

ORDINANCE NO. 2024-6

AN ORDINANCE ESTABLISHING RULES AND REGULATIONS FOR PARKS AND RECREATION AREAS OWNED BY THE TOWN OF GENEVA, INDIANA

WHEREAS, the Town Council of the Town of Geneva, Indiana (the “Town Council”) adopted Ordinance No. 2024-5, which eliminated the Parks and Recreation Board and Department of Parks and Recreation of the Town of Geneva (the “Town”), and which designated the Town Council as the park authority of the Town pursuant to Ind. Code § 36-10-5-2; and

WHEREAS, the Town Council deems it appropriate to establish and provide for rules and regulations to govern the acceptable uses of the public at the parks and recreation areas owned by the Town; and

WHEREAS, the Town Council believes that such rules and regulations shall help facilitate the enjoyment and use of such parks and recreation areas; promote public health, safety, and welfare; and protect the rights of all concerned; and

WHEREAS, it is the desire of the Town Council that persons entering such parks and recreation areas may remain as long as they abide by the adopted ordinances, rules, and regulations of the Town; applicable laws and ordinances of the State of Indiana and County of Adams; and lawful instructions of authorized employees or designees of the Town.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Geneva, Indiana as follows:

SECTION I

Title IX, Chapter 98 entitled “PARK RULES AND REGULATIONS” is hereby added to the Town of Geneva Code of Ordinances, and shall be read as follows:

§ 98.01 TERRITORIAL SCOPE.

This chapter shall be effective within and upon the Geneva Ball Diamonds (also known as the Town of Geneva Park and Shackley Street Park) and Affolder Park, including any parking areas thereof, and any other parks and recreation areas acquired by the town after the effective date of this section.

§ 98.02 HOURS OPEN TO PUBLIC.

All parks and recreation areas shall be open to the public at dawn and shall close at dusk or upon the conclusion of sanctioned athletic events or other activities authorized by the Town Council, whichever occurs later. These park hours shall be posted for public view at appropriate locations within the parks. No person shall be permitted to enter or remain in any park except when open as herein specified and for activities as authorized by the Town Council.

§ 98.03 CAMPING.

No person shall erect or maintain a tent or other shelter, or otherwise camp within any park or recreation area without the express authorization of the Town Council, which such authorization shall be conspicuously posted at the campsite.

§ 98.04 SLEEPING.

No person shall sleep within any park or recreation area after such location has closed to the public, except as authorized under § 98.03.

§ 98.05 OPERATION OF VEHICLES.

No person shall operate any motorized vehicle or off-road vehicle within any park or recreation area, except upon the roads or parking areas which are designated and provided for such purposes. This section shall exclude electric personal assistive mobility devices (as defined by I.C. § 9-13-2-49.3) and town maintenance vehicles.

§ 98.06 VEHICLES AFTER PARK HOURS.

No person shall park or leave any vehicle within any park or recreation area (including any parking area thereof) after such park or recreation area has closed to the public. The registered owner of a vehicle shall be held responsible for such vehicle being parked or left within a park or recreation area (including any parking area thereof) after such park or recreation area has closed to the public and shall be liable for any towing expenses incurred by the Town.

§ 98.98 TRESPASS.

(A) Any person in violation of this chapter within any park or recreation area other than Affolder Park shall be considered a trespasser and subject to immediate ejection from such park

or recreation area by the Town Marshal, Chief Deputy Marshal, or a Deputy Marshal.

(B) Any person in violation of this chapter within Affolder Park shall be considered a trespasser and subject to immediate ejection from such park or recreation area by the Adams County Sheriff Department upon request of the Town Marshal, Chief Deputy Marshal, or a Deputy Marshal.

SECTION II

All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed and of no further force or effect.

SECTION III

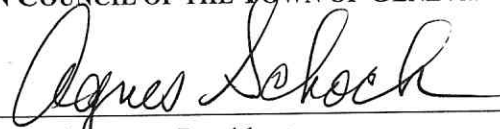
If any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the other remaining parts.

SECTION IV

This Ordinance shall become and remain in full force and effect immediately upon its adoption.

Duly passed, adopted, and ordained by the Town Council of the Town of Geneva, Indiana, on December 10, 2024.

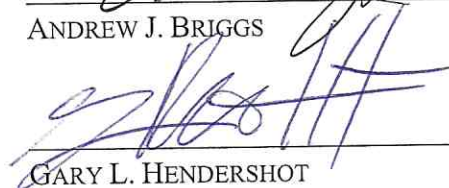
TOWN COUNCIL OF THE TOWN OF GENEVA



AGNES A. SCHOCH, President



ANDREW J. BRIGGS

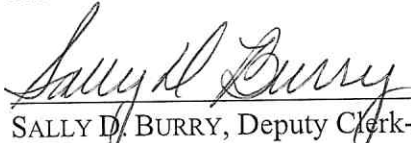


GARY L. HENDERSHOT


ARLEN R. MITCHELL

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ATTEST:


SALLY D. BURRY, Deputy Clerk-Treasurer