Designated areas.* Swim, bathe, or wade in any waters or waterways in any park, except in such waters in such places as are provided therefore and in compliance with such regulations as are herein set forth or may be hereinafter adopted. Nor shall any person frequent any waters or places customarily designated for the purpose of swimming or bathing, or congregate when such activity is prohibited by the Director of Parks and Recreation or his/her designee upon a finding that such use of the water would be dangerous to public health or welfare.
- (2) *Bath houses.* Dress or undress in any vehicle, toilet or other place, except in such bathing houses, locker rooms or structures as may be provided for that purpose.
- (3) *Fishing.* Fish in any park waters, whether by the use of hook and line, net trap, spear, gig, or other device, except in such waters thereof as are or may be designated by the Director of Parks and Recreation or his/her designee for that use and under such regulations are restrictions as have been or may be prescribed by said department.
- (4) *Hunting and firearms.* Hunt, trap or pursue wildlife at any time.

Prohibited Acts—Picnic areas, shelter and pavilion use. The following shall be the picnic areas and use regulations for park property:

- (1) *Regulated.* Park employees shall have the authority to regulate picnic activities in such areas when necessary to prevent congestion and to secure the maximum use for the comfort and convenience of all. Visitors shall comply with any directions given by park employees to achieve this end.
- (2) *Availability.* No person shall violate the regulation that use of the individual grills together with tables, which require no permit, follows generally the rule "first come, first served."
- (3) *Nonexclusive.* No person shall use any portion of the park areas or any of the buildings or structures therein without a permit issued by the Director of Parks and Recreation or his/her designee, for the purpose of holding activities to the exclusion of other persons, nor shall any person use such area and facilities for an unreasonable time if the facilities are crowded.

- (4) *Reservations.* Reservations for shelters only may be obtained by paying a fee, as determined by the department of parks and recreation for exclusive use during said time period. Permits will be issued upon payment of fee and must be in the possession of users to be valid.
- (5) *Permit.* No person shall use a designated permitted shelter without a permit; park employees have the authority to ask any unauthorized user without a permit to leave the shelter. The parks and recreation department reserves the right to dismiss any persons from the facility. Park employees have the authority to determine if participants are strictly adhering to all rules and regulation, and have the full authority to enforce the regulations. No person shall violate the local, state, or federal laws, which prohibits the use and/or possession of weapons, alcohol, or any illegal substances on park grounds.
- (6) *Non-permit.* No reservations are needed for unmarked or designated shelters. These shelters are free of charge and for the general public to use on a daily basis on a "first come first serve" basis. Non-permit shelters are located at Christianson Familyland, Wilkins Lake and directly behind the Active Living Center in Jim Barnett Park.
- (7) *Duty of picnicker.* No person shall leave a picnic area before the following is complete: fires are completely extinguished in grills and fireplaces, cleaning spills, wiping surfaces, and collection and disposal of trash including, papers, cans, bottles, garbage and other refuse in designated trash receptacles. If no such trash receptacles are available, then refuse and trash shall be bagged and left at the shelter for a park employee to pick up and dispose of properly.
- (8) *Open flames.* Open flames within the park are prohibited except in charcoal grills and shelter fireplaces.
- (9) *Gas grills.* Gas grills are prohibited unless prior approval is granted by the Director of Parks and Recreation and the fire and rescue chief or their designees.

Prohibited Acts—Camping in a park. The following shall be camping regulations for park property:

- (1) *Camping.* No person in a park shall without a permit from the director or his/her designee, set up tents, shacks, or any other temporary shelter for the purpose of camping, nor shall any person leave after closing hours any equipment, structure or vehicle to be used or that could be used for such purposes, such as house trailer, camp trailer, camp wagon or the like, such permitting may require a fee be paid.

Prohibited Acts—Miscellaneous.

- (1) *Games.* Unless authorized by the director of parks and recreation, or his/her designee, no person in a park shall take part or abet any recreational activity or the playing of any games, or conducting practices of any kind except in areas set apart therefore.
- (2) *Horseback riding, etc.* No person in a park shall ride, drive, or lead a horse except on park drives or trails, as designated by the parks and recreation director or his/her designee. Where permitted, horses shall be thoroughly broken and properly restrained, and ridden with due care, and shall not be allowed to graze or go unattended, nor be hitched to any rock, tree and shrub. No hoofed animals will be allowed on turf areas.
- (3) *Missiles and fireworks.* No person in a park shall carry, shoot, fire, explode or throw any fireworks, firecrackers, rockets, torpedoes or missiles of any kind in any park without a permit from the Director of Parks and Recreation and the fire and rescue chief or their designees.
- (4) *Photography.* No person in a park shall, without prior written authorization by the Director of Parks and Recreation or his/her designee, make still or moving pictures that involve the use of special settings, structures, lighting or apparatus, or the performance of a cast of persons, either amateur or professional, or the posing of professional models; said written permission may be issued only when such activities will permit normal use of park facilities by other visitors. However, the provisions of this section do not in any way restrict the use of cameras by amateur photographers not intending to personally profit from the sale of such photographs or videos.

- (5) *Metal detecting.* No person shall use metal detecting equipment or remove any treasure or artifact from park property.
- (6) *Professional instruction.* No person other than authorized personnel or contractors of the park shall offer paid or unpaid professional instruction of any kind on park property.
- (7) *Fires.* No person in any park shall build or attempt to build a fire except in grills and shelter fireplaces. No person shall drop or throw or otherwise scatter lighted matches, burning cigarettes or cigars, tobacco paper or other flammable material within any park area or on any highway, road or street abutting or contiguous thereto.
- (8) *Closed areas.* No person in any park shall enter an area posted "Closed to the Public" or "No Trespassing," nor shall any person use or abet the use of any area in violation of posted notices. Exceptions to this section include special memberships where permission is granted by the Director of Parks and Recreation or his/her designee or through the payment of a membership granting access year round for use of a specific park amenity which is located within a closed area of the park (example: dog park).

Prohibited Acts—Meetings and concessions.

- (1) *Meetings.* No person shall hold or take part in any public meeting or event, religious, political, charitable or otherwise, including picnic parties and entertainment for charitable or religious purposes, in any public park without first obtaining permission from the Director of Parks and Recreation, or his/her designee. Such assemblages shall be conducted in a lawful and orderly manner and shall occupy such grounds and facilities as may be assigned to or reserved for them.
- (2) *Concessions.* No person shall sell or offer for sale any food, beverage, refreshments or any article or service whatsoever in any park or recreation area except by concessionaires under contract with the City by for profit, non-profit, charitable or religious groups, authorized by a permit from the Director of Parks and Recreation, a valid health permit from the Health Department and a City of Winchester business license with liability insurance which states the City of Winchester as additionally insured.

Prohibited Acts—Domestic and non-domestic animals or pets.

- (1) *Domestic animals.* No person in any park shall have been responsible for the entry of a cat, dog or other domestic animal into a park or recreation area unless carried, led by a chain, strap or rope, or kept in a wagon, automobile or other vehicle. Dogs, cats or other domestic animals shall not be permitted to enter any lake, pond, fountain, swimming pool, stream, court areas, playing fields, or food and beverage concession area within any park or recreation area. No animal shall be allowed to be curbed in any park area without cleanup by owner or responsible party. Hearing or service dogs shall be excluded from the provisions of this regulation. No person shall bring a dog which has been determined to be a dangerous dog or a vicious dog to or within a dog park, whether or not the dog is on a leash or muzzled.
- (2) *Nondomestic animals and reptiles.* No person in any park shall have been responsible for the entry of any nondomestic animal or reptile.

Prohibited Acts—Park patron behavior.

- (1) *Disorderly conduct and disturbing the peace.* No person in any park shall recklessly cause inconvenience, annoyance, or alarm to another by doing any of the following in any City park:
 - a. Engaging in fighting, in threatening harm to person's property, or in violent or turbulent behavior.
 - b. Making unreasonable noise or offensively coarse utterance, gesture or display, or communicating unwarranted and grossly abusive language to any person that is reasonably likely to provoke an immediate breach of the peace.

- c. Insulting, taunting, or challenging another under circumstances in which such conduct is likely to provoke a violent response.
 - d. Hindering or preventing the movement of persons on a public street, road or right-of-way, or to, from, within or upon public property, so as to interfere with the rights of others, and by any act which serves no lawful and reasonable purpose of the offender.
 - e. Creating a condition which is physically offensive to persons or which presents a risk of physical harm to persons or property, by any act which serves no lawful or reasonable purpose of the offender.
 - f. Sexual activity is not allowed on any park grounds.
- (2) *Exhibit permits.* No person in any park shall fail to produce and exhibit any park-issued permits upon request of any police officer or park employee who shall desire to inspect the same.
- (3) *Interference with permittees.* No person in any park shall disturb or interfere unreasonably with any person or party occupying any area, or participating in any activity, under the authority of a permit. (Ord. No. 2011-16, 7-12-11)

Sec. 18-10. - Park operating policy.

- (1) *Authority.* In addition to any other authority granted by this section or other applicable law, the Director of Parks and Recreation, the chief of police and their designees shall have the authority to bar individuals from the park property for serious or repeated violation of park regulations. To enforce this bar, a written notice shall be issued to the violator restricting access to all park property within the park system. Reinstatement or appeal requests shall be placed in writing and addressed to the Parks and Recreation Director, the Chief of Police and the park advisory Board for consideration and attendance at a scheduled park Board meeting may be required. Depending upon the severity of the incident a one-year no trespassing notice may be issued for first time offenders; a five-year no trespassing notice may be issued for a second offense; and a permanent "life ban" no trespassing notice may be issued for repeat offenders with no exceptions for reinstatement.
- (2) *Hours.* Parks shall open to the public every day of the year from dawn to dusk, except park facilities with special designated hours of operation which shall be advertised and/or posted thereon. Special permission from the Director of Parks and Recreation or his/her designee is required for any person to remain in any park area outside regular hours. The standard operational hours of all neighborhood parks are from dawn to dusk unless permission is granted for extended use beyond the stated hours of this section.
- (a) No person shall go upon, use, occupy or remain in any park at night, unless using a facility with specifically stated operating hours or by permit.
 - (b) The director shall erect appropriate signs at all major entrances, roadways, and access points so that an ordinarily observant person affected by this section will be aware of this section.
- (3) *Closed areas.* Any section of any part of any park may be declared closed to the public by the parks and recreation director or his/her designee at any time or for any interval of time, either temporarily or at regular and started intervals and either entirely or merely to certain uses, as the director shall find reasonably necessary.
- (4) *Revocation.* The Director of Parks and Recreation or his/her designee shall have the authority to revoke a permit upon finding a violation of any rule or ordinance, or upon good cause shown. (Ord. No. 2011-16, 7-12-11)

Sec. 18-11. - Dog park.

- (a) Rules establishes; purpose; applicability. The Director of Parks and Recreation is authorized to establish additional reasonable rules and regulations with the endorsement of the park advisory Board for the use of the dog park. The director is authorized to ban any person or any dog from the dog park for a serious or repeated violation of posted rules and regulations. The purpose of this

article is to establish appropriate rules and regulations to govern the use of the City dog park, so that there may be a place where residents and their canine companions can relax, exercise, and play in a safe, spacious, social and sanitary environment.

- (b) Off-leash, running at large permitted. Within the fenced area of the dog park, the owner or custodian of a dog may permit the dog to run at large. However, the owner or custodian must be present within the fenced area of the park at all times the dog is off the leash. The owner or custodian must have the dog's leash in hand, and must be prepared to release the dog immediately if the dog is involved in an incident. Dog park memberships are required. § 5-24
- (c) No dangerous or vicious dogs allowed. No person shall bring a dog which has been determined to be a dangerous dog or a vicious dog to or within a dog park, whether or not the dog is on a leash or muzzled. § 5-27
- (d) Valid dog license tag and immunization records required. No person shall bring a dog within the fenced area of a dog park unless the dog is wearing a valid, current dog license tag fastened securely to a substantial collar. Up-to-date immunization records for the dog must be on file with the park administrative office. § 5-22
- (e) Dog owners are required to clean up after dogs and ensure that any feces and other bodily waste from their animal is properly collected in a sealed plastic bag and disposed of in a proper trash receptacle. (Ord. No. 2011-16, 7-12-11)

Secs. 18-12—18-19. - Reserved.

Code of Ethics

The Code of Ethics is intended to provide ethical guidelines for City Council members, employees and Council appointed Board and Commission members that are responsive to the public needs and preclude even the appearance of impropriety in the performance of their duties. All City Council members, employees and Council appointed Board and Commission members have an obligation to conduct their official duties in a manner that serves the public interest, upholds the public trust and protects the City's resources. To this end, City Council members, employees and Council appointed Board and Commission members have a responsibility to:

- Perform their duties to the very best of their abilities, treating the public and each other in a courteous manner that is fair and equitable, without regard to race, color, gender, age, religion, national origin, disability, political affiliation, or any other factor unrelated to the impartial conduct of City business.
- Demonstrate integrity, honesty, and ethical behavior in the conduct of all City business. To help maintain these standards, Council members agree to work through the City Manager thereby limiting contact with City employees and agencies except for inquiry purposes. Individual Council members shall not attempt to represent the Council to others except as directed by the President of Council or the respective committee chair.
- Ensure that their personal interests do not come into conflict with their official duties, resulting in a real conflict of interest or the appearance of a conflict of interest. This shall apply to City Council members, employees and Council appointed Board and Commission members when dealing with vendors, customers, and other individuals doing business or seeking to do business with the City.
- Ensure that they do not accept any gift, favor or thing of value that may tend to influence the discharge of their duties, or grant any improper favor, service or thing of value in the discharge of their duties. This is a zero tolerance policy. This shall include the acceptance of a gift from a person who has interests that may be substantially affected by the performance of the employee's official duties under circumstances where timing and nature of the gift would cause a reasonable person to question the employee's impartiality in the matter affecting the donor. This prohibition shall not apply to the acceptance of any gift, favor or thing of value that benefits the City and/or the community as a whole.
- Ensure that information concerning the property, government or affairs of the City is held confidential, disclosed only with proper legal authorization, and never to advance the financial or other special interest of themselves or others.
- Ensure that all City resources, including City funds, equipment, vehicles and other property, are used in strict compliance with City policies and solely for the benefit of the City. To ensure that city employees do not receive unauthorized or conflicting directives, individual Council members and Board and Commission members without supervisory responsibilities shall not give direction to city employees and departments except as directed by the majority of Council to the City Manager.
- Avoid any behavior that could fall under the definitions of misconduct in Section 7.2 Discipline of the City's Comprehensive Employee Management System.

Council members, Board and Commission members, department heads and supervisors must take a leadership role in the promotion and execution of the Code of Ethics. All City officials and employees have a responsibility to place cooperation, trust, and respect at the head of all they do.

Parks & Recreation Facilities Review – 2018

Proposed Schedule

Monday September 24, 2018

Meet War Memorial Building

Meeting to Order – Board Trolley

Audubon Arboretum & Shelters

Optimist Shelter

Christianson Family Land

McCormac Amphitheatre

Potts Basketball Courts

Wilkins Lake

Lowry Tennis Courts

Duncan Park

Board trolley for return trip to War Memorial Building