

**CITY OF KIRTLAND**

**ORDINANCE NUMBER 22-O-40**

**AN ORDINANCE AMENDING SECTION 1068.02 OF THE CODIFIED ORDINANCES OF THE CITY OF KIRTLAND RELATING TO THE PROHIBITED CONDUCT IN 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 §1068.02 relating to prohibited conduct within the Kirtland Recreation Park; and

**WHEREAS**, the City of Kirtland desires to amend said section to delineate the person or entity in charge of the park along with the permitted under-speed vehicles within 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 1068.02, 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 1068.02 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 1068.02 – Rec Park Prohibited Conduct

\_\_\_\_\_  
Mayor Kevin F. Potter

## § 1068.02 PROHIBITED CONDUCT.

No person while on the grounds of the Kirtland Recreation Park shall:

(a) Drive or ride any motor vehicle, including, but not limited to, an automobile, motorcycle, minibike, all terrain vehicle, snowmobile or any other motor-driven vehicle. This section does not apply to emergency vehicles, under-speed vehicles, or vehicles operated by employees or agents of the park operator, the City or the Board of Education of the Kirtland Local School District while performing their duties;

(b) Be allowed to enter or remain in, or be found in, an intoxicated condition in the park; take into the park any intoxicating liquor either for sale to others or for his or her own use or the use of others; sell, give away or dispose of any intoxicating liquor; or have any alcoholic beverages in his or her possession;

(c) Throw stones, sticks, cans or bottles, play golf or hit golf balls, or throw or hit any other dangerous object. This subsection does not apply to the throwing or hitting of a baseball, softball, football, soccer ball or other sport object when participating in an authorized sport activity;

(d) Write, paint, carve or deface in any manner any tree, bench or structure, or injure any tree, plant, grass, flower or structure;

(e) Permit any dog or other animal to run at large. All owners shall immediately clean any feces discharged by their pets and remove the same from the park property or place such feces in a proper disposal receptacle;

(f) Engage in any conduct in violation of § 648.04; or

(g) Fail or refuse to comply with any lawful order or direction of any public officer.