

MECKLENBURG COUNTY PARK AND RECREATION FACILITIES ORDINANCE

Be it ordained by the Board of Commissioners of Mecklenburg County that the following Ordinance shall govern the use and operation of Mecklenburg County Park and Recreation Facilities.

Definitions

SECTION 1: Definitions. Whenever used in this Ordinance, the following terms, unless otherwise therein expressly defined, shall mean and include each of the meanings herein set forth:

- A. "Board": Board of County Commissioners of Mecklenburg County.
- B. "Bridle Path or Trail": Any path or trail maintained for persons riding on horseback.
- C. "Commission": The Mecklenburg County Park and Recreation Commission established and authorized by the Board of County Commissioners to serve as the recreation advisory body to the Board.
- D. "County": Mecklenburg County.
- E. "Department": The Mecklenburg County Department of Park and Recreation.
- F. "Director": Director of the Park and Recreation Department, or his or her designee.
- G. "Feed or Feeding": The act of, or the furnishing of, food or other sustenance, including but not limited to substances such as bread, popcorn, crackers, grain, and seeds.
- H. "Feral Animals": Any domesticated animal (or off spring of a domesticated animal) that has returned to an untamed or wild state.
- I. "Firearm": A handgun, shotgun, or rifle which expels a projectile by action of an explosion.
- J. "Foot Path or Trail": Any path or trail maintained for pedestrians.
- K. "Handgun": A pistol, revolver, or other gun that has a short stock and is designed to be held and fired by use of a single hand.
- L.J. "Holder": Any person to which a permit is issued.
- M.K. "Park": The term park or parks, unless specifically limited, shall be deemed to include all

2009 Ordinance with draft 2013 amendments

parks, playgrounds, recreation centers, greenways, water areas, wildlife refuges, nature preserves or other recreation areas, developed or undeveloped, and structures thereon, owned, operated, leased or managed by the County.

- | ~~NL~~. "Permits": Any written license issued by or under authority of the Department, permitting the performance of a specified act or acts, as authorized by Section 4 of this Ordinance.
- | ~~OM~~. "Person": Any natural person, corporation, company, association, firm, partnership or other legal entity.
- | ~~PN~~. "Vehicle": Any wheeled conveyance, whether motor powered or animal driven, including but not limited to motorbikes, mopeds, and motorcycles; except self-powered bicycles, wheel chairs and similar vehicles, baby carriages, and vehicles in the service of the Department.
- | ~~QQ~~. "Water Feature": Any stream or natural or manmade impoundment of water located within a park such as lakes, ponds, swimming pools, wading pools, and fountains, except public waters such as the Catawba River, Mountain Island Lake and Lakes Norman and Wylie.
- | ~~RP~~. "Waterfowl": Any member of the species of birds commonly known as swans, geese, ducks, seagulls, and any other species of birds commonly found in or around bodies of water.

Construction and Scope of Regulation

SECTION 2: Construction. In the interpretation of this Ordinance: (1) Any term in the singular shall include the plural; (2) Any term in the masculine shall include the feminine and the neuter; (3) any requirement or prohibition of any act shall, respectively, extend to and include the causing or procuring, directly or indirectly, of such act; (4) No provision hereof shall make unlawful any act necessarily performed by any officer or employee of the County or the Department in the line of duty or work as such, or by any person, his agents or employees, in the proper and necessary execution of the terms of any agreement of the County or the Department; (5) Any act otherwise prohibited by this Ordinance, shall be lawful if performed under, by virtue of and strictly within the provisions of a permit; and (6) This Ordinance is in addition to and supplements State law, including but not limited to motor vehicle laws, which are in force in all parks and which are incorporated herein and made a part hereof.

SECTION 3: Territorial Scope. This Ordinance shall be effective within and upon all parks with the exception of the Tradition Golf Links at Mallard Creek, and shall regulate the use thereof by all persons.

SECTION 4: Permits. The Director shall have the authority to issue permits, consistent with the

| RBCWB: ~~165777:September 15, 2009~~178753:2/5/2013

2009 Ordinance with draft 2013 amendments

rules and regulations promulgated by the Board for use of parks. Permits are not transferable. A permit to do any act shall authorize the same only insofar as it may be performed in strict accordance with the terms and conditions thereof. Any violation by its holder or agents or employees of any term or condition thereof shall constitute grounds for its revocation by the Director whose action therein shall be final. In case of revocation of any permit, all monies paid for or on account thereof shall, at the option of the Director, be forfeited to and be retained by the County; and the holder of such permit, together with his agents and employees who violated such terms and conditions, shall be jointly and severally liable to the County for all damages and loss suffered in excess of money so forfeited and retained; but neither such forfeiture and retention by the County of the whole or any part of such monies nor the recovery or collection thereby of such damages, or both shall in any manner relieve such person or persons from liability for punishment for any violation of any provision of this Ordinance.

Preservation of Parks

Civil Penalty for Violation

\$ 50.00 SECTION 5: No person shall willfully and intentionally remove, destroy, cut down, scar, mutilate, injure, take or gather in any manner any tree, flower, fern, shrub, rock, artifact or other plant or mineral in any park unless authorized by permit.

\$ 50.00 SECTION 6: No person shall willfully and intentionally in any manner injure, deface, disturb, destroy, or disfigure any part of any park or any building, sign, equipment or other property found therein.

Swimming

\$ 50.00 SECTION 7: No person shall bathe, wade, or swim in any water features in any park except in designated swim areas, spray grounds, swimming or wading pools, or enter public waters from any park to bathe, wade or swim except in connection with special events authorized by the Director. This section does not prohibit ingress or egress to or from a park by way of swimming in public waters.

\$ 50.00 SECTION 8: No person shall dress or undress in any place in any park, except in such bath houses as may be maintained by the Department or within tents used in connection with permitted camping. The removal from the person of outer garments such as coats, jackets, sweaters, shoes and stockings, is not prohibited.

\$ 100.00 SECTION 9: No person shall willfully expose the genitals or buttocks of his or her person while in a park and in the presence of any other person, or aid and abet another in any such act, except as permitted by Section 8.

Refuse and Rubbish

2009 Ordinance with draft 2013 amendments

\$ 50.00 SECTION 10: No person shall deposit in any part of any park any garbage, sewerage, refuse, waste, fruit, vegetables, foodstuffs, boxes, tin cans, glass, crockery, paper, or other litter or other waste material or obnoxious material, except in the containers designated for such purpose.

\$ 50.00 SECTION 11: No person shall, in the streams, lakes, or other water features of any park, bathe dogs or other animals, wash vehicles or clothing, or throw, cast, lay, drop, or discharge into or leave in the streams, lakes, or other water features of the park or in any storm sewer or drain flowing into said waters, any substance, matter or thing, liquid or solid, which may or will result in the pollution of said waters.

Traffic and Parking

\$ 20.00 SECTION 12: No person shall drive a vehicle in any park within or upon a safety zone, walking path, bridle path, bicycle trail, jogging trail, fire truck trail, service road or any part of any park not so designated for vehicular traffic by the Director, nor in an area or on a road or trail marked for authorized vehicles only.

\$ 50.00 SECTION 13: No person shall operate any go-cart or minibike or moped at any location within any park other than such places, if any, as are specifically designated for such purposes by the Director, except that regularly licensed vehicles and operators may have access to streets and roadways within parks to the same extent as public streets, subject to the traffic rules of this Ordinance and State law.

\$ 20.00 SECTION 14: No person shall ride a bicycle on other than the right-hand side of a paved vehicular road or bicycle trail designated for that purpose; or fail to keep in single file when two or more bicycles are operating as a group. A bicyclist shall be permitted to wheel or push a bicycle by hand over any grassy area or wooded trail or on any paved area reserved for pedestrian use.

\$ 20.00 SECTION 15: No person shall ride any other person over the age of six (6) years on a single passenger bicycle in any park.

\$ 0.00 SECTION 15(a): No person under the age of sixteen (16) years shall operate a bicycle or ride as a passenger on a bicycle or operate a skateboard or rollerblades as may be permitted on park property without wearing a protective helmet, nor shall a parent or guardian allow their child or ward to so operate or ride a bicycle, skateboard or rollerblades without wearing a protective helmet. Such helmets

2009 Ordinance with draft 2013 amendments

shall meet or exceed the safety standards set by the American National Standards Institute or the Snell Memorial Foundation.

- \$ 20.00 SECTION 16: No person shall ride a bicycle on any road between thirty (30) minutes after sunset and thirty (30) minutes before sunrise without an attached headlight plainly visible at least 200 feet from the front, and without a red tail light or red reflector plainly visible from at least 100 feet from the rear of such bicycle.
- \$ 20.00 SECTION 17: No person in a park shall fail to comply with all applicable provisions of the motor vehicle laws of the State and ordinances of the County in regard to equipment and/or operation.
- \$5.00 SECTION 17(a): No person may ride a skateboard within any area designated for skateboard use without wearing a helmet, elbow pads, and knee pads. Such helmets shall meet or exceed the safety standards set by the American National Standards Institute or the Snell Memorial Foundation. The Director shall post at any facility or area designed for skateboard use (including areas that might be known as a "skateboard park") signs affording reasonable notice that any person riding a skateboard in the facility or area must wear a helmet, elbow pads, and knee pads, and that any person failing to do so will be subject to citation under this Ordinance.
- \$50.00 SECTION 18: No person shall fail to obey police officers, park personnel or other persons designated by the County to enforce this Ordinance in regard to traffic direction in a park.
- \$ 50.00 SECTION 19: No person shall fail to observe and comply with all traffic and park regulatory signs, including but not limited to those indicating speed, direction, caution, stopping or parking.
- \$ 50.00 SECTION 20: No person shall drive a vehicle in a park in excess of the posted speed limit.

Cruising

- \$ 50.00 SECTION 21: In order to prevent traffic congestion, obstruction of parks streets, parking lots, emergency vehicle access and public vehicular areas, as well as impediments and danger to pedestrians, it shall be unlawful for a person to drive, or to permit a vehicle under his care, custody or control to be driven past a traffic control point three (3) or more times within a one (1) hour period in parks posted as "No Cruising."

At every point where a park street, parking lot, emergency vehicle access or

2009 Ordinance with draft 2013 amendments

public vehicular area provides ingress to a "No Cruising" park, there shall be a sign posted designating "No Cruising". A "No Cruising" park is a designated park in which it is unlawful for a person to drive, or permit a vehicle under his care, custody or control to be driven past a traffic control point three (3) or more times within a one (1) hour period.

A traffic control point, as used in this section, is any point or points within the "No Cruising" park established by the County for the purpose of monitoring cruising.

No violations of the section shall occur except upon the third passage of a vehicle by the same traffic control point within the aforementioned one (1) hour period.

This section shall not apply to County owned vehicles, City owned vehicles, in-service emergency vehicles, buses and other vehicles being driven for the purpose of conducting park business.

Boating

\$ 50.00 SECTION 22: No person shall use privately owned boats or canoes, to include radio controlled models (boats, airplanes, etc.), in any water feature without a permit.

Camping

\$ 50.00 SECTION 23: No camp shall be maintained in any park except under permit, and under such conditions, at such places, and for such periods as may be designated by the Director.

Sports and Games

\$ 20.00 SECTION 24: No sport or athletic contest shall be allowed except in areas designated and posted for that activity; nor shall a person play rough or comparatively dangerous games such as football, baseball, or golf except in those areas designated for such activity. Bicycle riding, roller blading, roller skating, and skate boarding shall be conducted in a safe manner, in areas and at times which do not create a traffic hazard or a hazard to pedestrians. The Director shall have the authority to temporarily or permanently close sidewalks, footpaths or other areas to bicycle riding, roller blading, roller skating and skate boarding if necessary to prevent creation of a traffic safety hazard or conditions hazardous to pedestrians.

2009 Ordinance with draft 2013 amendments

\$ 20.00 SECTION 25: No person shall use, ride, walk, or drive a horse except to, from, or along a bridle path or other designated area.

Pets

\$ 20.00 SECTION 26: It shall be unlawful to have pets in the areas of County parks where pets are expressly prohibited. The term "pets" includes but is not limited to dogs, cats, primates, snakes, rodents, members of the ferret and weasel family, swine and any other animal kept in domestication. All snakes, ferrets and rodents must be kept in proper cages at all times. All other pets allowed in parks shall be attended and on a leash not more than 6 feet long except for dogs in an officially designated "off-leash" area. This section does not apply to seeing-eye dogs or guide dogs for the visually impaired. This restriction shall not apply to Department employees conducting educational programs or dogs in officially designated "off-leash" areas. Dogs in off-leash areas shall be attended by the owner, have a valid and current license with required vaccinations, and are subject to operational rules established by the County for the designated area.

Wildlife

\$ 100.00 SECTION 27: No person within the confines of any park shall hunt, pursue, trap, shoot, injure, kill, harass or molest in any way, any bird or animal except by permit.

\$ 20.00 SECTION 28: No person shall fish in any water features of any park where expressly prohibited. Additionally, no person shall fish in any park without first obtaining a permit from the Director and without first obtaining a North Carolina fishing license, if so required.

\$50.00 SECTION 28(a): No person may feed, cause to be fed, assist another person to feed, or provide food or any other sustenance, to any waterfowl in any park where signs have been posted affording reasonable notice that persons are prohibited from feeding waterfowl in the park and that any person found to do so will be subject to citation under this Ordinance.

\$100.00 SECTION 28(b): No person or organization shall feed or in any way assist in the development or administration of an assistance program for feral animals.

Weapons, Explosives, Fires

\$ 500.00 SECTION 29: No person except duly authorized local, State or federal law

enforcement officers, and duly authorized County employees or officers shall carry, possess or discharge any type of firearm, handgun, explosive device, air guns of any description (BB guns, paintball guns, pellet guns etc.), or bowie knife, dirk, dagger, slung shot, sling shot, leaded cane, switchblade knife, blackjack, metallic knuckles, razor, shurkin, stun gun, or deadly weapon as defined in the North Carolina General Statutes within any park unless authorized by permit issued by the Director except as provided in SECTION 29.1 with respect to carrying a concealed handgun.

\$ 500.00

SECTION 29.1: The prohibition in SECTION 29 does not apply to carrying a concealed handgun in accordance with N.C.G.S. 14-415.11 in any place in a Park except it is a violation of this Ordinance: (a) to carry or possess a concealed handgun in or on a playground, athletic field, swimming pool or athletic facility that has been posted by the Director as being a place where carrying a concealed handgun is prohibited or (b) to carry or possess a concealed handgun in or on any Park and Recreation Department building or the premises appurtenant thereto that have been posted by the Director as being a place where carrying a concealed handgun is prohibited.

Attached as Attachment 1 is a list of playgrounds, athletic fields, swimming pools, athletic facilities, and buildings and appurtenant premises under the control of the Park and Recreation Department where carrying a concealed handgun is unlawful as of the date that this SECTION 29.1 was passed and added to this Ordinance. The Director is hereby authorized to amend the list, in his discretion, by adding and attaching dated supplements to Attachment 1, as additional playgrounds, athletic fields, swimming pools, athletic facilities, and buildings are built by or placed under the control of the Department.

\$ 20.00

SECTION 30: No person shall kindle, build, maintain or use a fire other than in places provided or designated for such purposes, except by permit. Any fire shall be continuously under care and direction of a competent person over sixteen years of age from the time it is kindled until it is extinguished. No person within the confines of any park shall throw away or discard any lighted match, cigarette, cigar, or other burning object unless entirely extinguished before thrown away or discarded.

Hours and Charges

\$ 50.00

SECTION 31: The Director shall have the authority for establishing opening and closing hours of all parks. It shall be unlawful for any person to fail to leave a park prior to the posted closing time for that park. No person shall enter an area posted as "Closed to the Public" or where the entrance gates are closed, or enter a park after the posted closing time for that park, to include all attached parking areas to any park.

2009 Ordinance with draft 2013 amendments

\$ 50.00 SECTION 32: Any section or part of a park may be declared closed to the public by the Director at any time and for any period of time as the Director deems in the best interest of the public or the County.

\$ 50.00 SECTION 33: No person shall use or gain admittance to, or attempt to use or gain admittance to the facilities in any park for the use of which a charge is made by the Department unless he shall first pay the established charge or price.

Commercial Enterprises, Soliciting,
Advertising, Meetings, Exhibitions, Etc.

\$ 100.00 SECTION 34: Selling, Soliciting, and Exhibiting. It shall be unlawful for any person, firm or corporation to engage in commercial selling, soliciting, demonstrating, exhibiting or other commercial activity, for any purpose, without having in their possession a valid permit issued by the Director as hereinafter provided. Permits shall be issued only when the following requirements are met: 1) The Department shall impose a charge as fixed by the Board for each permit for each person selling, soliciting, or exhibiting in order to finance the administration of this section; 2) A permit to sell, solicit, or exhibit must be obtained from the Director; 3) each individual requesting a permit shall appear in person and furnish the Department his name and address and show positive identification. Identification shall be a drivers license or other identification bearing a photograph, or any other form of positive identification; 4) If the selling, soliciting, or exhibiting is on behalf of another person, firm, corporation, its federal identification number shall be given to the Department; 5) At the time the permit is obtained, the Department shall be given a copy of all other licenses or permits required by other governmental agencies as a condition precedent to engaging in the activity for which the permit is sought; and 6) Each individual shall also provide any other information as required by the Director, which may include proof of insurance coverage. Each applicant will then be issued a permit containing the information shown above, which permit must be signed by the applicant at the time it is issued.

\$ 50.00 While selling, soliciting, demonstrating, exhibiting or engaging in other commercial activities within the jurisdiction of the park, it shall be unlawful to: 1) Fail to conspicuously display the permit at all times; 2) Refuse to exhibit the permit to any member of the general public upon request; or 3) Sell, solicit, or exhibit in violation of conditions of the permit.

Violation of any of the provisions of this section shall cause the permit to be revoked.

2009 Ordinance with draft 2013 amendments

\$ 50.00 SECTION 35: Advertising. No sign, notice or advertisements of any nature shall be erected or posted at any place within any park without the permission in writing from the Director and in conformance with all applicable zoning regulations.

No permit shall be required, however, for a sign exhibited in connection with an activity regulated by Section 34, provided that the sign or signs are placed within 10 feet of the selling, soliciting or exhibiting and are not placed in any vehicular area or pedestrian pathway.

SECTION 36: Unless an area is specifically reserved for a person by the Director, areas such as picnic shelters and ballfields may be used or occupied on a "first come, first served" basis.

\$ 50.00 No person shall refuse to vacate a reserved area, such as a picnic shelter or a ballfield, which has been properly reserved by another person.

\$ 50.00 No person shall continue to occupy a reserved area beyond the time limitation of his reservation if there is another person with a valid reservation waiting to use the area.

\$ 50.00 SECTION 37: Alcoholic Beverages. It shall be unlawful for any person to possess an open container of malt beverage or unfortified wine, to consume malt beverages or unfortified wine, or to possess or consume fortified wine, spirituous liquor, mixed beverages on property subject to the jurisdiction of this Ordinance unless obtained pursuant to a special consumption permit issued by the Director. The words "ABC laws," "alcoholic beverage", "malt beverage", "unfortified wine", "open container", "fortified wine", "spirituous liquor", and "mixed beverages" shall have the same definition as given said terms in Chapter 18B of the North Carolina General Statutes. Possession of an open container of an alcoholic beverage shall be prima facie evidence of consumption.

A. A special consumption permit may be issued as follows:

1. Malt Beverages and Unfortified Wine

- a) By the Director to the sponsor of any athletic contest or similar event held in a park, if such sponsor is a manufacturer or distributor of malt beverages or unfortified wine and if such permit is to allow only the participants in the athletic contest or similar event to consume at the completion of the contest the malt beverages or unfortified

wine manufactured or distributed by the sponsor.

- b) By the Director to the sponsor of events to be held in the Freedom Park bandshell.
- c) By the Director to the sponsor of events to be held in designated picnic shelters, including temporary areas, which have a minimum seating capacity of 50 persons and which are at least 50 feet away from other shelters where consumption of malt beverages or unfortified wine is not permitted and at least 50 feet away from athletic fields. Possession of an open container or consumption outside of the immediate area of the picnic shelter shall be unlawful.
- d) By the Director for the Grady Cole Center and for the American Legion Memorial Stadium.
- e) By the Director to any other person for any special event.

2. Spirituos Liquor, Fortified Wine and Mixed Beverages.

- a) Director approval will only be given to sponsors for events which are closed to persons not attending or participating in the event while the fortified wine, spirituous liquor or mixed beverages are being possessed or consumed; and to sponsors presenting evidence that the event will comply with the ABC laws of the State of North Carolina and will comply with the conditions of the special consumption permit to be issued by the Director.

B. The Director shall be authorized to establish and promulgate regulations for the issuance of special consumption permits under this Ordinance. These regulations shall include, but not be limited to, the following requirements:

- 1. The sponsor shall be required in the discretion of the Director to either procure or reimburse the County for procuring such insurance coverage with such limits and with such other terms as may be required by the County.
- 2. The sponsor may be required in the discretion of the Director to make arrangements for and to bear the costs of additional law

2009 Ordinance with draft 2013 amendments

enforcement presence at the event.

3. The sponsor shall be required to obey all federal, State and local laws and regulations, including but not limited to noise, safety, public health, and laws relating to the consumption of alcohol.
 4. The sponsor shall be required to sign an agreement which fully indemnifies the County, its officers, agents and employees from any liability arising from consumption of beverages pursuant to the permit.
 5. The sponsor shall be required to serve non-alcoholic beverages as an alternative.
 6. The sponsor shall not allow self-service of alcoholic beverages, nor shall the sponsor allow participants to bring their own alcoholic beverages to the event. The sponsor may be required in the discretion of the Director to obtain the services of a professional bartender for dispensing beverages.
 7. The sponsor shall not allow consumption of alcoholic beverages to take place beyond environs designated by the permit.
 8. The sponsor shall post a sufficient number of signs as determined by the Director which clearly state the prohibition on underage drinking.
- C. No permit shall be issued to an individual or to a group who did not comply with the provisions of a previously issued permit. Further, no permit shall be issued for events at which a majority of those attending will be twenty years old or younger.
- D. This section shall not apply to the Charles T. Myers Golf Course and Proshop, Renaissance Golf Course and Proshop, Renaissance Softball and Tennis Complexes, Revolution Park Golf Course, Sunset Hills Golf Complex, The Tradition Golf Links at Mallard Creek, the Senior Center, the Carolina Raptor Center, Latta Place, property leased by Loch Norman Highland Games, Inc., the Dowd House, and Charlotte Community Camp and Retreat Center, provided that operators of these facilities possess valid ABC permits for the sale and consumption of alcoholic beverages and provided that all alcoholic beverages are obtained from the authorized operator of the respective facilities or its concessionaire.

Conduct

- \$ 50.00 SECTION 38: No person in a park shall willfully and intentionally disobey a lawful order of a law enforcement officer, park personnel or volunteers authorized to enforced this Ordinance, nor use abusive, profane or insulting language; nor unreasonably disturb or annoy others; nor be under the influence of intoxicants; nor do any act tending to or amounting to a breach of the peace nor conduct himself in any disorderly manner whatsoever.
- \$ 50.00 SECTION 39: No person shall enter an area posted as "Closed to the Public," nor shall any person use or abet the use of any area in violation of posted notices.
- \$ 20.00 SECTION 40: No person shall lie or sleep in a prone position on seats, tables or benches.
- \$ 50.00 SECTION 41: No person shall construct or erect any building or structure of whatever kind, whether permanent or temporary in character, or run or string any public service utility into, upon or across such lands, except on special written permit issued hereunder.
- \$ 50.00 SECTION 42: No person shall climb, stand or sit upon monuments, planters, vases, fountains, railings, fences, gun-carriages, trees or upon any other property not designated or customarily used for such purposes.
- \$ 20.00 SECTION 43: No person shall leave a bicycle unattended in a place other than a bicycle rack when such is provided and there is space available.
- \$ 20.00 SECTION 44: No person shall leave a bicycle lying on the ground or paving, or set against trees, or in any place or position where other persons may trip over or be injured by it.
- \$ 100.00 SECTION 45: No person shall force entry into any restroom or washroom that is locked or bolted; and no person over the age of five (5) years shall use any restroom, washroom, or locker room designated for the opposite sex.

Enforcement

~~SECTION 46: Enforcement. Duly sworn law enforcement officers with jurisdiction within Mecklenburg County, and park personnel, or volunteers as authorized by the Board shall have the duty and responsibility to enforce this Ordinance and shall be empowered to issue citations when in their judgment any provisions of the Ordinance have been violated.~~

2009 Ordinance with draft 2013 amendments

~~Each such person receiving a citation may, within 72 hours of the time when issued the citation, submit to the violation and pay, as a penalty in full satisfaction of such violation, the sum or sums set out in the left margins in this Ordinance. Failure of such person to make such payment of said amount within 72 hours shall render such person subject to punishment for a misdemeanor.~~

~~The violation of any of the provisions of this Ordinance except Sections 15(a), 17(a), 28, 28(a) and 28(b) shall be a misdemeanor punishable by the Courts in accordance with North Carolina law.~~

~~The violation of Section 29 of this Ordinance shall be a misdemeanor punishable by the Courts by fine up to \$500.00.~~

SECTION 46: Enforcement. Upon violation of any provision of this Ordinance, violators are subject to one or more of the following enforcement actions.

1. Duly sworn law enforcement officers with jurisdiction within Mecklenburg County shall have the duty and responsibility to enforce this Ordinance by charging the violator with a misdemeanor and shall also be empowered to issue citations for civil penalties when in their judgment there is a reasonable basis for believing that a person has violated any provision of the Ordinance. County employees and others designated in writing by the County Manager shall have the authority to issue citations for civil penalties when they observe the violation by any person of any provision of the Ordinance or have a reasonable basis for believing that a person has violated any provision thereof.
2. The violator may be charged with a misdemeanor punishable in accordance with the provisions of N.C.G.S. 14-4 with a fine of up to five hundred dollars (\$500.00) or any other sanctions allowed by law, except that violations of SECTIONS 15(a), 17(a), 28, 28(a) and 28(b) are not misdemeanors.
3. Each such person receiving a citation for a civil penalty is subject to a civil penalty per day of that dollar amount listed beside the SECTION which may be collected by civil action in the nature of debt if the civil penalty is not paid within seventy-two hours after the issuance of the citation.
4. This Ordinance may be enforced by an appropriate equitable remedy issuing from a court of competent jurisdiction.

2009 Ordinance with draft 2013 amendments

SECTION 47: Severability. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unlawful, such decision shall not affect the validity of the remaining portions of this Ordinance.

This Ordinance supersedes the existing, previously adopted, Mecklenburg County Parks and Recreation Centers Ordinance, as amended, and shall be in full force and effect from and after its date of adoption.

Adopted the 8th day of August, 1995; as amended December 20, 1995; September 15, 1998; December 18, 2001; September 16, 2003; March 15, 2005; October 18, 2005; ~~and~~ September 15, 2009; and 2013.