

**BOARD OF SUPERVISORS OF CULPEPER COUNTY, VIRGINIA
ORDINANCE AMENDING CHAPTER 10B – PARKS AND RECREATION
WITHIN THE CULPEPER COUNTY CODE OF ORDINANCES**

WHEREAS, §§15.2-1427 and 15.2-1433 of the Code of Virginia, 1950, as may be amended from time to time, enable a local governing body to adopt, amend and codify ordinances or portions thereof; and

WHEREAS, the proper advertisement and public hearing was conducted as required by law; and

WHEREAS, the full text of the amendment was available for public inspection in the Culpeper County Planning Department Office, 302 N. Main Street, Culpeper, Virginia 22701; and

NOW, THEREFORE, BE IT ORDAINED that the Board of Supervisors of Culpeper County hereby amends Chapter 10B of the Culpeper County Code of Ordinances, as provided for in Attachment A.

BE IT FURTHER ORDAINED that the amendment shall become effective immediately upon passage.

Ordained the 5th day of September, 2017.

VOTING AYE: CHASE, DEAL, FRAZIER, FRITZ, HANSOHN, ROSENBERGER, WALKER

VOTING NAY: NONE

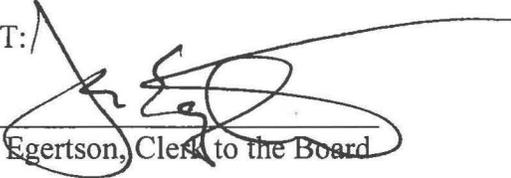
ABSTAINING: NONE

ABSENT: NONE

Witness this my signature.


C. Jack Frazier, Chairman

ATTEST: /



Jonh C. Egertson, Clerk to the Board

cc: County Attorney
John Barrett, Director of Parks and Recreation

ATTACHMENT A

Chapter 10B - PARKS AND RECREATION

ARTICLE II. - POLICY

Sec. 10B-20. - Facility/field use agreement.

The signing of the Department's permit form reserves the date of an event as set forth herein. Use of any park, facility, or field by any organization is subject to final approval by the Department consistent with this Ordinance and all relevant County policies. Use of any park, facility, or field by any organization shall comply with federal, state, and County laws and regulations, including pertinent licensing requirements. ~~There shall be no public meetings or assemblies in the parks without a permit. Permits may be requested by those twenty-one (21) years or older.~~ Forms are available by contacting the Department.

(Ord. of 9-2-2003(1))

Sec. 10B-21. - Park and facility hours.

Parks are open to the public seven (7) days a week from 7:00 a.m. to 9:00 p.m. during daylight savings time and 7:00 a.m. to 6:00 p.m. during regular daylight hours civil dawn to dusk, except when granted permission from the Department director or designee. No person shall be in a park while closed, except authorized personnel or those with special permission.

(Ord. of 9-2-2003(1))

Sec. 10B-22. - Damage deposit.

A refundable damage deposit, if when required, must accompany your the reservation permit application. The applicant for a permit assumes all financial responsibility for any damage or loss to the facility and/or fields. All permit holders are expected to leave the building and grounds clean and free of debris. Upon satisfactory inspection of the facility by Department personnel or designee, the damage deposit will be refunded, in whole or in part, if all requirements of this policy Ordinance and applicable County policies are met. All checks shall be made payable to "County of Culpeper"

(Ords. of 9-2-2003(1); 5-7-2013(1))

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Sec. 10B-24. - Liability/responsibility.

- (a) With the exception of internal the departments of County of Culpeper County government departments, each applicant must shall agree to assume full responsibility for and hold the Department, the County of Culpeper, and its officers, agents, servants, and employees harmless from any legal liability, injury, or damage to the person or property of the applicant or and others in connection with the use of County facilities or property.
- (b) For active field use, insurance is determined by the nature of activity. When required, applicants shall provide the Department with a certificate of liability in an amount of one million dollars

(\$1,000,000.00) naming the County of Culpeper as an additional insured to the policy, prior to final approval of the park, facility, or field application.

(Ord. of 9-2-2003(1))

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Sec. 10B-29. - Damages to park, facility, field or equipment.

Damage to County property caused by the applicant or applicant's group is the responsibility of the applicant. Parks, facilities, fields, or equipment will be inspected upon the conclusion of each event. Claims for damage shall be presented to the user by the Department for compensation to the County within ~~five-ten~~ (510) working days. No glass containers are permitted. Tape only must be used to secure table cloths, signs, and decorations.

(Ord. of 9-2-2003(1))

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Sec. 10B-33. - Alcoholic beverages, smoking and controlled substances; prohibited.

Culpeper County prohibits the consumption of alcoholic beverages or use of controlled substances in public parks, facilities, or fields. Smoking is prohibited in County Parks and Recreation buildings and structures, and in designated children's play areas.

(Ords. of 9-2-2003(1); 5-7-2013(1))

Editor's note— An ordinance adopted May 7, 2013, changed the title of § 10B-33 from "Alcoholic beverages and controlled substances; prohibited" to "Alcoholic beverages, smoking and controlled substances; prohibited."

Sec. 10B-34. - Guns, knives, bows and arrows, or fireworks; prohibited.

To the extent permitted by law, nNo person shall shoot a slingshot or bow/arrow in a designated County park, facility, or field, ~~except as otherwise permitted by law~~. Possession or discharge of explosive devices other than lawful fireworks in the parks, facilityies, or fields is prohibited except for ~~a~~ Department-sponsored activityies in designated areas at designated times. Knives or swords with blades of three (3) or more inches in length are prohibited except for food preparation.

Pursuant to Code of Virginia, §§ 15.2-1209 and 15.2-1210, the Board of Supervisors is of the opinion and finds that Spilman Park and Galbreath-Marshall field are so heavily populated as to make the shooting of firearms, and hunting with firearms, to be dangerous to persons using such park and recreational area and the inhabitants in and around such area.

No firearms may be discharged in a County designated park or recreational area, or within one-half-mile of such park or recreation area, except in self defense, or by a law enforcement officer or military personnel in the lawful performance of their duties, or for the killing of deer pursuant to Code of Virginia, § 29.1-529. The exception for killing of deer by shooting of firearms shall apply on land of at least five (5) acres that is zoned for agricultural use. Signs to such effect shall be placed at appropriate points on the boundary of such parks and recreational areas.

(Ords. of 9-2-2003(1); 11-3-2004(1); 5-7-2013(1))

Sec. 10B-37. – Metal detecting prohibited

_____ Metal detecting is prohibited in Culpeper County parks, except as may be specially authorized in writing by the County Administrator.

Sec. 10B-38.- Golfing limited to golf courses

_____ Playing golf and/or the driving of golf balls is prohibited on all County park properties that are not specifically designated as a golf course or driving area.

Secs. 10B-37~~9~~—10B-49. - Reserved.
