

**ORDINANCE OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF OLIVE  
BRANCH, MISSISSIPPI ESTABLISHING RULES AND REGULATIONS FOR THE USE  
AND OPERATION OF OLIVE BRANCH PARK FACILITIES**

**WHEREAS**, the City of Olive Branch owns and operates certain facilities through its Parks and Recreation Department, and

**WHEREAS**, the City of Olive Branch has the authority to create, maintain, and exercise full jurisdiction over parks within the City pursuant to Miss. Code Ann. Section 21-37-3, and

**WHEREAS**, the Mayor and Board of Aldermen desire to establish reasonable rules and regulations for the use and operation of Olive Branch park facilities.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Board of Aldermen of the City of Olive Branch, Mississippi as follows, to wit:

1. That sports program participation fees are hereby established as set forth below:

<u>Sports Program</u>	<u>Fee</u>
Youth Baseball	\$60.00 per child Refund if you cancel before picture day
Youth Softball	\$60.00 per child Refund if you cancel before picture day
Fall Youth Soccer	\$60.00 per child Refund if you cancel before picture day
Spring Youth Soccer	\$60.00 per child Refund if you cancel before picture day
Youth Basketball	\$60.00 per child Refund if you cancel before picture day
Adult Softball	\$400.00 per team Refund if you cancel 2 weeks before season starts
Adult Fall Co-Ed Softball	\$400.00 per team Refund if you cancel 2 weeks before season starts

2. That rental rates for City Park facilities are hereby established as set forth below:

<u>Facility</u>	<u>Rent</u>
Amphitheater	\$60.00 per day for city resident \$120.00 per day for non-city resident \$200.00 per day for corporate rental Refunds will not be given unless notice is given two weeks prior to the date of the scheduled event Refund Policy for rain, day of event: full

Pavilion Large	\$60.00 per day for City resident \$120.00 per day for non-City resident \$200.00 per day for corporate rental Refunds will not be given unless notice is given two weeks prior to the date of the scheduled event. Refund Policy for rain, day of event: full
Pavilion Small	\$60.00 per day for City resident \$120.00 per day for non-City resident \$200.00 per day for corporate rental Refunds will not be given unless notice is given two weeks prior to the date of the scheduled event. Refund Policy for rain, day of event: full
Complex A	\$250.00 Security Deposit \$1,500.00 Tournament fee less Deposit Weekend is considered 1-3 day event \$500.00 per additional day Refund Policy for rain: \$500.00 per day
Complex B,C & soccer	\$250.00 Security Deposit per complex \$1,000.00 Tournament fee less Deposit Weekend is considered 1-3 day event \$333.33 per additional day Refund Policy for rain: \$333.33 per day
Multi-Purpose Field	Not available for rent Only available with a contract approved by the Board of Aldermen
Sports Camps	\$20.00 per participant No charge for facility where camp is conducted.
Track	Not available for rent. Only available with a contract approved by the Board of Aldermen
Tennis Courts	Not available for rent Reservations must be made through the Parks and Recreation office
Senior Center	Only available by Order of the Mayor and Board of Aldermen.
Wesson House - Interior	Not available for public rental - Order dated 10/2/2012
Wesson House Stage and Grounds	No rental fee Reservations must be made through the Parks and Recreation office
Octoberfest	\$40.00 per space
Memory Trees	\$225.00

3. The City of Olive Branch Department of Parks and Recreation Sportsmanship Policy is hereby adopted, and attached hereto as Exhibit "A."
4. The Parks and Recreation Director is hereby authorized to prepare registration forms, rules of use, rental

agreements, and other forms, and to amend same from time to time, in order to collect fees and accomplish the will of the Mayor and Board as set out herein.

5. Fees specified in this Ordinance may not be waived without advance approval by the Board of Aldermen and only as allowed by applicable state law.
6. The intent of this Ordinance is to merge all rules, regulations, policies, orders, ordinances, or resolutions ("orders") pertaining to the use or operation of City of Olive Branch Park facilities into one document. To the extent any such prior orders are inconsistent with what is set out herein, or otherwise not incorporated herein, the same shall be considered repealed or rescinded and otherwise of no effect. Specifically, ordinances of the Board of Aldermen dated October 21, 1997 and November 20, 2001 are hereby repealed in their entirety. The City Clerk is directed to coordinate with Municode for the deletion of the repealed documents and the codification of this Ordinance with respect to Chapter 35 of the Code of Ordinances.

Passage of this Ordinance is now official and the same shall take effect and be enforced as provided by law.

**ADOPTED, ORDAINED AND APPROVED** this 17<sup>th</sup> day of September, 2019.

**/s/ SCOTT B. PHILLIPS, MAYOR**

**ATTEST:**

**/s/ TINA R. GRIFFITH, CITY CLERK**

The foregoing Ordinance was voted upon in a public meeting, section by section, and as a whole, and whereas a motion was duly made by Alderwoman Hamilton, and seconded by Alderman Earhart, with the following results:

Alderwoman Jan Aldridge	Aye
Alderman George Collins	Aye
Alderman Dale Dickerson	Aye
Alderman Gil Earhart	Aye
Alderwoman Pat Hamilton	Aye
Alderwoman Joy Henderson	Absent
Alderman David Wallace	Aye

The foregoing Ordinance was passed, adopted and approved on the 17<sup>th</sup> day of September, 2019.

/s/ SCOTT B. PHILLIPS, MAYOR

**ATTEST:**

/s/ TINA R. GRIFFITH, CITY CLERK

CITY OF OLIVE BRANCH  
DEPARTMENT OF PARKS & RECREATION  
SPORTSMANSHIP POLICY

The Olive Branch Parks and Recreation Department strives to promote the ideals of teamwork, physical conditioning, sportsmanship and acceptable social behavior at all sporting activities and sporting related events. It is imperative that participants and spectators alike ensure an environment which will promote these ideals. Therefore, any unsportsmanlike conduct, including, but not limited to, fighting, verbal abuse, or racial or gender epithets involving fans, coaches, and players will not be tolerated.

## **I. FIGHTING**

### **A. Fighting – Definition**

A hostile encounter with another party or parties, resulting in a physical struggle or contact, will be defined as a “fight.” Fighting will not be tolerated on the part of any leader, participant or spectator associated with an Olive Branch Parks and Recreation Department sporting activity or sporting related event.

#### **1. Leaders**

It is the goal of the Olive Branch Parks and Recreation Department to provide an environment where participants can grow, not only physically, but also mentally. It is the responsibility of leaders to provide an example of self-control and integrity in the hopes that others follow their example. A leader is an individual who holds any supervisory position, including but not limited to, program coaches, assistant coaches, program officials, and program supervisors. Any “leader” involved in a fight may be subject to discipline as follows:

- a. First Offense – Discipline up to and including lifetime suspension as a leader or participant in Olive Branch Parks and Recreation Department sporting activities and sports-related events. One (1) year suspension as a fan/spectator in Olive Branch Parks and Recreation Department sporting activities and sporting related events from the date of the incident.

**NOTE:** Sporting activities and sports-related events sponsored by the Olive Branch Parks and Recreation Department include: T-ball, Baseball, Basketball, Softball, Soccer, Tennis and any special sports programs that may be offered. A suspension from one sport shall serve as a suspension

from all sporting activities and sports-related events sponsored by the Olive Branch Parks and Recreation Department.

## **2. Participants**

A participant is an individual, other than a leader or a fan/spectator, who takes an active part in the sporting activity or sporting related event that the Olive Branch Parks and Recreation Department sponsors. Any participant involved in a fight may be subject to discipline as follows:

- a. First Offense – (Adults: 18 & Over) Discipline up to and including lifetime suspension as a leader or participant in Olive Branch Parks and Recreation Department sporting activities and sports related events. One (1) year suspension as a fan/spectator in Olive Branch Parks and Recreation Department sporting activities and sports related events from the date of the incident.
- b. First Offense – (Youth: 17 & Under) Discipline up to and including one (1) year suspension as a leader, participant and/or fan/spectator from Olive Branch Parks and Recreation Department sporting activities and sporting related events from the date of the incident.
- c. Second Offense – (Youth: 17 & Under) Discipline up to and including suspension as a leader, participant and/or fan/spectator from all Olive Branch Parks and Recreation sporting activities and sporting related events until the age of eighteen (18), or for two (2) years if the second offense occurs within one (1) year of the offender's eighteenth (18<sup>th</sup>) birthday.

## **3. Fans/Spectators**

A fan/spectator is an individual who participates in a sporting related event by attending and demonstrating support without taking a leadership or participant role in that particular event. Any fan/spectator who is involved in a fight will be subject to the following measures:

- a. First Offense – Discipline up to and including a one-year suspension as a fan/spectator or participant from Olive Branch Parks and Recreation sporting activities and sporting related events from the date of the incident. Lifetime prohibition from a leadership role in Olive Branch Parks and Recreation sporting activities and sporting related events.
- b. Second Offense – Discipline up to and including lifetime suspension as a fan/spectator, participant, or leader from all Olive Branch Parks and

Recreation sporting activities and sporting related events from the date of the incident.

## **II. ABUSIVE BEHAVIOR**

### **A. Abusive Behavior – Definition**

The Olive Branch Parks and Recreation Department strives to create an environment that teaches individuals the art of good sportsmanship. Abusive Behavior is defined as the intentional act of insulting another individual through verbal or non-verbal means with the aim or effect of offending. If any abusive language or behavior is directed at others, those confrontational parties may be subject to the following disciplinary actions:

#### **1. Leaders and/or Participants – (Adults: 18 & Over)**

- a. First Offense – Discipline up to and including one (1) year suspension as a leader, participant or fan/spectator from Olive Branch Parks and Recreation sporting activities and related sporting events from the date of the incident.
- b. Second Offense – Discipline up to and including lifetime suspension as a leader and/or participant from Olive Branch Parks and Recreation sporting activities and related sporting events. One (1) year suspension as a fan/spectator in Olive Branch Parks and Recreation sporting activities and related sporting events from the date of the incident.

#### **2. Leaders and/or Participants – (Youth: 17 & Under)**

- a. First Offense – Discipline up to and including immediate suspension as a leader, participant and/or fan/spectator from the current game and suspension from the next scheduled game that is actually played.
- b. Second Offense – Discipline up to and including one (1) year suspension as a leader, participant and/or fan/spectator from Olive Branch Parks and Recreation sporting activities and related sporting events from the date of the incident of the second offense.
- c. Third Offense – Discipline up to and including three (3) year suspension as a leader and/or participant from Olive Branch Parks and Recreation sporting activities and related sporting events. One (1) year suspension as a fan/spectator in Olive Branch Parks and Recreation sporting activities and sporting related events from the date of the incident.

### **III. HARASSMENT**

#### **A. Harassment by Fans/Spectators – Definition**

Harassment includes, but is not limited to, abusive language, tormenting of participants, and the baiting of individuals in an attempt to illicit a response. The following set of actions may be implemented against fans/spectators who engage in harassment:

1. First Offense – Discipline up to and including immediate ejection and two game suspension.
2. Second Offense – Discipline up to and including one (1) year suspension as a participant and/or fan/spectator from the date of incident from Olive Branch Parks and Recreation sporting activities and related sporting events. Lifetime prohibition from a leadership role in Olive Branch Parks and Recreation sporting activities and sporting related events.
3. Third Offense – Discipline up to and including lifetime suspension as a leader, participant, and/or fan/spectator.

### **IV. Unsportsmanlike Conduct**

Sportsmanship is defined as conduct becoming to a sportsman, such as fairness, courteous relations and acceptance of results. The Olive Branch Parks and Recreation Department is promoting these ideals in its sporting activities, programs and sports related events. The items listed in the above sections describe misconduct which justifies the prescribed penalties and represents unsportsmanlike conduct. Should any unsportsmanlike conduct occur which is not specifically addressed or described in the previous sections, the Olive Branch Parks and Recreation Department, in its judgment, may institute reasonable penalties for such behavior consistent with this policy. In determining whether an incident or unsportsmanlike conduct has occurred, the rules of that particular sport may be considered.

### **V. Procedures Following Incident**

When a person engages in unsportsmanlike behavior within the Olive Branch Parks and Recreation's sporting activities and related sports events, recreation supervisors, recreation leaders, league supervisors and/or league officials will have the individuals involved in the dispute escorted from the park or facility at which the event is occurring. During such time, the sporting event or program will be stopped until those involved have left the park or facility property. If a person(s) refuses to leave the premises, the



Olive Branch Police Department will be contacted and asked to assist in maintaining an orderly atmosphere.

Individuals removed from the park or facility will be sent a notification letter describing the violation of this policy. The individual will then have seven (7) days from receipt date of the notification letter to respond with a written response to the alleged violation. The office of the Director of Parks must receive the response at 8877 College Street, Olive Branch, MS 38654 on or before the seventh day from the receipt date of the notification letter. No written statement will be considered in the investigation after the seven (7) days. After any statements are received, an investigation will be conducted by the Athletic Director and Program Supervisor on duty the date of the incident, and the Olive Branch Parks and Recreation Department will render a decision as to applicable penalties within ten (10) working days from the statement deadline. During this investigation, the individual(s) accused of policy violations will be suspended from all sporting activities and/or sporting related events. Those found in violation of this policy, or who feel aggrieved with the outcome of the decision after the investigation, may file an appeal to the office of the Director of Parks and Recreation. In filing an appeal, an individual(s) will have five (5) business days to respond in writing from notification of the decision, and said appeal shall be received in the Director's office, on or before, the fifth day after notification of the decision. The appeal will be considered by the Mayor and Park Director. The appealing party shall have the right to be present and to be heard by the Mayor and Park Director. Individuals may be asked to appear before the Mayor and Park Director. All appeal decisions are final and are not subject to further review by the City unless a hearing is granted by the Board of Aldermen.

If the Olive Branch Parks and Recreation Department deems a fight or act of verbal abuse as flagrant or severe, the Department reserves the right to enforce a more severe punishment than prescribed in this policy.

For calculation of times set forth in this policy, time shall be calculated as provided by state law.