

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

1. AIRPORTS AND AIRCRAFT--GENERAL.
2. PARKS AND RECREATION.

CHAPTER 1**AIRPORTS AND AIRCRAFT--GENERAL¹****SECTION**

- 20-101. Driving on runways, etc.
- 20-102. Operation of aircraft on ground in dangerous manner.
- 20-103. Damage to airport property.
- 20-104. Airport operations manual--violation of rules and regulations therein.

20-101. Driving on runways, etc. It is unlawful for any person to drive, operate or permit an automobile or other ground vehicle, other than a duly authorized airport service and emergency vehicle, to go upon any apron, taxiway or runway of McKellar Field or upon any other portion of McKellar Field other than roads and parking area provided for such vehicles. (1995 Code, § 20-101)

20-102. Operation of aircraft on ground in dangerous manner. It is unlawful for any person to operate any aircraft while upon the ground in such a manner as to endanger life or property. The landing or taking off of an aircraft from any area on McKellar Field except duly designated runways is hereby declared to be dangerous to life and property and is expressly prohibited. The operation of any aircraft upon the ground in violation of any rule or regulation propounded by the Civil Aeronautics Administration Commission, is likewise declared to be dangerous to life and property, is prohibited. (1995 Code, § 20-102)

20-103. Damage to airport property. It is unlawful for any person to damage, deface, remove or in any other manner tamper with or injure any building, hangar, lighting equipment, or structure of any and all types located upon such McKellar Field. (1995 Code, § 20-103)

¹Municipal code reference

Airport zoning regulations: title 14, chapter 3.

20-104. Airport operations manual--violation of rules and regulations therein. (1) The rules, regulations and requirements set forth and published in the Airport Operations Manual prepared for McKellar Airport by the Jackson-Madison County Airport Authority, and amendments thereto, shall be the rules, regulations and requirements for the operation and use of McKellar Airport.

(2) All persons, firms, association or corporations using any portion of McKellar Airport whether as passenger, pilot, operator, lessee, invitee, tenant, or licensee are hereby charged and required to comply with the terms of those regulations.

(3) Any person, firm or corporation violating the provisions of the rules and regulations contained in the Airport Operations Manual, with amendments thereto, shall be guilty of a misdemeanor and, upon conviction, shall be subject to punishment according to the general penalty provision of this municipal code of ordinances. (1995 Code, § 20-104)

CHAPTER 2

PARKS AND RECREATION

SECTION

- 20-201. Definitions.
- 20-202. Persons invited to use city parks; park hours.
- 20-203. Unlawful activities generally.
- 20-204. Sanitation.
- 20-205. Alcoholic beverages and/or controlled substances.
- 20-206. Traffic.
- 20-207. Recreational activities.
- 20-208. Certain behavior declared unlawful.
- 20-209. Merchandising, advertising and signs.
- 20-210. Park operating policy.
- 20-211. Enforcement.
- 20-212. Additional rules and regulations.

20-201. Definitions. For the purpose of this chapter the following terms, phrases, words and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

- (1) "City" is the City of Jackson, Tennessee.
- (2) "Director" is the director of recreation and parks of the City of Jackson, the person immediately in charge of all park area and its activities, and to whom all park attendants in such area are responsible
- (3) "Park" is all city-owned parks.
- (4) "Person" is any person, firm, partnership, association, corporation, company or organization of any kind.
- (5) "Vehicle" is any wheeled conveyance, whether motor-powered, animal-drawn or self-propelled. The term shall include any trailer in tow of any size, kind or description. Exception is made for baby carriages and vehicles in the service of the city parks. (1995 Code, § 20-201)

20-202. Persons invited to use city parks; park hours. (1) All persons who will comply with the terms of this chapter and such rules and regulations as may be promulgated hereunder governing the use of city parks are invited to use city parks and the facilities therein.

- (2) City parks will be open to use by the public invited thereto between the hour of 7:00 A.M. and 11:00 P.M. (1995 Code, § 20-202)

20-203. Unlawful activities generally. It shall be unlawful for any person within city parks to commit any of the offenses enumerated below:

(1) Willfully mark, deface, disfigure, injure, tamper with, or displace or remove any building, bridges, tables, benches, garbage or trash cans, fireplaces, railings, paving or paving material, water lines or other public utilities or parts or appurtenances thereof, signs, notices or placards, whether temporary or permanent, monuments, stakes, posts or other boundary markers, or other structures or equipment, facilities or park property or appurtenances whatsoever, either real or personal.

(2) Fail to cooperate in maintaining restrooms and washrooms in a neat and sanitary condition. No person over the age of six (6) years shall use the restrooms and washrooms designated for the opposite sex.

(3) Dig or remove any beach sand, whether submerged or not, or any soil, rock stones, trees, shrubs or plants, down-timber or other wood or materials, or make any excavation by tool, equipment, blasting or other means or agency.

(4) 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.

(5) Damage, cut, carve, transplant or remove any tree or plant or injure the bark or pick the flowers or seeds, of any tree or plant. Nor shall any person attach any rope, wire or other contrivance to any tree or plant. A person shall not dig in or otherwise disturb grass areas, or in any other way injure or impair the natural beauty or usefulness of any area.

(6) Climb any tree or walk, stand or sit upon monuments, vases, fountains, railing, fences, or gun carriages or upon any other property not designated or customarily used for such purposes.

(7) Tie or hitch a horse or other animal to any tree or plant.

(8) Hunt, molest, harm, frighten, kill, trap, chase, tease, shoot or throw missiles at any animal, reptile or bird; nor shall he remove or have in his possession the young of any wild animal, or the eggs or nest, or young of any reptile or bird; nor shall he collect, remove, have in his possession, give away, sell or offer to sell, or buy or offer to buy, or accept as a gift any specimen alive or dead of any of the group of tree snails. Exception to the foregoing is made in that snakes known to be deadly poisonous, such as rattle-snakes, moccasins, coral snakes or other deadly reptiles may be killed on sight.

(9) Give or offer, or attempt to give to any animal or bird any tobacco, alcohol or other known noxious substances.

(10) Stand or loiter on the pedestrian walkway over North Parkway or throw missiles or other objects or substances therefrom. (1995 Code, § 20-203)

20-204. Sanitation. It shall be unlawful for any person within city parks to:

(1) Throw, discharge or otherwise place or cause to be placed in the waters of any fountain, pond, lake, stream, bay or other body of water in or adjacent to any park or any tributary, stream, storm sewer or drain flowing into such waters any substance, matter or thing, liquid or solid, which will or may result in the pollution of said waters.

(2) Have brought in or dump, deposit or leave any bottles, broken glass, ashes, papers, boxes, cans, dirt, rubbish, waste, garbage or refuse or other trash. No such refuse or trash shall be placed in any waters in or contiguous to any park, left anywhere on the grounds thereof, but shall be placed in the proper receptacles where these are provided; where receptacles are not so provided all such rubbish or waste shall be carried away from the park by the persons responsible for its presence, and properly disposed of elsewhere. (1995 Code, § 20-204)

20-205. Alcoholic beverages and/or controlled substances.¹ It shall be unlawful for any person to bring controlled substances, as defined in the statutes of the State of Tennessee, and/or alcoholic beverages into any park or recreational area, stadium, playground, tennis courts, baseball, softball, or other sports arena operated by any department of the City of Jackson, or to drink alcoholic beverages or imbibe controlled substances at any time while therein. It shall likewise be unlawful for any person to enter any area described above while under the influence of controlled substances and/or alcoholic beverages, or be under the influence of controlled substances and/or alcoholic beverages while within the areas described above. (1995 Code, § 20-205)

20-206. Traffic. It shall be unlawful for any person within city parks to:

(1) Fail to comply with all applicable provisions of the state motor vehicle traffic laws and the traffic ordinances of the City of Jackson in regard to equipment and operation of vehicles together with such regulations as are contained in this chapter and other ordinances.

(2) Fail to obey all traffic officers and park employees, such persons being hereby authorized and instructed to direct traffic whenever and wherever needed in the parks and on the highways, streets or roads immediately adjacent thereto in accordance with the provisions of these regulations and such supplementary regulations as may be issued subsequently by the director.

(3) Fail to observe carefully all traffic signs indicating speed, direction, caution, stopping or parking and all others posted for proper control and to safeguard life and property.

¹Municipal code reference

Comprehensive alcohol regulations: title 8.

(4) Ride or drive a vehicle at a rate of speed exceeding fifteen (15) miles an hour, except upon such roads as the director may designate, by posted signs, for speedier travel.

(5) Drive any vehicle on any area except the paved park roads or parking areas, or such other areas as may on occasion be specifically designated as temporary parking areas by the director.

(6) Park or leave a vehicle in the places or conditions as follows:

(a) To park in other than an established or designated parking area, and such use shall be in accordance with the posted directions thereat and with the instructions of any attendant who may be present.

(b) Full-park on the road or driveway at any time.

(c) Leave any vehicle anywhere in the park with one or more wheels chained, or with motor set in gears and doors locked, or in any manner fixed or arranged so that such vehicle cannot readily be moved by hand.

(d) Leave a vehicle standing or parked at night without lights clearly visible for at least one hundred feet (100') from both front and rear on any driveway or road area except legally established parking areas.

(e) Double park any vehicle on any road or parkway unless directed by a park official.

(7) Fail to immediately notify, an attendant of an emergency in the nature of a breakdown requiring the assistance of a tow truck, mechanic or other person.

(8) Fail to use a muffler adequate to deaden the sound of the engine in a motor vehicle.

(9) Leave a vehicle within the boundaries of the park after park hours unless such vehicle be disabled and is reported by the driver to a park attendant. Any vehicle remaining in the park after closing hours, except as is excepted herein, will be towed away and stored at the expense of the owner.

(10) Operate bicycles and motorcycles as follows:

(a) Ride a bicycle or motorcycle on other than a paved vehicular road.

(b) Ride a bicycle or motorcycle other than on the right-hand side of the road paving as close as conditions permit, and bicycles and motorcycles shall be kept in single file when two (2) or more are operating as a group. Bicyclists and motorcyclists shall, at all times, operate their machines with reasonable regard to the safety of others, signal all turns, pass to the right of any vehicle they are overtaking and pass to the right of any vehicles they may be meeting. No motorcycles shall be operated in the park unless equipped with a properly functioning muffler adequate to suppress motor noises to a comfortable level of sound.

(c) Carry any other person on a bicycle.

(d) Leave a bicycle in a place other than a bicycle rack when such is provided and there is a space available.

(e) Leave a bicycle or motorcycle 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 them.

(f) Ride a bicycle or motorcycle on any road within the park between thirty (30) minutes after sunset or thirty (30) minutes before sunrise without an attached headlight plainly visible at least two hundred feet (200') in front of, and without a red taillight or red reflector plainly visible from at least one hundred feet (100') from the rear of such bicycle or motorcycle. (1995 Code, § 20-206)

20-207. Recreational activities. It shall be unlawful for any person within a city park to:

(1) Swim, bathe or wade in any waters or waterways in or adjacent to such park.

(2) Bring into or operate any boat, raft or other watercraft, whether motor-powered or not, upon any waters in such park.

(3) Hunt, trap or pursue wildlife at any time. No person shall use, carry or possess firearms, other than those authorized to carry handguns pursuant to Tennessee Code Annotated, § 39-17-1351, of any description, or air-rifles, spring-guns, bow-and-arrows, slings or any other form of weapon potentially inimical to wild life and dangerous to human safety, or any instrument that can be loaded with and fire blank cartridges, or any kind of trapping device. Shooting into park areas from beyond park boundaries is forbidden.

(4) Picnic for lunch in a place other than those designated for that purpose. Attendants shall have the authority to regulate the activities in such areas when necessary to prevent congestion and to secure the maximum use for the comfort and convenience of all. Visitors shall comply with any directions given to achieve this end.

(5) Violate the regulation that use of the individual fireplaces together with tables and benches follows generally the rule of "first come, first served."

(6) Use any portion of the picnic areas or of any of the buildings or structures therein for the purpose of holding picnics to the exclusion of other persons, nor shall any person use such area and facilities for an unreasonable time if the facilities are crowded.

(7) Leave a picnic area before the fire is completely extinguished and before all trash in the nature of boxes, papers, cans, bottles, garbage and other refuse is placed in the disposal receptacles where provided. If no such trash receptacles are available, then refuse and trash shall be carried away from the park area by the picnicker to be properly disposed of elsewhere.

(8) Except as specifically set out below, to set up tents, shacks or any other temporary shelter for the purpose of overnight camping, nor shall any person leave in a park after closing hours any movable structure or special vehicle to be used or that could be used for such purpose, such as house-trailer,

camp-trailer, camp-wagon or the like. Overnight "pup tent" camping by organized groups sponsored by recognized youth development agencies is permissible by special permit of the director obtained in accordance with § 20-210(3).

(9) Take part in or abet the playing of any games involving thrown or otherwise propelled objects such as balls, stones, arrows, javelins or model airplanes, except in areas set apart for such forms of recreation. The playing of rough or comparatively dangerous games such as football, baseball and quoits is prohibited except on the fields and courts or areas provided therefor. (1995 Code, § 20-207, modified)

20-208. Certain behavior declared unlawful. It shall be unlawful for any person within a city park to:

(1) Bring controlled substances and/or alcoholic beverages into the park or to drink alcoholic beverages at any time in the park.

(2) Have entered the park while under the influence of controlled substances and/or intoxicating beverages, or be under the influence of controlled substances and/or intoxicating liquor while within the park.

(3) Bring, or have in his possession, or set off or otherwise cause to explode or discharge or burn any firecrackers, torpedo, rocket or other fireworks or explosives of inflammable material, or discharge them or throw them into any such area from land or highway adjacent thereto. This prohibition includes any substance, compound, mixture or article that in conjunction with any other substance or compound would be dangerous from any of the foregoing standpoints.

(4) Have a dog, or be responsible for the entry of a dog or other domestic animal into areas other than automobile parking concourses and walks immediately adjacent thereto, and in such other areas as may be clearly marked by signs bearing the words "Domestic Animals Permitted in This Area." Nothing herein shall be construed as permitting the running of dogs at large. All dogs in those areas where such animals are permitted shall be restrained at all times on adequate leashes not greater than five feet (5') in length.

(5) Occupy any seat or bench, or enter into or loiter or remain in any pavilion or other park structure or section thereof which may be reserved and designated by the board for the use of the opposite sex. Exception is made for children under six (6) years of age.

(6) Appear at any place in other than proper clothing.

(7) Solicit alms or contributions for any purpose, whether public or private.

(8) Build or attempt to build a fire except in such areas and under such regulations as may be designated by the director. No person shall drop, throw or otherwise scatter lighted matches, burning cigarettes or cigars, tobacco paper or other inflammable material within any park area on any highway, road or street abutting or contiguous thereto.

(9) 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.

(10) Gamble or participate in or abet any game of chance.

(11) Go onto the ice on any of the waters except such areas as are designated as skating fields, and provided a safety signal is displayed.

(12) Sleep or protractedly lounge on the seats or benches, or other areas, or engage in loud, boisterous, threatening, abusive, insulting or indecent language, or engage in any disorderly conduct or behavior tending to a breach of the public peace.

(13) Fail to produce and exhibit any permit from the director he claims to have upon request of any authorized person who shall desire to inspect the same for the purpose of enforcing compliance with any ordinance or regulation.

(14) Disturb or interfere unreasonably with any person or party occupying any area or participating in any activity under the authority of a permit. (1995 Code, § 20-208)

20-209. Merchandising, advertising and signs. No person in a city park shall:

(1) Expose or offer for sale any article or thing, nor shall he station or place any stand, cart or vehicle for the transportation, sale or display of any such article or thing. Exception is here made as to any regularly licensed concessionaire acting by and under the authority and regulation of the director, and those conducting activities under a permit where such permit permits the sale of articles or things.

(2) Announce, advertise or call the public attention in any way to any article or service for sale or hire.

(3) Paste, glue, tack or otherwise post any signs, placard, advertisement or inscription whatever, nor shall any person erect or cause to be erected any sign whatever on any public lands or highways or roads adjacent to a city park. (1995 Code, § 20-209)

20-210. Park operating policy. (1) Closed areas. Any sign or part of a city park may be declared closed to the public by the director at any time and for any interval of time, either temporarily or at regular and stated intervals (daily or otherwise) and either entirely or merely to certain uses, as the director shall find reasonably necessary.

(2) Lost and found articles. The finding of lost articles by park attendants shall be reported to the director who shall make every reasonable effort to locate the owners. The director shall make every reasonable effort to find articles reported as lost.

(3) Permit. A permit shall be obtained from the director before participating in the following park activity: Overnight "pup tent" type camping by organized groups under the sponsorship of recognized youth development agencies; sale of articles or things by a permittee.

(a) Application. A person seeking issuance of a permit hereunder shall file an application with the appropriate director. The application shall state:

- (i) The name and address of the applicant;
- (ii) The name and address of the person, persons, corporation or association sponsoring the activity, if any;
- (iii) The day and hours for which the permit is desired;
- (iv) The park or portion thereof for which such permit is desired;
- (v) An estimate of the anticipated attendance; and
- (vi) Other information which the director shall find reasonably necessary to a fair determination as to whether a permit should issue hereunder.

(b) Standards for issuance. The director shall issue a permit hereunder when he finds:

- (i) That the proposed activity or use of the park will not unreasonably interfere with or detract from the general public enjoyment of the park;
- (ii) That the proposed activity and use will not unreasonably interfere with or detract from the promotion of public health, welfare, safety and recreation;
- (iii) That the proposed activity or use is not unreasonably anticipated to incite violence, crime or disorderly conduct;
- (iv) That the proposed activity will not entail unusual, extraordinary or burdensome expense or police operation by the city; and
- (v) That the facilities desired have not been reserved for other use at the day and hour required in the application.

(c) Appeal. Within twenty-four (24) hours after receipt of an application, the director shall apprise an applicant in writing of his reasons for refusing a permit, and any aggrieved person shall have the right to appeal in writing within two (2) days to the city council, which shall consider the application under the standards set forth in subsection (3)(b) hereof and sustain or overrule the director's decision within twenty-four (24) hours. The decision of the city council shall be final.

(d) Effect of permit. A permittee shall be bound by all park rules and regulations and all applicable ordinances fully as though the same were inserted in said permits.

(e) Liability of permittee. The person or persons to whom a permit is issued shall be liable for any loss, damage or injury sustained by any person whatever by reason of the negligence of the person or persons to whom such permit shall have been issued.

(f) **Revocation.** The director shall have the authority to revoke a permit upon a finding of violation of any rule or ordinance, or upon good cause shown. (1995 Code, § 20-210)

20-211. Enforcement. (1) **Officials.** The director and park attendants shall, in connection with their duties imposed by law, diligently enforce the provisions of this chapter.

(2) **Ejectment.** The director shall have the authority to eject from the parks any person acting in violation of this chapter or rules and regulations promulgated hereunder. (1995 Code, § 20-211)

20-212. Additional rules and regulations. The director shall have the authority to promulgate such rules and regulations as may be necessary to carry out the provisions of this chapter and to assure an impartial, fair and safe use and enjoyment of city parks by those persons lawfully using the parks. The director shall have the authority to schedule the use of tennis courts and ballfields under this section. Regulations pertaining to specific activities shall be displayed in a prominent and public location at the point of the activity controlled. Rules and regulations pertaining to the parks as a whole shall be publicly and prominently displayed at each entrance to city parks. Rules and regulations adopted in accordance with this section shall have the same force and effect as if copied herein verbatim. (1995 Code, § 20-212)