

TITLE 20**MISCELLANEOUS****CHAPTER**

1. GREENWAY PARK RULES AND REGULATIONS.
2. PUBLIC RECORDS.

CHAPTER 1**GREENWAY PARK RULES AND REGULATIONS****SECTION**

- 20-101. Rules and regulations adopted.
20-102. Violations and penalty.

20-101. Rules and regulations adopted. The following rules and regulations are hereby adopted by the board of mayor and aldermen and may be amended from time to time by resolution of the board of mayor and aldermen. A copy of such rules and regulations shall be filed with the city recorder and will be available for citizen review. The mayor is authorized to post pertinent rules and regulations within the parks and greenway as he determines necessary.

(1) It is unlawful to remain in any park after the posted closing time, except when engaged in activities that are a part of the recreation programs approved by the City of Harrogate. Park or greenway hours are from 6:00 A.M. through 9:30 P.M., summer, and 6:00 A.M. through 6:00 P.M., winter.

(2) It is unlawful to possess or consume alcoholic beverages in any park or greenway.

(3) It is unlawful for any person to disobey rules and signs.

(4) It is unlawful for any vehicle with a gross weight of over thirty-two thousand (32,000) pounds or a maximum width of over one hundred two inches (102") to use the road in any park of the city. This rule shall not apply to city maintenance vehicles and emergency vehicles.

(5) It is unlawful in any manner to tease, annoy, disturb, molest, catch, injure or kill, throw any stone or missile of any kind at or strike with any stick or weapon, any animal, bird, or fowl.

(6) It is unlawful to perform the following activities in a park or greenway area unless specifically authorized by the City of Harrogate in writing. Such writing shall include a concession contract with the City of Harrogate:

(a) Operating a fixed or mobile concession or traveling exhibition.

(b) Soliciting, selling, offering for sale, peddling, hawking, or vending any goods or services.

(c) Advertising any goods or services other than the direct handling of written advertising handed to any one (1) person.

(d) Distributing any commercial circular notice, leaflet, pamphlet or printed material of any kind in any building. These facilities are not public fora or limited public fora and are designated solely to the specific purposes for which they are dedicated.

(e) Entering upon, using or traversing any portion of a park for commercial purpose.

(7) It is unlawful for any person to travel on a trail at a speed greater than is reasonable and prudent under the existing conditions and having regard to actual and potential hazards. In every event, speed shall be so controlled as may be necessary to avoid colliding with others who are complying with the law and using reasonable care. Travel at speeds in excess of fifteen (15) miles per hour on a walking/vehicle trail shall constitute in evidence a prima facie presumption that the person violated this section.

(8) It is unlawful for dogs or other animals to be allowed in the greenway or the park.

(9) It is unlawful to stay in the park or greenway when directed to leave by a City of Harrogate employee or official of the City of Harrogate, or any police officer.

(10) It is unlawful to remove, destroy, mutilate or deface any structure, monument, statue, vase, fountain, wall, fence, railing, vehicle, bench, shrub, tree, fern, plant, flower, lighting system or sprinkling system or other property in the park or greenway.

(11) It is unlawful to throw any refuse, litter, broken glass, crockery, nails, shrubbery, trimmings, junk or advertising matter in the park or to deposit any such material therein, except in receptacles provided for such purposes.

(12) It shall be unlawful for any person to deposit any refuse brought from private property in receptacles located in the city park or greenway facilities. Nothing in this section is intended to prohibit the disposal of refuse generated from park use such as picnics, barbecues, lunches, etc.

(13) The creating of any unreasonably loud, disturbing, and unnecessary noise is prohibited. Noise of such character, intensity, or duration as to be detrimental to the life or health of any individual, or in disturbance of the public peace and welfare, is prohibited.¹

(14) It is unlawful to ride, park, or drive any motorcycle, motor vehicle, go-cart, ATV, four wheeler or three wheeler, land sailing device, horse or pony on, over, or through any park or greenway. Skateboards shall be allowed only in the skateboard park provided inside the city park.

¹Municipal code reference

Anti-noise regulations: § 11-202.

(15) It is unlawful to park a trailer, camper, or other vehicle for the purpose of remaining overnight.

(16) It is unlawful to build any fires in any park or greenway except in areas designated by the City of Harrogate.

(17) It is unlawful to use profane or abusive language or to conduct oneself in a manner that interferes with the reasonable use of the park or greenway. (2011 Code, § 20-101)

20-102. Violations and penalty. A violation of any provision of this chapter shall subject the offender to a penalty under the general penalty provision of this code. Each day a violation shall be allowed to continue shall constitute a separate offense. (2011 Code, § 20-102)

CHAPTER 2

PUBLIC RECORDS

SECTION

20-201. Procedures regarding access to an inspection of public records.

20-201. Procedures regarding access to an inspection of public records. (1) Consistent with the Public Records Act of the State of Tennessee, personnel of the City of Harrogate shall provide full access and assistance in a timely and efficient manner to Tennessee residents who request access to public documents.

(2) Employees of the City of Harrogate shall protect the integrity and organization of public records with respect to the manner in which the records are inspected and copied. All inspections of records must be performed under the supervision of the records custodian or designee. All copying of public records must be performed by employees of the city, or, in the event that city personnel are unable to copy the records, by an entity or person designated by the records custodian.

(3) To prevent excessive disruptions of the work, essential functions, and duties of employees of the City of Harrogate, persons requesting inspection and/or copying of public records are requested to complete a records request form to be furnished by the city. If the requesting party refuses to complete a request form, a city employee shall complete the form with the information provided by the requesting party. Persons requesting access to open public records shall describe the records with specificity so that the records may be located and made available for public inspection or duplication, as provided in subsection (2) above. All requests for public records shall be directed to the records custodian.

(4) When records are requested for inspection or copying, the records custodian has up to seven (7) business days to determine whether the city can retrieve the records requested and whether the requested records contain any confidential information, and the estimated charge for copying based upon the number of copies and amount of time required. Within seven (7) business days of a request for records, the records custodian shall:

- (a) Produce the records requested;
- (b) Deny the records in writing, giving explanation for denial;

or

(c) In the case of voluminous requests, provide, in writing, the requestor with an estimated time frame for production and an estimation of duplication costs.

(5) There is no charge assessed to a requester for inspecting a public record. Charges for physical copies of records, in accordance with the Office of Open Records Counsel (OORC) schedule of reasonable charges, are as follows:

(a) Standard 8-1/2" x 11" or 8-1/2" x 14" black and white copy - fifteen cents (\$0.15) per page for each produced.

(b) Standard 8-1/2" x 11" or 8-1/2" x 14" color copy - fifteen cents (\$0.15) per page for each produced.

(c) Accident reports - fifteen cents (\$0.15) per page for each standard 8-1/2" x 11" or 8-1/2" x 14" black and white copy produced.

(d) Maps, plats, electronic data, audio discs, video discs, and all other materials shall be duplicated at actual costs to the city.

(6) Requests requiring less than one (1) hour of municipal employee labor for research, retrieval, redaction and duplication will not result in an assessment of labor charges to the requester. Employee labor in excess of one (1) hour may be charged to the requestor, in addition to the cost per copy, as provided in subsection (5). The city may require payment in advance of producing any request. Requests for copies of records may not be broken down to multiple requests for the same information in order to qualify for the first free hour.

(a) For a request requiring more than one (1) employee to complete, labor charges will be assessed based on the following formula: In calculating the charge for labor, a department head shall determine the number of hours each employee spent producing a request. The department head shall then subtract the one (1) hour threshold from the number of hours the highest paid employee(s) spent producing the request. The department head will then multiply total number of hours to be charged for the labor of each employee by that employee's hourly wage. Finally, the department head will add together the totals for all the employees involved in the request and that will be the total amount of labor that can be charged.

(b) When the total number of requests made by a requestor within a calendar month exceeds four (4), the requests will be aggregated, and the requestor shall be charged a fee for any and all labor that is reasonably necessary to produce the copies of the requested records after informing the requestor that the aggregation limit has been met. Request for items that are routinely released and readily accessible, such as agendas for current calendar month meetings and approved minutes from meetings held in the previous calendar month, shall not be counted in the aggregated requests.

(7) If the city is assessed a charge to retrieve the requested records from archives or any other entity having possession of requested records, the records custodian may assess the requestor the cost assessed to the city.

(8) Upon completion of a records request, the requestor may pick up the copies of records at the office of the records custodian. Alternatively, the requestor may choose to have the copies of records delivered via United States Postal Service; provided that the requestor pays all related expenses in advance.

(9) If the public records requested are frail due to age or other conditions, and copying of the records will cause damage to the original records, the requesting party may be required to make an appointment for inspection. (Ord. #92, Dec. 2013, modified)