

AN ORDINANCE

ADOPTING, a new code section 10-4-230, Hours of Operation for City Parks; and, amending Section **10-4-120 - Use of bicycles, skates, skateboards, roller blades or other similar devices, in public parks, the central business district, and on any public property prohibited.**

WHEREAS, Unlawful and inappropriate behavior in the City's parks diminishes these precious assets and deprives citizens of the full use and enjoyment of the natural beauty, recreational opportunities and peaceful repose that parks are intended to preserve in an urban setting and,

WHEREAS, In addition to more serious criminal acts that threaten personal injury and property damage, a wide range of illegal disorderly behavior can transform a park into an unwelcoming, unattractive and ultimately unsafe public space requiring increased expenditures for public safety and maintenance and,

WHEREAS, the City of Marietta Police Department has requested the City Council consider establishing hours of operation for city parks within Marietta

NOW THEREFORE, BE IT HEREBY ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF MARIETTA, GEORGIA, THAT:

Section 1: Section 10-4-230 of the Marietta City Code is hereby adopted as follows to establish hours of operation at city parks as follows:

- A. Parks and park facilities without lighted amenities shall open at 6:00 a.m. and shall close at sunset. Parks with lighted amenities for public use shall open at 5 a.m. and close at 11:00 p.m.
- B. The Parks, Recreation and Facilities Director is hereby authorized to establish specified operating hours for individual parks or facilities and those hours shall be enforced as posted.
- C. Any deviation from these standard hours of operation must be pre-approved by the Parks, Recreation and Facilities Director. When parks are closed, no person shall be authorized to be on the premises or property of any city park, except authorized city employees or persons engaged in activities authorized by the parks and recreation director.
- D. This prohibition set forth in Subsection A. is hereby waived for Glover Park and the amenities attached thereto which shall open at 6 a.m., and close at 3:25a.m. in accordance with Section 10-4-120.

Section 2: Section 10-4-120 is hereby amended to change the curfew hours for Glover Park as follows:

G. It is unlawful for any person, regardless of age, to enter or be within Glover Park from 4:00 3:25 a.m. to 6:00 a.m. This provision shall not apply to city employees or officials on city business and may be waived by the city manager for certain city-sponsored events.

Section 3: It is hereby declared to be the intention of this Ordinance that its sections, paragraphs, sentences, clauses and phrases are severable, and if any section, paragraph, sentence, clause or phrase of this Ordinance is declared to be unconstitutional or invalid, it shall not affect any of the remaining sections, paragraphs, sentences, clauses or phrases of this Ordinance.

Section 4: All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.

Section 5: This Ordinance shall become effective upon the signature or without the signature of the Mayor, subject to Georgia laws 1983, page 4119.

This 10 day of October 2019.

APPROVED: R. Steve Tumlin, Jr.
R. Steve Tumlin, Jr., Mayor

ATTESTED: Stephanie Guy
Stephanie Guy, City Clerk

APPROVED AS TO FORM: Douglas R. Haynie
Douglas R. Haynie, City Attorney