

SPONSOR: ROBERT A.B. REICHERT

AN ORDINANCE OF THE MACON-BIBB COUNTY COMMISSION, REVISING SEC. 17-60, TO INCLUDE OPERATION HOURS FOR SANDY BEACH WATER PARK; TO PROVIDE AN ADOPTION AND EFFECTIVE DATE; AND TO PROVIDE FOR OTHER LAWFUL PURPOSES.

WHEREAS, by virtue of Article IX, Section III, Paragraph II of the Constitution of Georgia, Ga. Law 2012, page 5595 and Ga. Laws 2013, pages 3501, 3942, and by virtue of the will of the people in a referendum held on July 31, 2012 there is to be a consolidated local government known as "Macon-Bibb County"; and

WHEREAS, Macon-Bibb County Recreation wishes to establish hours of operation for Sandy Beach Water Park; and

WHEREAS, the ordinance contained herein would benefit and promote the health, safety, morals and welfare of the citizens of Macon-Bibb County.

NOW, THEREFORE, BE IT ORDAINED by the Macon-Bibb County Commission and it is hereby so ordained by the authority of the same that:

Section 1.

Chapter 16, Article 1, Sec. 17-60 – Rules and regulations; of the Inaugural Code of Ordinances for Macon-Bibb County is hereby amended to read as follows:

Sec. 17-60. - Rules and regulations.

- (a) The rules and regulations applicable to the Lake Tobesofkee Recreation Area are as follows:

General.

- (1) The cardinal rule of conduct for all persons utilizing the Lake Tobesofkee Recreation Area ("the area") is that of common courtesy and respect for the rights of others. Most problems can be avoided if this rule is recognized.
- (2) No person may be admitted to or use the facilities of Lake Tobesofkee without payment of the appropriate fee. Evidence of fee payment shall be retained by every person admitted on a daily basis and shall be produced upon request of area personnel or other authorized individual.
- (3) All persons using the Tobesofkee Recreation Area are expected to comply with all of the laws of the state regulating parks, recreation areas, camping, boating, skiing and fishing, as well as with the applicable rules of the state department of natural resources and of Macon-Bibb County.
- (4) Hunting, trapping or otherwise pursuing or catching any wildlife within the Tobesofkee Recreation Area is strictly prohibited.

- (5) Persons having boats in the water at the marina and at the apartment complexes on the lake must possess a current valid annual permit. All boats entering the marina for the purpose of boating will be required to purchase tickets at a gate house prior to entry, or must be the holder of a current annual permit.
- (6) All children under 16 years of age must wear a helmet when riding a bicycle anywhere inside parks.
- (7) Claystone and Arrowhead Parks open at 6:00 a.m. and close at 9:30 p.m. throughout the year. Sandy Beach Park hours vary from time to time according to the season. Area office hours are from 8:00 a.m. to 5:00 p.m., Monday through Friday. Sandy Beach Waterpark shall operate 8:00 a.m. to 9:00 p.m. Monday through Sunday during the water park season which shall be from Memorial Day weekend through Labor Day weekend.
- (8) Off-road vehicles (ATVs, dirt bikes, go carts, motorized scooters, etc.) are prohibited. Golf carts are likewise prohibited with the exception of those utilized by disabled individuals and displaying a valid handicap sticker.
- (9) The possession or consumption of alcoholic beverages within the Tobesofkee Recreation Area is prohibited, except under special circumstances approved by the commission and within areas designated by the Manager.
- (10) Discharge of any firearm within the Tobesofkee Recreation Area shall be unlawful, unless express written permission for such has been authorized by the commission.
- (11) Possession of any explosive substance, including fireworks, within the Tobesofkee Recreation Area shall be unlawful unless express written permission for such has been authorized by the commission.
- (12) Motorized vehicles may be operated only upon designated roadways and shall be parked only in officially designated areas.
- (13) No person shall drive any motor vehicle of any character on the roadways of the Tobesofkee Recreation Area at a speed greater than 15 miles per hour.
- (14) Pets are not permitted within the Tobesofkee Recreation Area unless on a leash. Under no circumstances are pets permitted on beach areas.
- (15) The Macon-Bibb County boat ramp docks are to be used only for assistance in launching or removing boats from the water. Use of the boat ramp dock for sunbathing and the placing thereon of lawn chairs and other equipment are prohibited.
- (16) No person, firm or corporation shall deposit within the Tobesofkee Recreation Area in any of the parks below the 369-foot contour line any dirt, rock, debris or waste matter whether it is solid waste matter, garbage, human waste or other material, which might contaminate the ground or the lake. All waste matter shall be disposed of in approved facilities.

- (17) Every person shall at all times obey and comply with directions given by all official regulatory signs posted within the area.
- (18) Utilization of the Tobesofkee Recreation Area and its facilities is at the risk of the user. Macon-Bibb County assumes no responsibility for injury to persons or property arising from the utilization of the Tobesofkee Recreation Area.
- (19) Persons wishing to utilize a picnic shelter may reserve a shelter in advance by contacting the area office and paying a reservation fee. Shelters not reserved in advance are available on a first come, first serve basis. Payment of a shelter reservation fee does not entitle anyone to enter the park free of charge. Each person desiring to enter the park shall pay the regular admission fee.

Camping.

- (20) Campsites may be reserved by contacting the area office.
- (21) Camping in areas other than designated camping areas is prohibited unless express, written authorization of the Manager is obtained.
- (22) Payment of camping fees entitles the authorized persons to make use of campsites, beaches, and other facilities not requiring any other additional fees. Payment of camping fees covers admission to other site parks in addition to the one in which the paying parties are camping.
- (23) Persons desiring to camp must pay camping fees in advance and obtain a permit from the gate stations; however, campers entering after 10:00 p.m. and prior to 6:00 a.m. may camp for the night, provided camping and other fees are paid not later than 9:00 a.m. on the morning immediately following entry.
- (24) Check out time for camping is 12:00 noon. Campers remaining after 12:00 noon on any day will be charged for an additional day's camping.
- (25) Camping is limited to 14 consecutive nights at any one site. After 14 consecutive nights, campers and the unit (RV, camper, trailer, etc.) must move to another site designated by the Manager. (Waterfront sites in Arrowhead Park and the pull-through sites in Claystone Park are not included). Campers may stay a total of seven nights within a 30-night period at the waterfront sites in Arrowhead Park and pull-through sites at Claystone Park. After a total of seven nights during any 30-night period, campers and the unit (RV, camper, trailer, etc.) must vacate these sites for 30 consecutive nights before re-occupying any one of these sites.
- (26) Campers who bring boats must pay the daily boat fee regardless of whether the boat is in the water or at a designated parking area. Boats and boat trailers shall not be parked at the campsites.
- (27) Visitors to any occupied campsite must pay the general admission fee required of all

persons. Issuance of a camping permit does not entitle visitors to enter the park area free of charge.

- (28) Tent camping is permitted in RV sites. Camping occupancy is limited to one camping unit; (RV, pop-up, trailer or family tent) and one additional small tent per campsite. Each campsite is permitted two additional vehicles. Tent camping is not permitted in pull-through and sewer access sites.
- (29) The use of major electrical appliances such as, but not limited to, refrigerators, washing machines, ice makers, and so forth is not permitted outside any camping unit (RV, pop-up, trailer, or tent).
- (30) Camp fires are permitted only in designated areas and only when supervised by adults.
- (31) Persons desiring to arrange for group camping should consult the area office in advance of applicable rules.
- (32) Loud, boisterous conduct, including playing radios or other sound-producing devices at loud levels, is prohibited. Disorderly conduct, drunkenness, or obscene language is prohibited.
- (33) Oversized vehicles such as tractor trailer trucks, automotive wreckers, etc., shall not be parked at camp sites. This prohibition does not apply to motor homes used for camping.
- (34) Persons registering to camp must be 21 years of age or older.
- (35) After 9:00 p.m. all children under 16 years of age must be accompanied by an adult unless they are at their campsite. Parents shall be responsible for the actions of their children.
- (36) Pets are allowed in the campground if kept on a leash and attended at all times. Unleashed pets and those whose behavior disturbs other campers must be removed from the park by the owner. Under no circumstances are pets permitted on beach areas.

Fishing, boating and skiing.

- (37) Except as provided in subsection (43), fishing, boating and skiing are authorized only for those people who hold a current day's ticket or a current annual permit in their possession.
- (38) Fishermen, boaters, and skiers are cautioned to comply with all state and local regulations respecting those activities.

(39) Persons desiring to night fish after park hours must purchase tickets before park gates close, or have a current annual permit.

(40) Fishing is prohibited in swimming areas when the lake is open to swimmers.

(41) Fishing from public boat docks when boats are present is prohibited.

(42) Skiers and operators of boats towing skiers must exercise due care for the safety and welfare of others. Skiing in lake coves is specifically prohibited.

(43) Persons 65 years of age or older may fish without payment of an admission fee, provided they have obtained a senior citizen's pass at the area office.

(44) For the present, no limitation is placed upon the horsepower of motors. However, Macon-Bibb County reserves the right to place limits on the size of motorboat motors should the commission determine that to be in the public interest.

(45) All fishermen must carry licenses, as required by the state.

(46) No trout lines, set hooks, baskets, nets, jugs, or any type of commercial fishing gear shall be permitted. Cast nets and landing nets may be used in compliance with state laws.

(47) Fishing from bridges, right-of-way of roads and boat ramp docks is prohibited.

(48) No vessel, including sail boards, shall be permitted to enter any swimming area or any area designated as a no boat area.

Swimming.

(49) Swimming at all park sites must be confined to areas designated for that purpose.

(50) Diving or jumping from public docks and bridges is prohibited.

(51) Swimming is permitted during daylight hours only. Persons choosing to swim when lifeguards are not on duty do so at their own risk.

(52) Scuba diving in Lake Tobesofkee is prohibited unless the express written permission of the Manager is obtained.

(b) Official copies of these rules and regulations are maintained in the office of the Clerk of Commission and the office of the Manager of the Tobesofkee Recreation Area.

(c) If any provision of this section is in genuine conflict with any state or federal law or requirement, the conflict shall be resolved in accordance with law.

Section 2.

It is the intention of the Macon-Bibb County Commission that nothing herein shall be interpreted as amending, altering, abolishing, discharging, or in any manner affecting any advisory committees, fines, fees, charges, assessments, and/or procedures previously established or adopted by Bibb County or the City of Macon regarding Parks and Recreation in Bibb County, the City of Macon, and/or Macon-Bibb County, and that any such advisory committees, fees, charges, assessments and/or procedures shall continue in full force and effect in Macon-Bibb County consistent with the provisions of the Macon-Bibb County Charter, Ga. Law 2012, page 5595 and Ga. Laws 2013, pages 3501, 3942.

Section 3.

The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out herein.

Section 4.

This Ordinance, to the extent necessary, shall be codified in a manner consistent with the laws of the State of Georgia and Macon-Bibb County.

Section 5.

(a) It is hereby declared to be the intention of the Macon-Bibb County Commission that all sections, paragraphs, sentences, clauses, and phrases of this Ordinance are and were, upon their enactment, believed by the Macon-Bibb County Commission to be fully valid, enforceable, and constitutional.

(b) It is hereby declared to be the intention of the Macon-Bibb County Commission that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Chapter is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Macon-Bibb County Commission that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.

(c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Macon-Bibb County Commission that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs, and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

Section 6.

All Ordinances or parts of Ordinances in conflict with this Ordinance are, to the extent of such conflict, hereby repealed or set aside.

Section 7.

This Ordinance shall become effective immediately upon its approval by the Mayor or upon its adoption into law without such approval.

SO ORDERED AND ORDAINED this 20 day of June, 2017.



ROBERT A.B. REICHERT, MAYOR

ATTEST: 
JANICE S. ROSS, CLERK OF COMMISSION



Routing/File Form

Document Type: ☐ Contract ☐ Deed ☒ Ordinance ☐ Resolution ☐ Grant ☐ Other
 (Check one of the above document types)

Purpose: AN ORDINANCE OF THE MACON-BIBB COUNTY COMMISSION, REVISING SEC. 17-60 TO INCLUDE OPERATION HOURS FOR SANDY BEACH WATER PARK; TO PROVIDE AN ADOPTION AND EFFECTIVE DATE; AND TO PROVIDE FOR OTHER LAWFUL PURPOSES.

Annual Cost: _____

Total Contract Amount: _____

Administering Department or Officer: _____

Contractor(s): _____

Contract Start Date: _____ **Contract End Date:** _____

Funding Source(s): _____

Automatic Renewals: _____ yes _____ no

Number of Renewals: _____ **Final Expiration Date:** _____

<u>Reviewed By:</u>	<u>Ordinance/Resolution</u>		<u>Contracts/Other</u>	
	<u>Initials</u>	<u>Month/Day/Year</u>	<u>Initials</u>	<u>Month/Day/Year</u>
Assistant County Attorney	<i>CF</i>	6 / 8 / 17		
County Attorney				
Department Head				
Finance Director				
County Manager				
Mayor	<i>RASR</i>	6 / 8 / 2017		
Clerk of Commission				
Grants Director	<i>MM</i>	6 / 8 / 17		

Commission Approval (if applicable) _____

Additional comments, instructions, etc.: _____

ALL FULLY-EXECUTED CONTRACTS ARE TO BE PLACED ON FILE IN THE CLERK OF COMMISSION'S OFFICE AS SOON AS POSSIBLE AFTER EXECUTION.

SPONSORED BY

Robert A.B. Reichert
Mayor Robert A.B. Reichert



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VOTE

COMMITTEE REPORT

Yes No

<u>Verbal Meeting</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>

Referred to the Committee on _____

Date: _____

ACTION TAKEN AND DATE:

RECOMMEND: Approved

(Approved/Disapproved/Approved as Amended)

June 13, 2017
Date

REPORT

Rendered June 28, 2017
and Approved

Yes No Abstain Absent

Bechtel	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Schlesinger	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lucas	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jones	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bivins	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Shepherd	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Watkins	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tillman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Reichert	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Total:				

APPROVED AS TO FORM FOR COUNTY ATTORNEY BY

Crystal Jones
Crystal Jones

Assistant County Attorney