

Ordinance #25-0
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**ORDINANCE AMENDING CHAPTER 38 RELATING TO
MISCELLANEOUS OFFENSES AND PROVISIONS**

BE IT ORDAINED, by the Mayor and City Council of the City of Winston-Salem as follows:

Section 1: Sec. 38-18 (“Prohibited acts relating to use of public parks, recreation facilities and skate park”) is hereby amended as follows:

(a) *Being on premises after closing hours.* It shall be unlawful for any person to be on the premises of a public park or city-owned recreation facility after such park or recreation facility has been closed to the public, unless such person is an employee of the city acting within the scope of his duties, or unless such person has written permission from the city recreation department.

(b) *Parking at place not designated for parking; leaving vehicle parked on premises after closing hours.* It shall be unlawful for any person to park a motor vehicle on the premises of any public park or city-owned recreation facility at a place not designated for parking of vehicles, and it shall be unlawful for any person to park or allow a motor vehicle to remain parked upon the premises of any public park or city-owned recreation facility, whether occupied or unoccupied, after such park or recreation facility has been closed to the public, without written permission from the recreation department.

(c) *Closing hours defined.* ~~A park or recreation facility shall be deemed closed to the public within the meaning of this section when area lights have been turned out, or when attendants have closed such facilities and departed, or when all organized activity has ceased. In no case shall a park or recreation facility be considered open between the hours of 10:30 p.m. and 7:00 a.m., except to activity under the supervision of the recreation department.~~

(1) A public park or city-owned recreation facility shall be deemed closed to the public within the meaning of this section between sunset and sunrise. For purposes of enforcement, the terms “sunset” and “sunrise” shall be determined according to the official times for those events published daily by the U.S. Naval Observatory Astronomical Applications Department.

(2) Notwithstanding the foregoing, the city recreation department may designate specific areas within any public park or city-owned recreation facility for extended use before sunrise or beyond sunset, including, but not limited to, lighted courts, fields, or other illuminated areas. In such cases, only the designated and lighted court, field, or area shall be considered open; all other portions of the public park or city-owned recreation facility shall remain closed. The city recreation department may also authorize

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extended use of any public owned recreation facility, in for programs, activities, or events conducted under its supervision or with its prior written permission.

park or city-whole or in part,

(3) The city recreation department may establish, on a regular or temporary basis, different hours that any public park or city-owned recreation facility, or a portion thereof, is open to the public.

(d) *Use of city skate park.* No person shall ride or use a skateboard, in-line skates or freestyle bicycle at any city-owned or operated skate park unless that person is wearing a helmet, elbow pads and knee pads. A person who fails to wear the required helmet, elbow pads and kneepads shall be subject to a citation for violating city code section 38-18(d).

(e) *Code of Conduct* – The Code of Conduct for Recreation and Parks will be enforced both during and after park hours as previously outlined in Sec. 1(c)(1) above. This is to protect all residents of the City of Winston-Salem from undesirable behaviors. All behavior should be appropriate for a family friendly environment.

The unacceptable behaviors include but are not limited to:

- Gambling on City property
- Smoking or vaping in designated non-smoking areas
- Act or threat of bodily harm, including subtle or implied
- Failure to follow City staff or law enforcement personnel guidance and/or direction
- Use of profanity, vulgar language, or obscene gestures
- Littering, damaging, or defacing City property
- Engaging in inappropriate physical or verbal contact and/or gang related activity
- Harassing or threatening phone calls, or forms of written or electronic communication
- Involvement with drugs, alcohol, weapons, or fireworks
- Stalking, threatening, harassing (sexual or otherwise), bullying, or any other unwanted behavior or language
- Sexual activity of any kind
- Any other violation of federal, state, and local laws, ordinances, and policies

Violations of the Code of Conduct may lead to potential criminal charges based on the violation and/or temporary or permanent suspension from City park facilities.

(ef) A violation of section 38-18, or any part thereof, shall constitute a class 3 misdemeanor, as provided by G.S. 14-4, and shall subject the offender to a fine of not more than \$500.00.

Section 2: This ordinance shall become effective upon adoption.