

CITY OF KIRTLAND

ORDINANCE NUMBER 22-O-39

AN ORDINANCE AMENDING SECTION 1068.01 OF THE CODIFIED ORDINANCES OF THE CITY OF KIRTLAND RELATING TO THE LOCATION, MAINTENANCE, AND USE OF THE KIRTLAND RECREATION PARK, AND DECLARING AN EMERGENCY.

WHEREAS, Ordinance No. 85-O-38 was passed on May 20, 1985, establishing Kirtland Code of Ordinance §1068.01 relating to the establishment of the Kirtland Recreation Park; and

WHEREAS, the City of Kirtland desires to amend said section to identify the person or entity in charge of the park along with the delineating the locations for ingress and egress into the park.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Kirtland, County of Lake, State of Ohio, that:

SECTION I: Codified Ordinance Section 1068.01, enacted by Ordinance No. 85-O-38, passed on May 20, 1985, is hereby amended as set forth in Exhibit A, attached hereto and made a part hereof, as if fully written below.

SECTION II: That the heretofore existing Section 1068.01 of the Codified Ordinances of the City of Kirtland, previously enacted and in force, be amended by the passage of this ordinance, and is hereby replaced as set forth in Section I hereinabove.

SECTION III:

(a) It is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

(b) This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the City, and for the further reason to allow the City to properly oversee and manage the park to ensure the welfare of its residents; wherefore, this Ordinance shall be in full force and effect immediately upon its passage by the affirmative vote of five members of Council and approval by the Mayor, otherwise this Ordinance shall be in effect from and after its adoption at the earliest period allowed by law.

First Reading: _____
Second Reading: _____
Third Reading: _____

DATE PASSED: _____

President of Council

Submitted to the Mayor for his
Approval on this _____ day of
_____, 2022.

ATTEST:

Approved by the Mayor this _____ day
of _____, 2022.

Clerk of Council

Amend 1068.01 – Rec Park Location, Maintenance & Use

Mayor Kevin F. Potter

§ 1068.01 LOCATION; MAINTENANCE; USE.

(a) The Kirtland Recreation Park, located behind the Kirtland Middle School, is constructed and maintained for the use of the public at large.

(b) Park Operator – defined. The Kirtland Recreation Park shall be operated and managed by the Park and Recreation Commission of the city. If no Commission exists, then the park shall be operated and managed by the Director of Public Service. The park operator shall work in conformance with the City Charter, these codified ordinances and the agreement, and any addendum thereto, entered into between the city and the Board of Education of the Kirtland Local School District.

(c) The Recreation Park shall be closed from sundown to sunrise, and no person shall remain in the park while it is closed, except parties who have been issued a permit by the park operator.

(d) The primary entrance to the Recreation Park shall be through the Board of Education property behind the Kirtland Middle School; however, pedestrians, bicycles, and under-speed vehicles may enter and exit the Park through the City's ingress/egress easement on a private roadway located on Russellhurst Drive.

(e) All special events, such as tournaments, round-robins, special or unusual activities or functions, and the like, must be approved by the park operator which shall coordinate such events with the park scheduler. The park operator may require the posting of a bond or the paying of a fee to defray expenses or repair damages, including clean up, after such tournament or special event.

(f) No person shall erect or place a structure, tent or concession stand on the park property without first receiving the written approval of the park operator and posting a bond or paying a fee as required by the park operator. No person shall sell or cause to be sold any food, souvenirs, refreshments or other item on park property without the written permission of the Commission.