

**STATE OF GEORGIA
CITY OF DUBLIN**

**ORDINANCE
25-13**

AN ORDINANCE BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DUBLIN, GEORGIA, TO REPEAL CHAPTER 15 “PARKS AND RECREATION”; TO PROVIDE FOR A NEW CHAPTER 15 TITLED “PARKS, RECREATION, AND PUBLIC SPACES”; TO PROVIDE FOR SEVERABILITY; TO REPEAL ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith; TO PROVIDE AN ADOPTION AND EFFECTIVE DATE; AND FOR OTHER LAWFUL PURPOSES.

WHEREAS, Article IX, Section II, Paragraph II of the Constitution of the State of Georgia provides that matters pertaining to municipalities may be dealt with without the necessity of action by the General Assembly; and

WHEREAS, the Georgia legislature passed The Municipal Home Rule Act of 1965, codified under O.C.G.A. § 36-35-1, et seq., authorizing municipal governments to adopt clearly reasonable ordinances, resolutions, or regulations for which no provision has been made by general law; and

WHEREAS, the Mayor and Council of the City of Dublin, Georgia are vested with the authority under the City Charter to regulate as necessary for the promotion of public peace, the abatement of any nuisance, and to define, regulate and prohibit any act, practice, conduct or use of property which is detrimental to the health, sanitation, cleanliness, welfare and safety of the inhabitants of the City; and

WHEREAS, the Mayor and the Council intend to provide a regulatory framework governing the use of public areas to further promote public peace, health, sanitation, cleanliness, welfare and safety within the City of Dublin.

NOW, THEREFORE, THE MAYOR AND COUNCIL OF THE CITY OF DUBLIN HEREBY ORDAIN AS FOLLOWS:

SECTION ONE

That Chapter 15 of the Code of Ordinances, City of Dublin, Georgia, is hereby repealed in its entirety.

SECTION TWO

There is hereby established a new Chapter 15 entitled, “Parks, Recreation, and Public Spaces”, which shall read as follows:

“Article I – In General

Section 15-1. Title.

This Chapter shall be known as the “Parks, Recreation, and Public Spaces Ordinance of the City of Dublin, Georgia.”

Section 15-2. Purpose and Intent.

It is the purpose of this Chapter to protect the public health, safety and general welfare of the City of Dublin, Georgia; to establish uniform regulations for the use of City parks, greenspaces, recreation areas, courts, or fields; to restrict unsanitary and improper use of public property; and to prohibit criminal activity in such areas.

Section 15-3. - Definitions.

As used in this Chapter, the following terms shall have the following meanings:

- (a) "Amusements" means inflatables or other items that require a water or power source to function properly and includes, but is not limited to, blow up slides, blow up bouncy-houses, pools of any kind, and water slides.
- (b) "City" means the City of Dublin, Georgia
- (c) "City Manager" means the City Manager of the City of Dublin or their designee.
- (d) "Code" means the charter and ordinances of the City of Dublin, Georgia, as amended.
- (e) "Emery Thomas Auditorium" means the auditorium located on the grounds of Riverview Golf Course.
- (f) "Off-leash Dog Areas" means certain defined areas of select Parks designated as off-leash areas specifically for dogs.
- (g) "Parks" means all City owned parks, recreational greenspaces, recreational facilities, and other recreational areas generally accessible to the public, including, but not limited to, Hilburn Park, Pritchett Park, Stubbs Park, Mayor's Park, Riverview (Roscoe Brower) Park, Sandra Scott Park, Crabb Park, Railroad Park, Springdale Park, Albert Franks Amphitheater, Oconee Gym and Associated Grounds, and Unity Point, and those that may be established or acquired from time to time, except it does not include Riverview Golf Course or the Emery Thomas Auditorium, which are regulated separately herein.
- (h) "Police" means the City of Dublin Police Department.
- (i) "Riverview Golf Course" means the eighteen hole golf course located on Riverview Drive that is owned by the City of Dublin.
- (j) "Special Event" means any activity:
 - a. which has as its primary purpose entertainment, recreation, and/or education, such as a festival, celebration, foot or vehicle race, march, rally or assembly, which takes place in whole or in part on a public street, public property, sidewalk, or right-of-way; or
 - b. that occurs on private property and impacts government services on public rights-of-way, or public property.
- (k) "Superintendent" means the Parks Superintendent of the City of Dublin or their designee.

ARTICLE II – PARKS AND PUBLIC SPACES

Section 15-4. – Violations.

- (a) The violation of any rule provided herein governing the use of any Park is unlawful and a misdemeanor offense punishable as provided in section 1-10 of the Code.
- (b) In addition, anyone violating any rule and/or regulation herein may be banned from any City Park by the City Manager.
- (c) Where a Park rule or regulation requires a permit for any certain activity, it shall be the duty of the recipient to have the written permit in their possession at all times that they are engaged in the activity to which the permit pertains. Upon the request of any city employee, the individual shall produce the written permit to verify authorization for the activity. The procedure to obtain a permit shall be established by the City Manager and may be granted under such conditions as deemed appropriate by the City Manager for the particular request.
- (d) Any activity listed herein which requires a permit is unauthorized and is a violation if the person(s) performing the activity does not have possession of the permit at the time of performing the activity.
- (e) In any court hearing or other proceeding involving a rule or regulation governing the use of any Park, where the rule or regulation allows an activity only through a permit, the absence of a written permit shall be prima facie evidence that said activity lacks permission as required.

Section 15-5. – Provisions Non-Exclusive.

Nothing herein limits the applicability of any federal, state, or other City Ordinance which may apply within the Parks.

Section 15-6. – Prohibited conduct.

Except for City Employees or other agents or contractors of the City under the direction of the City Manager, the following acts are prohibited in the Parks:

- (a) Placing any trash or debris in any location other than an appropriate receptacle designated for the same;
- (b) Climbing or lying upon any tree, shrub, fence, statue, monument, table, bench, or fountain;;
- (c) Entering or leaving any Park except through entrances or exits, where established, and within designated hours of operation;
- (d) Gaining or attempt to gain admittance to any Park or facility in any Park where a charge is required, without paying that charge;
- (e) Disregarding the notices, prohibitions, or directions on any Park sign;
- (f) Disobeying the lawful order of a police officer, City Manager, or city employee;
- (g) Playing, practicing, or otherwise participating in any game, sport, or other activity that is destructive to the lawn, plants, walls, road, or other infrastructure of a Park, except at or upon places designated for that game, sport, or recreational activity;
- (h) Knowingly, or through reckless behavior, damaging any lawn, field, turf, court, plant life, wall, fence, road, or other infrastructure of a park;
- (i) Erecting any size canopy or tent over any artificial turfed area of any Park;
- (j) Bringing in, carrying, possessing, or permitting a minor child in one's custody to bring in, carry, or possess glass containers;
- (k) Bringing in and abandoning any animal in a Park, including but not limited to, cats, ducks, raccoons, opossums, and dogs;
- (l) Using or permitting a minor child in one's custody to use a playscape or park bench for activities other than its intended use and/or purpose;
- (m) Disposing of charcoal, grease, or oil, anywhere inside of a Park, except for designated receptacles;
- (n) Urinating or defecating in any Park, regardless of whether the location is in public view, including, without limitation, in or upon any Park building, monument, or structure, except in permanent restrooms or portable lavatories open to the public, except that this rule shall not apply to individuals wearing diapers or who accidentally soil themselves and that soiled diapers are wrapped tightly so that no waste can escape and are either removed from the Park or disposed of in a trash receptacle;
- (o) Spitting or expectorating in or upon any Park building, monument, or structure;
- (p) Using any water fountain, drinking fountain, pool, sprinkler, reservoir, lake, or any other water contained in a Park for the purpose of bathing and/or cleaning clothing or other personal belongings;
- (q) Using an athletic field or court for a purpose other than its intended purpose while another individual is waiting to use the court for its intended purpose;
- (r) Entering or attempting to enter any portion of a Park that is closed to the public;
- (s) Entering or attempting to enter any portion of a Park that is reserved for private use without permission from the reservation holder;
- (t) Digging or excavating of any kind;
- (u) Using any off-road vehicle, including but not limited to, all-terrain vehicles and motorcycles in areas other than parking or designated vehicle paths;
- (v) Using any tobacco or vape products, including in parking lots;
- (w) Painting on any surface of any Park;

Section 15-7. -- Prohibited Conduct unless authorized by permit.

Except for City Employees or other agents or contractors of the City under the direction of the City Manager and for those authorized by Permit issued by the City Manager, the following acts are prohibited in the Parks:

- (a) Placing, hanging, or displaying any sign, banner, or advertisement;
- (b) Driving stakes, posts, poles, or any other device, or digging holes for the purpose of securing stakes, posts, poles, or any other device for any reason, including to erect a canopy, stage, or other structure;
- (c) Bringing in, erecting, or permitting a minor child in one's custody to bring in and/or erect any inflatable amusements, amusements requiring water source, or any amusements requiring an independent power source;

- (d) Erecting a canopy or tailgating tent with a finished dimension greater than ten feet by ten feet, or be in possession of an erected canopy with the same dimensions;
- (e) Bringing in and using any private cooking apparatus, including but not limited to, gas grills, pellet grills, charcoal grills, stoves, hot plates, fryers, and microwaves;
- (f) Using any plywood, non-permeable tarp, or any other kind of item used as ground covering that is made of material that does not allow water to penetrate to the ground below, except that chairs made of non-permeable materials, coolers, and other items not utilized as ground covers do not violate this provision;
- (g) Placing or installing of porta potties;
- (h) Bringing in any livestock, farm animals, or wild animals;
- (i) Bringing in or launching any simple or complex device containing combustibles that liberate gases that on being ignited and/or whose action propels the device through the air, including, but not limited to: bottle rockets, firecrackers, smoke balls, sparklers, roman candles, strobes, and snaps;
- (j) Using any confetti, glitter, silly string, and slime;
- (k) Flying any model airplanes or drones;
- (l) Possessing alcoholic beverages of any kind;
- (m) Using any stereos, speakers, or other amplification devices.

Section 15-8. – Use of Parks at night.

- (a) Parks are open for operation and use from sunrise to sunset unless otherwise posted or permitted.
- (b) This section shall not prevent the use at any time of thoroughfares that are part of the system of streets and highways of the city which traverse any part or portion of any Park.
- (c) No person shall leave any vehicle, personal or commercial, on any of the roads, drives, avenues, or parking lots within any Park outside of the hours of operation, except by permit issued by the City Manager. Any unauthorized vehicle remaining in any Park after operational hours is subject to removal at the cost of the owner. Nothing herein affects the City Manager's authority to close any Park or portion of a Park at any time.

Section 15-9. – Motor vehicle restrictions.

- (a) No vehicles engaged in hauling for traffic or commerce shall use such roads, drives, or avenues within the Parks, except for the delivery of materials or other supplies necessary for the maintenance of the Park or for persons conducting business within the limits of the Park or where permitted by the City Manager.
- (b) No person shall drive any vehicle upon or across any part of any Park, except upon roadways laid out and maintained for vehicular travel.

Section 15-10. – Helicopters.

No person shall land a helicopter in any Park unless such helicopter is being used in an emergency situation by emergency personnel, including but not limited to, police, fire, civil defense, and medical personnel, or unless such authorization is granted by the City Manager.

Section 15-11. – Lakes, Ponds, and Waterways.

- (a) No person shall engage in boating, swimming, or any like activity on any lake, pond, or waterway within any Park.
- (b) Fishing is not permitted in Park lakes, ponds, or waterways, except in designated areas and where authorized by state law. Nothing herein shall relieve any person from acquiring the appropriate licenses from the Georgia Department of Natural Resources, if required.

Section 15-12. – Sale of goods, articles or services.

No person shall sell goods, articles, or services of any nature in Parks without first obtaining a permit from the City Manager. Nothing herein relieves any individual from obtaining any other licensing or permits required to conduct the activity permitted.

Section 15-13. – Animals.

- (a) No person shall walk any animal in any Park except on a leash, unless the area of the Park is explicitly designated as an off-leash dog area.
- (b) It shall be the responsibility of any person bringing an animal into a Park to clean up any matter excreted by the animal and dispose of the same in an appropriate bag and in a trash receptacle. Failure to clean up any excrement is a violation of this ordinance.
- (c) Animals are prohibited in the following areas of any Park: Amphitheaters, playing courts, playing fields, playgrounds, under any pavilion, in any lake or other similar body of water, and inside any facility.
- (d) Animals are prohibited in Permitted Areas of Parks during permitted events unless specifically authorized by the organizer of the event.
- (e) Subsections (c) and (d) of this section shall not apply to service animals, as defined by the Americans with Disabilities Act (ADA), or a dog trained and licensed by and in the possession of the Dublin Police Department or any other law enforcement agency.
- (f) Off-leash dog area rules are as follows:
 - i. All users of the off-leash area shall assume all risk and liability associated with entering such an area.
 - ii. Owners are responsible for the actions of their dogs. Each dog must be kept within sight of their owner and under voice control.
 - iii. Dog owners have responsibility for watching their dog's behavior. If a dog displays aggressive behavior or fights, the owner shall be responsible for immediately controlling or removing the dog from the off-leash area.
 - iv. No more than three dogs per owner shall be allowed in the area at one time.
 - v. All dogs must wear a collar and ID tag.
 - vi. All dogs must be properly licensed, healthy, and have current vaccinations.
 - vii. No puppies under 16 weeks are allowed.
 - viii. No dogs in heat are allowed.
 - ix. No dangerous or vicious dogs are allowed.
 - x. No dogs are permitted to enter with pronged collars.
 - xi. Any dog that barks continually must be removed or muzzled by their owner.
 - xii. Owners must clean up after their dogs.
 - xiii. Off-leash areas have double-gated entrances. Owners must close and latch both gates after entering or exiting the area.
 - xiv. No children under the age of 12 are allowed in the area without close adult supervision.
 - xv. No food of any kind, human or dog, including dog treats, is allowed.
 - xvi. No feeding of dogs.
 - xvii. Bicycling, skateboarding, rollerblading, jogging, or strollers are not allowed.
 - xviii. Dogs are not permitted on benches.
 - xix. Off-leash areas may be closed due to weather, maintenance, or at the discretion of the City Manager or Parks Superintendent.
 - xx. Serious problems resulting in injury must be reported immediately to 911 emergency services.

(g) *Horseback riding and similar activities.*

- i. No person shall engage in horseback riding or shall bring any horse or fasten any horse to any tree or other object in any Park, except by permit.

Section 15-14. – Minors.

All minors should be under the supervision of an adult or responsible party. Anyone allowing a minor to enter a park without appropriate supervision is responsible for the acts of said minor.

Section 15-15. – Supplemental Rules.

The City Manager may establish additional rules related to the use of Parks and the facilities therein that are not inconsistent with the regulations provided in this Article. Violation of any such rules which are posted or on file in the City Clerk's office constitutes a violation as contemplated by Section 15.4 and may be punished as provided therein. The City Manager may also establish forms and procedures for the implementation and enforcement of these ordinances and the Parks and all facilities thereon.

Section 15-16. – Intent.

It is the intent of the Mayor and Council as the governing body of the City in enacting this Article to regulate only the time, place, and manner of events and not to regulate the content or message of any speech or expressive conduct.

Section 15-17. – Park Rentals.

Rentals for Parks may be conducted under such terms and conditions as deemed appropriate by the City Manager and the rates for said rentals shall be established by resolution and on file in the office of the City Clerk.

(Reserved 15-18 through 15-39).

Article III – Riverview Golf Course and Emery Thomas Auditorium

Section 15-40. – Riverview Golf Course and Emery Thomas Auditorium.

The City Manager may establish rules and regulations for the operation and maintenance of Riverview Golf Course and the Emery Thomas Auditorium and amend the same as may be appropriate from time to time. Said rules and regulations shall be on file in the office of the City Clerk and available for the public on request. This authorization includes, but is not limited to, the scheduling of hours of operation, terms of rentals, establishing fees and costs of goods and services sold, and tournament regulations.

(Reserved 15-41 through 15-59)

Article IV – Permits

Section 15-60. – Purpose.

The city council recognizes the impact that special events have on the availability of city services and therefore adopts this procedure to license and regulate activities of this nature. In addition, the city council recognizes certain generally prohibited acts may be appropriate with proper notice and oversight by the city and therefore adopts this procedure to permit and regulate activities of this nature.

Section 15-61. – Permit required.

- (a) No person or organization shall advertise, engage in, participate in, aid, form or start any special event, unless a special event permit shall first have been obtained from the city manager or his designee. Private social gatherings located on private property which will make no use of city streets other than for lawful parking do not require a permit.
- (b) No person or organization may engage in any conduct which is required to be permitted without applying for and obtaining a permit for the same, including, but not limited to those enumerated in Article I of this Chapter.
- (c) The City Manager may provide for reservations for use of Park Facilities and spaces not otherwise provided for herein, and establish conditions and terms for such reservations.

Section 15-62. – Exemptions.

The following activities are exempt from the special event permit requirement:

- 1. Funeral processions, or
- 2. Activities conducted by the City of Dublin.

Section 15-63. – Permit Application; Deadline; Content.

- (a) An application for a special event permit or other permit shall be submitted to the city manager or his designee:

- 1) Not less than 10 days prior to the desired permitted activity or 30 days prior to a special event. Note, Georgia Department Of Transportation regulated rights of way require an application not less than 60 days prior to an event and are contingent on GDOT approval, which is outside of the control of the City;
 - 2) Not less than three months for any event which is anticipated to have more than 500 people in attendance; and
 - 3) Not more than one year prior to an event.
- (b) *Contents.* The city manager shall develop forms and operational policies consistent with this Ordinance for the implementation of the regulations herein and the application for permits as contemplated herein.

Section 15-64. – Permit fee.

Permit fees contemplated herein are as established by resolution of the mayor and council.

Section 15-65. – Police protection.

- (a) The applicant shall be required to provide police protection if the Chief of Police determines, based on the information in the application, previous events, or the actual attendance at any event, a risk to the safety of the attendees of the event or to the surrounding persons and properties. Said police protection shall be in such manner and number as determined by the Chief of Police. The Chief of Police may order the event closed and the crowd disbursed if there is an unreasonable risk to the safety of persons or property due to the event.
- (b) The police department shall determine whether and to what extent additional police protection will be required for the event for purposes of traffic, crowd control and security. The applicant then shall have the obligation to secure police protection acceptable to the chief of police at the sole expense of the applicant and shall pay the expenses of such protection as required. The chief of police shall consider what additional manpower, equipment, and supplies are needed, as well as any other items or expenses which will be necessary. An estimate of these costs will be provided to the applicant prior to the issuance of a permit. Private security may be used by the applicant with approval of the chief of police or his designee. The chief of police may designate someone to act on his behalf regarding any portion of this section.

Section 15-66. – Fire protection and emergency medical services.

- (a) The applicant shall be required to provide fire protection and emergency medical services if the Fire Chief determines the event creates a special fire hazard. The Fire Chief shall determine the appropriate fire protection and emergency medical personnel necessary for the event and the applicant shall be responsible for the cost of the same. This may include having fire personnel on site for the event. Private fire/EMS services may be used by the applicant with approval of the fire marshal or his designee. The Fire Chief may designate someone to act on his behalf regarding any portion of this section. The applicant shall be required to provide fire protection and emergency medical services if the Fire Chief determines the event creates a special fire hazard. The Fire Chief shall determine the appropriate fire protection and emergency medical personnel necessary for the event and the applicant shall be responsible for the cost of the same. This may include having fire personnel on site for the event. Private fire/EMS services may be used by the applicant with approval of the fire marshal or his designee. The Fire Chief may designate someone to act on his behalf regarding any portion of this section.
- (b) The conduct of the event shall not introduce extraordinary hazard to fire protection and/or to the life or safety of the spectators or participants in the immediate or adjacent areas.

Section 15-67. – Duties of permittee.

A permittee hereunder shall comply with all permit directions and conditions and with all applicable laws and ordinances. The responsible individual shall maintain custody of the permit and upon demand shall produce it to the city authorities. Under no circumstances may a permit be transferred from the applicant to any other person or organization. All permittees are required to clean and otherwise restore the city property utilized to its pre-event or pre-permit condition.

Section 15-68. – Permit Contents.

The City Manager may include such conditions as may be appropriate for the issuance of a permit based on the application for the permit, including, but not limited to, requiring the applicant to execute an indemnity and hold harmless agreement for the protection of the City, a bond, or other assurances for the protection of the City, its property, or the public.

The City Manager may deny a permit application for any of the following reasons:

- i. the application does not contain all required information, or that information set out is so incomplete, vague, or ambiguous as to prevent full and proper review;
 - ii. the application contains material omissions, falsehoods, or misrepresentations;
 - iii. the applicant or entity represented by the applicant is incompetent to contract, sue, or be sued;
 - iv. the person applying lacks authority to present the entity for which the application is made;
 - v. the applicant or entity represented by applicant has on prior occasions damaged public property or has not paid in full for such damage, or is in arrears as to any judgment civil, criminal, or administrative rendered against the applicant or entity, or is in violation of any injunction or restraining order entered against the applicant or entity, whether under the same name(s) or another;
 - vi. the applicant or entity has on prior occasions violated permitting ordinances in connection with events of a substantially similar nature;
 - vii. the plan of the event as proposed would present an unreasonable danger to the health or safety of participants in the event or other members of the public (though not through the agency of any predicted reaction by on lookers or members of the public);
 - viii. the plan of the event as proposed would unduly restrict and/or congest vehicular or pedestrian traffic on any of the public roads, right of ways, sidewalks, or waterways in the immediate vicinity of such event;
 - ix. the plan of the event as proposed would constitute an unreasonable disturbance of the peace, or would unreasonably burden lawful commerce in the area at the time of the proposed event, or would unreasonably intrude upon the privacy or property of citizens in the area of the proposed event;
 - x. the plan of the event as proposed includes activities which are prohibited by laws of the United States, the State of Georgia, or ordinances of the City or the County, or activities which constitute nuisance or tortious conduct with respect to public or private property or persons; or
 - xi. the plan of the event as proposed would severely restrict the effective operation of the city's services.
- (a) Denials by the City Manager shall be in writing and dated and the reason(s) for the denial stated therein.
 - (b) The City Manager may revoke any permit issued herein due to the applicant having provided false or misleading information in the application or violation of any condition or rule set out herein or within the permit or if any condition that would serve as the basis for a denial of a permit becomes apparent during the actual event, or for the occurrence of any violation of federal, state, or local law.

Section 15-69. – Appeals.

Decisions of the City Manager regarding applications for permits herein may be appealed to the Mayor and Council.

Appeals may only be made in writing and dated and signed by the applicant stating the reasons therefore why the decision of the City Manager should be reversed and shall be submitted to the City Manager. Appeals must be filed with the City Manager within seven calendar days of the date of the denial letter. The City Manager shall disseminate the application, denial, and appeal documentation to the Mayor and Council and they shall decide the appeal at the next regular Council meeting unless said meeting is within three days of the notice at which point the appeal will be decided at the subsequent meeting.

(Sections 15-70 through 15-99 reserved).”

SECTION THREE

If any portion of this ordinance is held to be invalid, the remaining portions continue in full force and effect. Any ordinance in conflict with the provisions of this ordinance is hereby REPEALED.

SECTION FOUR

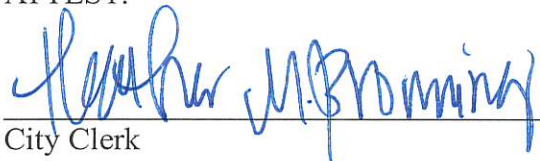
This ordinance shall become effective at 12:00 noon on the fifth day after its adoption.

SO ORDAINED this 18th day of September, 2025 by a vote of (4) FOR and (1) AGAINST.

CITY OF DUBLIN, GEORGIA:


Mayor

ATTEST:


City Clerk

