

# FAIRFIELD PARKS AND RECREATION BOARD

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2016

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## **MISSION STATEMENT**

*“The mission of the Fairfield Parks and Recreation is to enrich the quality of life for the citizens of the community, sustain the City’s natural resources and environment, and provide broad based leisure activities, cultural opportunities, facilities and services for all ages.”*

## **CITY OF FAIRFIELD CHARTER**

### **§8.05 PARKS AND RECREATION BOARD.**

(A) There is hereby created a Parks and Recreation Board consisting of seven members to be appointed as follows:

1. Five members shall be electors of the City and shall be appointed for overlapping three year terms of office by a majority vote of the members of the Council, provided that the terms of no more than two of such five members shall be for the same three year period and provided further that Council shall appoint at least one elector from each ward of the City from among such five members (Amended 11-3-98)
2. One member shall be appointed by a majority vote of the members of Council from among its membership to serve at the pleasure of the Council, and such member may be removed from membership on the Board, without cause, by a majority vote of the members of the Council;
3. One member shall be appointed by the Board of Education of the Fairfield City School District, by a majority vote of its members, to serve at the pleasure of the Board of Education, and such member may be removed from membership on the Board, without cause, by a majority vote of the members of the Board of Education. Any member of the Board of Education or officer or employee of the School District may be appointed as such member of the Parks and Recreation Board. In the event such Board of Education shall fail to appoint such member within thirty days after this Charter takes effect or a vacancy in such member's office, the Mayor shall appoint a person to serve for one year after which such Board of Education shall appoint the member.

(B) Except as may be otherwise provided in this article and Charter, the Parks and Recreation Board shall have the following powers, duties and functions:

1. To determine the programs and activities of the City regarding parks and recreation. Such programs and activities and the Department of Parks and Recreation shall be administered, operated, maintained, directed, controlled and supervised by the City Manager;
2. The compensation and the number of employees provided for Park and Recreation programs and activities shall be determined by the Council. Upon authorization of the City Manager, employees provided for Park and Recreation programs and activities may be utilized to perform work for the other departments, or sub-units thereof, and boards and commissions of the City;
3. The appointment and/or promotion of the Director of the Department of Parks and Recreation by the City Manager shall be subject to the prior approval of the Parks and Recreation Board.
4. To recommend to the Council that the Council submit additional tax levies and bond issues to a vote of the electors to provide for current operating expenses and permanent improvements for parks and recreation purposes. This division shall not limit or expand the Council's power to levy taxes or to issue bonds for parks or recreation purposes;

5. To authorize expenditures of moneys and the awarding of contracts for the operation and maintenance of the City's parks and recreation programs as provided by Section 9.02 of this Charter;
6. When the City owns or is trustee of property or funds donated to the City for park purposes, such property or funds shall be managed and administered, on behalf of the City, by the Parks and Recreation Board in accordance with the provisions and conditions of the deed of gift, devise, bequest or other instrument making the donation or creating the trust; and the Board shall have, in addition to powers granted by this Charter and the City's ordinances and resolutions, the powers granted to boards of park trustees under Section 755.22 of the Revised Code of Ohio, as it may be amended from time to time, or any successor statute to that Section, to the extent such statutory powers are not in conflict with and are consistent with this Charter;
7. To adopt rules and regulations and systems of streets, boulevards, or parkways as the Board believes to be in the best interest of the efficient and orderly use and operation of the City's parks and recreation areas. Such rules and regulations shall be adopted in the same form and manner provided by this Charter for the adoption of ordinances and resolutions by the Council and shall be effective as an ordinance of the City. Copies of such rules and regulations and the proceedings of the Board relative to their adoption shall be filed with and maintained by the Clerk of Council;
8. Property under the control of the Board shall not be transferred, or used for any but park or recreation purposes except with the consent of the Board. The Board shall have all other powers conferred upon boards of park commissioners by general laws which are not in conflict with this Charter, but Council may modify such laws and may designate boulevards, streets and highways in the parks and parkways as part of the public street and road system of the City, and give to the City Manager supervision over the construction, repair and maintenance thereof. Such action shall be by ordinance which, unless it is approved by the Board of Park Commissioners, shall require a vote of three-fourths of the members elected to the Council;
9. To perform such other powers, duties and functions as conferred on the Board under this Charter or by the ordinances and resolutions of the City.

(C) The Director of Law shall be the legal advisor to the Board, the Director of Finance shall be the chief fiscal officer of the Board, as provided in the provisions of this Charter specifying the powers, duties and functions of the Directors of Law and Finance. The City Manager shall function as, or designate another administrative officer or employee of the City to serve as liaison and coordinator between the Board and the City's other departments or sub-units thereof, boards and commissions.(Amended 6-8-82; 11-6-84; 8-8-88; 11-2-93.)

## BY LAWS

The Parks and Recreation Board is comprised of seven (7) members, as established by the City of Fairfield Charter, 1979, constituted as shown in Section 8.05 of the Charter.

The regularly scheduled meeting of the Fairfield Parks and Recreation Board will be held on the third Tuesday of each month at 6:00 PM, at the Fairfield Community Arts Center, 411 Wessel Drive. Special meetings may be called by the Chairman or four (4) members of the Board and shall be announced at least twenty-four (24) hours prior to such meetings. Joint meetings with Fairfield City Council, when necessary, will be scheduled by the Director of Parks and Recreation. The general laws of the State of Ohio pertaining to open meetings of the Parks and Recreation Board shall apply to the Board under the Charter to the extent that they are consistent with the Charter.

In order to conduct business, the Parks and Recreation Board shall organize at its May meeting of each year by electing a Chairman, Vice-Chairman, and Secretary. The Chairman and the Vice-Chairman shall be members of the Board and the Secretary may be elected within or without the membership of the Board. The members of the Parks and Recreation Board, by majority vote, shall appoint one of its members to serve on the Planning Commission, and who may be removed from membership in the Planning Commission, without cause, by a majority vote of the members of the Parks and Recreation Board.

The duties and powers of the officers and secretary of the Parks and Recreation Board shall be as follows:

A. Chairman

1. To preside at all meetings.
2. To call special meeting of the Board.
3. To appoint Ad Hoc Committees of the Board.
4. To sign all ordinances and resolutions passed by the Board.

B. Vice-Chairman

1. During the absence of the Chairman, to perform all the duties of the Chairman of the Board.

C. Chairman Pro Tempore

1. During the absence of both the Chairman and Vice-Chairman, the Board shall elect a Chairman Pro Tempore who shall perform the duties of the Board.

D. Member of the Planning Commission

1. To be the Parks and Recreation Board representative.
2. To serve as liaison between the Planning Commission and the Parks and Recreation Board.

E. Secretary of the Parks and Recreation Board

1. To keep the minutes of the Board and to maintain a file of these minutes.

2. To be custodian of all records of the Board which are to be maintained in the office of the Parks and Recreation Director.
3. To file a copy of the Board's minutes with the Clerk of Council for public inspection.
4. To perform such secretarial duties as may be required.

The Chairman of the Parks and Recreation Board may from time to time appoint ad-hoc committees from within and/or outside its membership to research issue or issues and make recommendations to the Board as a whole. Such committees will be promptly disbanded when their objective has been accomplished.

At any meeting of the Parks and Recreation Board, a quorum shall consist of four (4) members of the Board. No action shall be taken in the absence of a quorum.

At all meetings of the Board, each member attending shall be entitled to cast one vote. Voting will be by voice unless a roll call vote is requested by a Boardmember. In the event that any member shall have a personal interest of any kind in any matter then before the Board, the member shall disclose his interest before any discussions on such matter and shall vacate the meeting upon approval of the Board during the discussion and the taking of the vote. If the Board denies the request, that member shall cast a vote on the issue in question. If the Board approves the request, the Secretary shall so record in the minutes and note that no vote was cast by such member. The affirmative vote of at least four (4) members shall be necessary for the adoption of any motion, ordinance, resolution or other voting matter.

The Secretary will prepare minutes of each meeting and present these minutes to the Boardmembers five (5) days prior to the next meeting. The minutes will be approved at the next regular meeting.

Regular meetings will adhere to Robert's Rules of Order and generally to the following agenda unless agreed upon by a majority of the members in attendance:

1. Roll Call
2. Call to Order
3. Comments from the Audience
4. Approval of the Minutes from the Previous Meeting
5. Report from the Director
6. Report of Other Boards & Commissions /Ad Hoc Committees
  - a. City Council Update
  - b. Planning Commission Update
  - c. Cultural Arts Advisory Commission
  - d. Environmental Commission
7. Old Business
8. New Business
9. Comments from the Audience
10. Requests for Executive Session
11. Adjournment

The agenda of all regular meetings shall be prepared by the Parks and Recreation Director and submitted to the Board five (5) days preceding the meeting. In addition, all Council members will receive the Parks and Recreation Board agenda for their information.

Except as may be provided in the Charter, the Parks and Recreation Board shall have the following powers, duties, and functions:

1. To determine the programs and activities of the City regarding parks, recreation, and cultural services. Such programs and activities and the Department of Parks and Recreation shall be administered, operated, maintained, directed, controlled and supervised by the City Manager.
2. The compensation and the number of employees provided for Parks and Recreation programs and activities shall be determined by the City Council. Upon authorization of the City Manager, employees provided for the Parks and Recreation programs and activities may be utilized to perform work for other departments, or sub-units thereof, and boards and commissions of the City.
3. The appointment and/or promotion of the Director of Parks and Recreation by the City Manager shall be subject to the prior approval of the Parks and Recreation Board.
4. To recommend to the Council that the Council submit additional tax levies and bond issues to a vote of the electors to provide for current operating expenses and permanent improvements for parks, recreation, and cultural services purposes. This division shall not limit or expand Council's power to levy taxes or to issue bonds for parks and recreation purposes.
5. To authorize the expenditure of moneys and the awarding of contracts for the operation and maintenance of the City's parks and recreation programs as provided by Section 9.02 of the Charter.
6. When the City owns or is trustee of property or funds donated to the City for park purposes, such property or funds shall be managed and administered, on behalf of the City, by the Parks and Recreation Board in accordance with the provisions and conditions of the deed of gift, devise, bequest or other instruments making the donation or creating the trust; and the Board shall have, in addition to powers granted by the Charter and the City's ordinances and resolutions, the powers granted to boards of park trustees under Section 755.22 of the Revised Code of Ohio, as it may be amended from time to time, or any successor statute to that section, to the extent such statutory powers are not in conflict and are consistent with the Charter.
7. To adopt rules and regulations and systems of streets, boulevards, or parkways as the Board believes to be in the best interest and orderly use and operation of the City's parks and recreation areas. Such rules and regulations shall be adopted in the same form and manner provided by the Charter for the adoption of ordinances and resolutions by the Council and shall be effective as ordinance of the City. Copies of

such rules and regulations and the proceedings of the Board relative to their adoption shall be filed with and maintained by the Clerk of Council.

8. Property under the control of the Board shall not be transferred, or used for any parks and recreation purposes except with the consent of the Board. The Board shall have all other powers conferred upon boards of park commissioners by general laws and may designate boulevards, streets, and highways in the parks and parkways as part of the public street and road system of the City, and give to the City Manager supervision over construction, repair and maintenance thereof. Such action shall be by ordinance which, unless it is approved by the board of park commissioners, shall require a vote of three-fourths of the members elected to the Council.
9. To perform such other powers, duties and functions as conferred on the Board under the Charter or by the ordinances and resolutions of the City.

The members of the Parks and Recreation Board shall not be paid any compensation for services thereon; provided that such members may be reimbursed for their necessary expenses when authorized by an appropriation or ordinance or resolution passed by the Council. This Section shall not prohibit any person who serves on the Board by virtue on in connection with another office or position of employment with the City from receiving compensation for such other office or position of employment.

The City Manager, or his or her designated representative, shall be an ex-officio member of the Parks and Recreation Board. In such capacity, the City Manager, or the designated representative may, but shall not be required to, attend meetings of the Board and may participate in discussions on any matter before the Board but shall not be entitled to vote on any motion before the Board or be counted in determining quorum requirements or the majority required for the Board to take action.

The Director of Law shall be the legal advisor to the Board and the Director of Finance shall be the chief fiscal officer of the Board, as provided in the provision of the Charter specifying the powers, duties and functions of the Directors of Law and Finance. The City Manager shall function as, or designate another administrative officer or employee of the City to serve as, a liaison and coordinator between the Boards and the City's other departments or sub-units thereof, boards and commissions.

These policies and procedures, other than those sections specified by the Charter, may be amended at any regular meeting of the Board by the majority vote of the entire Board, provided that previous written notice of the nature of any proposed amendment shall be given at least one (1) regular meeting before the action thereon shall be taken.

## **POLICIES AND PROCEDURES**

The Fairfield Parks and Recreation Board enacts the following policies and procedures for Parks and Recreation

### **Naming of Parks and Recreation Facilities** (Resolution 18-83)

a) The Parks and Recreation Board will name a park, recreation area, or facility within a park or recreation area after a person only after he/she is deceased.

b) The Parks and Recreation Board will name a park, recreation area, or facility within a park or recreation area only after persons who have made a major contribution to the success and welfare of the Board's policies and programs. Recommendations for nominations, where feasible, may be made from associations and organizations involved in conservational, environmental, or youth activities (e.g., Greentrust, Soccer, Babe Ruth/Little League, Boy Scouts, Girl Scouts, etc.).

c) The Parks and Recreation Board will accept a pre-named new property or facility as a gift.

d) The Parks and Recreation Board will dedicate a new facility or area within a park, recreation area, or building in honor or in memory of an individual only if all or a substantial part of the cost is born by the donor(s) who wish to honor the person.

### **Contest Participation Rules / Regulations** (Board Action 12/12/2006 meeting)

a) Elected officials, appointed officials and employees of the City of Fairfield and their immediate family members are prohibited from participation in contests sponsored by the Parks and Recreation Department.

## **SITES RULES AND REGULATIONS**

The Fairfield Parks and Recreation Board enacts the following rules and regulations for Parks and Recreation Sites owned or controlled by the City of Fairfield, Ohio.

### **Section 100.01 Definitions**

**Park** shall mean any land owned or controlled by the City of Fairfield, Ohio, under the management and administration of the Fairfield Parks and Recreation Board and devoted primarily to outdoor recreation activities.

**Recreation Site** shall mean any facility, except a park, owned or controlled by the City of Fairfield, Ohio, under the management and administration of the Fairfield Parks and Recreation Board and devoted primarily to outdoor recreation activities.

**Board** shall mean the Fairfield Parks and Recreation Board of the City of Fairfield, Ohio.

**Person** shall mean person, persons, associations, and corporations

**Director** shall mean the chief executive officer appointed by the City Manager and responsible for the operations of the Parks and Recreation Department of the City of Fairfield (Fairfield City Charter Section 8.05).

**Village Green Campus Area** means the properties upon which the Fairfield Community Arts Center, the Village Green Park, and the Fairfield Lane Library are situated (Lots 13,357, 12,863 and 12,862 of the City of Fairfield, Butler County, Ohio) including the abutting public right-of-way areas (including sidewalks) for Wessel Drive, City Center Lane, Corydale Drive and Green Drive where such streets abut the above lots. (Passed March 8, 2011 – Parks and Recreation Board)

**Village Green Park Amphitheater Stage Area** means the entire covered and uncovered painted area of the Amphitheater stage including the stairs connecting the stage to the lawn and the painted sidewalk and concrete areas immediately adjacent to the stage. (Passed March 8, 2011 – Parks and Recreation Board)

### **Section 100.02 Preservation of Property and Natural Features**

No person shall injure, deface, disturb, or befoul any part of any park nor any building, sign, equipment, or other property found therein; nor shall any tree, flower, shrub, rock, or other mineral be removed, injured, or destroyed.

### **Section 100.03 Garbage, Refuse, Ashes, Sewage, and Waste Material**

a) No person shall deposit, permit, or suffer to be deposited, in any part of the Park or Recreation Site, any garbage, ashes, sewage, refuse, or any waste materials whatsoever, other

than in receptacles or pits provided for such purposes; nor dump any earth within the Park without specific written permit from the Director.

b) No person shall bring into or cause to be brought into a Park or Recreation Site from outside Park boundaries, any garbage, ashes, sewage, refuse for depositing in any manner within in the Park or Recreation Site.

c) No person shall, either within or without the Park, discharge into, throw, cast, lay, drop, or leave in any lake, river, brook, stream, storm sewer, or drain flowing into or through the Park, any substance matter or thing, either liquid or solid, which may or shall result in the pollution of the lake, river, brook, or stream within the park to such an extent as to unreasonably or improperly prevent or interfere with, or lessening, to an improper or unreasonable degree, the use of said lake, river, brook, or stream for recreational or other proper Park uses, or to endanger the health of visitors in the Park in the proper use and enjoyment of the same.

d) No person shall possess or consume beverages in glass containers on property subject to the control of the Parks and Recreation Board.

#### **Section 100.04 Hunting and Molesting Wildlife**

No person within the confines of the Park, unless authorized by written permit of the Director, shall hunt, pursue with dogs, trap, molest, harm, harass, injure, or take any wild bird or animal found within the confines of the Park, or therein rob or molest any bird nest or take the eggs of any bird.

#### **Section 100.05 Fires**

No person shall start a fire in the Park except small fires for cooking purpose in the Park grills, privately owned grills, self-contained covered fire pit or fires in places designated as areas approved for such purposes without written permit from the Director. The Director may, at his discretion, prohibit fires or smoking for limited periods at any location or for any purpose when necessary for the protection of park property. All fires shall be put out by the person or persons starting or using the same before leaving the immediate vicinity of the fire.

#### **Section 100.06 Firearms, Weapons, and Fireworks**

No person except authorized employees or agents of the City, shall possess a firearm, deadly weapon, dangerous ordinance, or air rifle, sling shot, or missile throwing device, or any type of fireworks within the Park or Recreation Site or discharge any firearm, deadly weapon, dangerous ordinance, or air rifle, sling shot, or missile throwing device, or any type of fireworks therein without specific written permit from the Director.

#### **Section 100.07 Camps**

No person shall establish or maintain any camp or other temporary lodging place within the Park, without specific written permit from the Director, except in locations especially set aside by the Board as camps.

**Section 100.08 Disorderly Conduct**

- a) No person shall recklessly engage in conduct that inconveniences, annoys, or alarms another person or persons within a Park or Recreation Site.
- b) No person shall do any indecent, lascivious, lewd, or improper sex therein.
- c) No person shall enter a toilet room set apart for the opposite sex.
- d) No person shall play games of chance within the park without specific written permit from the Director.
- e) No person shall obstruct, resist, or be abusive of, or use profanity to, a Park Peace Officer or agent of the Board in and during the lawful discharge of his duties.
- f) No person shall indulge in any noisy, boisterous conduct nor shall any person use any sound amplification device audible more than twenty (20) feet from the device without specific written permit from the Director.
- g) No person shall photograph or videotape an unrelated person or persons within a Park or Recreation Site without the consent of the person or persons being photographed or videotaped. This section does not prohibit photographing or videotaping within a Park or Recreation Site by the City or Parks and Recreation Department or by news media for security or general publicity purposes.

**Section 100.09 Criminal Trespass**

- a) No person shall remain within the Park and Recreation Site who does not abide by conditions adopted and posted by the Board for the preservation of good order and the protection of property within the park; and no person shall remain within the Park or Recreation Site who does not abide by the instructions and directions of the duly authorized peace officers or agents of the Board, in the lawful performance of their duties. No person shall enter any building that is closed or not available for the public use. Any person directed by a police officer or agent of the Board to leave the Parks shall do so promptly and peaceably.
- b) All persons who take part in any specialized activities for which there is a fee, rental, or admission charge must abide by the posted regulations adopted by the Board for those specialized activities. No person shall be allowed within the confines of those specialized activities unless they have first paid the fee, rental, or admission charge.
- c) No person shall remain in, or use any part of the facilities of the park during the times the park is closed, unless by special written permit of the Director. The parks are open daily to pedestrian traffic from daylight to dusk (one half hour after sunset) and to vehicular traffic 7:30 AM to dusk, unless otherwise posted by the Director. (11-04)
- d) No person shall place any boat, canoe, raft, or water craft of any type upon or in any lake, pond, stream, or other waters within the boundaries of the Park without specific written permit from the Director, except for boats owned and operated by the City or miniature toy watercraft.

e) No person shall swim, bathe, wade, nor enter into any waters in the Park where prohibited or in a manner contrary to regulations prescribed by the Board.

f) No person shall fish in any waters in the Park contrary to regulations resolved by the Board or in water where fishing is prohibited by the Board.

g) Except for the purposes of entering or leaving any City of Fairfield park property or loading or unloading personal property from motor vehicles in any City of Fairfield park property, no person shall be or remain on or within any parking lot or parking facility in any park of the City of Fairfield, Ohio, whether such person is inside or outside of a motor vehicle. This section shall not apply to the overlook area of William Harbin Park.

### **Section 100.10 Traffic**

a) No person shall drive, propel, or cause to be driven or propelled along or over any road within one Park, any vehicle at a greater rate of speed than posted, and in any event, not more than twenty-five (25) miles per hour.

b) No person shall park or store any motor vehicle, motorcycle, bicycle, wagon, or other vehicle within the Park, except in places designated for such purposes.

c) Laws of the City of Fairfield requiring lights on vehicles shall apply to vehicles within the Park.

d) Vehicles shall be restricted to drives, roadways, paths, walks, and trails established for such purpose; and footpaths or walks designated for pedestrian travel shall not be used for vehicular travel.

e) All ordinances of the City of Fairfield, Ohio, with respect to motor vehicles shall be in full force and effect in the Parks of said City.

f) No person shall ride any horse or other animal within any Park or Recreation Site, except upon bridle paths designated as such.

### **Section 100.11 Beer and Intoxicating Liquor**

The terms “beer” and “intoxicating liquor” shall be as defined in the Ohio Revised Code.

a) No beer or intoxicating liquor shall be permitted on any property subject to the control of the Parks and Recreation Board without a special permit from the Director except for the Fairfield Greens Golf Courses and the Fairfield Community Arts Center. (Amended July 2009)

b) Beer and intoxicating liquor may be purchased and consumed at Fairfield Greens Golf Courses and the Fairfield Community Arts Center. However, no person shall bring beer or

intoxicating liquor to Fairfield Greens Golf Courses and the Fairfield Community Arts Center for consumption on the premises. (Amended July 2009)

c) No person shall possess or consume an open container of beer or intoxicating liquor within twenty feet of any parking area or road on any property subject to the control of the Parks and Recreation Board, and no person shall possess or consume beer or intoxicating liquor from a glass container.

d) No person shall sell, buy, or furnish any beer or intoxicating liquor to a person under the age of twenty-one (21) years on any property subject to the control of the Parks and Recreation Board.

#### **Section 100.11A Controlled Substances**

No person shall possess, obtain, nor use a controlled substance, as defined by Section 2925.01 of the Ohio Revised Code, within the Park, unless prescribed by a physician.

#### **Section 100.11B Harmful Intoxicants**

a) No person shall sniff, breathe, nor otherwise use in any way other than the intended use by the manufacturer, any product containing a harmful intoxicant as defined by Section 2925.01 of the Ohio Revised Code.

b) No person shall be under the influence of any beer, intoxicating liquor, controlled substance, or harmful intoxicant within the Park.

#### **Section 100.12 Commercial Enterprises**

No person shall sell or offer for sale, any article, thing, privilege, or service within the Park without a permit from the Director, and no person shall do any begging, hawking, peddling, or soliciting therein. (Amended July 2009)

#### **Section 100.13 Signs**

No person shall expose, distribute, or place any sign, advertisement, circular, notice, or statement, or display any banner, emblem, or design within the Park without specific written permit from the Director. (Amended July 2009)

#### **Section 100.14 Domestic Animals**

No person shall herd, graze, or permit to run at large within the Park, any cattle, horse, mule, donkey, goat, swine, sheep, or other animal, or any poultry or other fowl.

#### **Section 100.15 Unleashed Animals Prohibited**

No person shall bring into, have, or keep in the Park, any cat or other animal destructive to bird life, nor shall any person bring into or permit within the Park a dog, unless the same is held in control by a leash no longer than six (6) feet in length.

**Section 100.16 Commercial Use of Facilities**

All requests for commercial use of Parks and Recreation facilities must have a preliminary plan approved sixty (60) days in advance and a final plan approved thirty (30) days in advance of the scheduled date by the Director. (Amended July 2009)

**Section 100.17 Golf Restrictions** (Passed September 26, 1995-Resolution 95-19)

No person shall hit a golf ball with a golf club or otherwise on any Park, except the Fairfield Greens Golf Courses, without the prior written permission of the Director. (Amended July 2009)

**Section 100.18 Disposition of Cremains and Animal Bodies on Park Property**

It is the policy of the Fairfield Parks and Recreation Board that cremains (ash from the cremation of a human body) and the bodies of animals of any kind whether cremated or not may only be buried on park property in conjunction with the planting of a tree or other approved shrub or vegetation. Such burial and planting shall only be done with the prior approval of the Parks and Recreation Board and under the direct supervision of the Parks and Recreation Department personnel. No person shall bury, throw, scatter, or otherwise disseminate any cremains or animal body in, on, over or under any park property of the City of Fairfield, except as such burial is expressly permitted by the above-referenced policy or as otherwise specifically approved by the Parks and Recreation Board. (Passed January 13, 1998-Resolution 98-1)

**Section 100.19 Use of the Village Green Campus Area**

a) It is the policy of Fairfield Parks and Recreation Board that only city events and/or city co-sponsored events are permitted at the Village Green Park and/or Amphitheater.

b) No person, except authorized employees or agents of the City or participants in city sponsored or co-sponsored events shall enter or remain upon the Village Green Park Amphitheater Stage area without specific permission from the Director.

c) The possession and/or use of bicycles and skateboards is prohibited on and within the Village Green Park and Lane Library properties excluding only the exterior ring of public sidewalks on said properties.

d) No person under the age of eighteen (18) years is permitted to remain on the exterior portions of the Lane Library property except while entering or exiting the Library building itself unless such minor person is accompanied by a parent, guardian, a licensed teacher or a program instructor of the City of Fairfield or Lane Library. The exterior ring sidewalk around the property is excluded from this section.

(Passed name of site, b, c, & d – March 8, 2011 – Parks and Recreation Board)

e) The Village Green Farmers and Artisan Market is regulated by the adoption of rules and regulations titled Village Green Farmers and Artisan Market – Regulations (See Appendix A)

**Section 100.99 Penalties**

Whoever violates Section 100.01 through Section 100.19 shall be fined not less than \$100.00 for the first offense including court costs. A second offense will be a misdemeanor of the Fourth Degree. These Rules and Regulations shall be effective as an Ordinance of the City of Fairfield, Ohio, pursuant to Section 8.05 (B) (6) of the Fairfield City Charter, and shall be in effect from and after the earliest date allowed by law.

(Amended March 8, 2011 – Parks and Recreation Board)

**last reviewed 1/19/2016**

## **APPENDIX A (3 PGS.)**

### **Village Green Farmers and Artisan Market - Regulations**

Purpose: To provide the residents of Fairfield with an opportunity to purchase locally grown and made products directly from the farmers and artisans who produce them. To create an atmosphere of community and fun, where families gather to play, eat, and learn together.

1. The Village Green Farmers and Artisan Market is a producer only market. All product must follow the general rule of “Make it, Bake it, or Grow it” within 100 miles of the Village Green in the City of Fairfield
  - a. Fresh produce, fruit or cut flowers must be grown by the vendor from seed or plants.
  - b. All plants, fruit trees, or vines must be grown by the vendor from seed, cuttings or plugs. Re-potting or resale of purchased mature plants is not permitted.
  - c. Honey must be from the vendor’s hives or from hives on the farmer vendor’s property by a beekeeper on a paid or share basis. Processed honey products or bees wax products must be made by the vendor and follow processed food guidelines.
  - d. Artisan products must be made by the vendor using basic raw materials (clay, fabric, weaving materials, yarn, beads, jewelry components, painting supplies, etc.) and have significant “value added” by the work of the artist.

#### Regulations for all vendors

1. Application, fees, and certificate of insurance must be presented to the City of Fairfield and approved by the market manager before a space will be assigned.
  - a. Vendors will be approved based on the following criteria:
    - i. Proximity to the market
    - ii. Uniqueness of the product offered
    - iii. Saturation of the market with specific product
    - iv. References from other market managers
  - b. Market Manager has the authority to assign vendor spaces, settle disputes, and enforce rules.
  - c. Market Manager has the right to refuse participation to a new vendor and to refuse the right to sell specific items if the product does not complement the market as a whole.
2. Vendors will be provided a 12x12 space.
  - a. Each vendor will be assigned a booth space for the duration of the market season.
    - i. Market Manager reserves the right to change assignments based on the attendance each week.
3. Vendors will be required to have a 10x10 canopy.
  - a. Canopy must be secured with a minimum of 50lbs
  - b. Canopy must have straight legs, no slanted legs.
  - c. Canopy must be put up for every market.
4. Vendors must be present at the market at least 30 minutes prior to opening and remain until closing time.
  - a. If vendor will be unable to attend market, they must provide a minimum of 24 hour notice.
    - i. After 3 no-shows or short notices given, vendor will forfeit their space at the market.
  - b. If a vendor is not on site within 30 minutes of market opening, they will be required to carry their wares in from the designated parking area for vendors.
  - c. Vendors should be ready to conduct business transactions by the opening of the market.
  - d. There is to be no sales before the opening of the market.

- e. Sales may continue after market closes for 15 minutes at the discretion of the vendors present and market manager approval.
  - f. No vendor may pack up and leave early. Leaving early may result in your suspension or expulsion from the market.
  - g. Vendor vehicles will remain onsite on an as needed basis, to be determined by the market manager.
  - h. Other vehicles will be asked to park offsite, about 1 small block away.
5. Vendors will make their booth space pleasant and easy to access for the general public.
- a. Vendors are responsible for supplying all equipment for selling and provide clean, safe tables, baskets, or stands to display products.
  - b. Vendors will have their business clearly identified with signage at least 24 inches by 36 inches.
    - i. All pricing must be clearly displayed.
      1. Lowering prices for the purposes of undercutting other vendors is not permitted.
      2. There is to be no discounting of goods during market hours.
  - c. Vendors will clean up their area before leaving.
    - i. Removing waste, leftovers, equipment, and personal items.
      1. Leftovers may be donated for delivery to the local food bank at the close of business each week.
  - d. Vendors will submit their gross sales on a provided form at the end of each market.
    - i. Information is anonymous and used for economic development purposes only.
6. Vendors must comply with Ohio and Federal regulations regarding all food preparation, storage, and labeling.
- a. Vendors are responsible for providing safety in food preparation, and recyclable materials. Styrofoam is not an acceptable packaging material.
  - b. Ohio Department of Agriculture Cottage industry standards must be adhered to. All labeling must meet the Cottage Industry Standards or be subject to removal from the display and sales.
    - i. Repeat offenders are subject to expulsion from the market.
  - c. All products marked as "organic" or "natural" must have third party certification according to United States Department of Agriculture (USDA) standards.
    - i. Certification must be in public view within your booth.
  - d. Food items may not be kept on the ground.
7. Vendors must demonstrate respect and professionalism regarding all market members.
- a. Members include, but are not limited to: Vendors, attendees, city officials, market manager, and city personnel.
  - b. All disputes will be handled professionally and discreetly by the market manager.
  - c. There is to be no smoking on the market premises.
8. Vendors must obtain necessary licenses, tax ids, insurance, and permits as outlined by the city, state and federal guidelines regarding their business.
- a. Sales tax must be collected where applicable.
  - b. All necessary permits, licensure, etc..., must be submitted with the application.
  - c. Vendors must carry a minimum of \$1million liability insurance. Certificate must be submitted with your application.
  - d. "City of Fairfield" should be named as an additional insured.
9. Agricultural Vendors must comply with the attached Agricultural Vendor Regulations, which are incorporated herein by reference.
10. Failure to comply with any of the requirements for vendors, herein, may result in suspension or revocation, by the market manager, of the approval for the vendor to participate in the market.

## **Village Green Farmers and Artisan Market – Agricultural Vendor Regulations**

1. Market goods must be raised, baked, or grown within a 100 mile radius of the Village Green in the City of Fairfield.
2. The Market reserves the right to inspect or spot-visit any farm or establishment, with advance notice if possible, as necessary throughout the season. Visits will be made only with a farm representative present unless otherwise permitted.
3. The term “Certified Organic” or “Naturally Grown” shall not be used without certification.
  1. Certification must be in public view in your booth.
4. Pricing of products should be the average of current market pricing.
  1. Prices must clearly be displayed.
  2. There is to be no discounting of prices during market hours.
5. Reselling products that were purchased from someone else is not permitted.
  1. No brokers or re-sellers will be admitted to the market.
6. All products or items sold must follow the “Grow it” guidelines below and must be produced by the vendor.
  1. Fresh produce, fruit or cut flowers must be grown by the vendor from seed or plants.
  2. All plants, fruit trees, or vines must be grown by the vendor from seed, cuttings or plugs. Re-potting or resale of purchased mature plants is not permitted.
  3. Meat, cheese & eggs must comply with the Ohio Department of Agriculture (ODA)/U.S. Department of Agriculture (USDA) regulations.
  4. Honey must be from the vendor’s hives or from hives on the farmer vendor’s property by a beekeeper on a paid or share basis. Processed honey products or bees wax products must be made by the vendor and follow processed food guidelines.
  5. All ‘Cottage Industry’ products must be labeled in accordance with ODA regulations.
7. Vendors found to be selling products which do not meet the standards listed above will have their right to sell at the market revoked and will be asked to leave immediately. Annual market fees paid will not be refunded or adjusted in the event of a suspension.
  1. Produce offered for sale must be grown, harvested and cared for post-harvest to assure customers receive fresh, high-quality fruits and vegetables. Any produce which is of lesser quality, typically intended only for processing (e.g. for sauces) must be labeled as such. Poor quality produce may be removed by the Market Manager.
8. Vendors selling produce by weight must provide their own scales. Scales must be “legal for trade” and are subject to inspection by the Department of Agriculture’s “Weights and Measures” program. All scale displays must be readable and in plain sight to customers during transactions.
9. All licensing, taxes, certifications, inspections, liability, safety, etc. are the responsibility of the vendor. All pertinent licenses and permits must be in the possession of the vendor while at the market. Vendors are responsible for the safety of their produce and products. Each individual vendor is responsible for obtaining and adhering to applicable local, county, state or federal licensing, labeling, handling, storage or other regulatory requirement. Contact the Butler County Health Department for applicable regulations and to obtain a vendor’s license.