

## **ORDINANCE NO. 2022-08**

### **AN ORDINANCE TO DESIGNATE AND PROVIDE RESTRICTIONS FOR THE MAGNOLIA SPRINGS OLD SCHOOL PARK**

**WHEREAS**, the Town of Magnolia Springs, Alabama, desires to provide a public space for the enjoyment of all citizens;

**WHEREAS**, the Town of Magnolia Springs purchased a tract of land on March 13, 2019, previously known as the Magnolia Springs School Property;

**NOW, THEREFORE, BE IT ENACTED AND ORDAINED** by the Town Council of the Town of Magnolia Springs, Alabama, while in regular session as follows:

**Section One:            Designate Magnolia Springs Old School Park**

- a. The tract of land located on the north side of Gates Avenue and east side of Magnolia Springs Highway, with the PPIN number 26975 and Parcel Number 05-55-08-28-0-000-097.000, purchased by the Town of Magnolia Springs on March 13, 2019, shall be named the “Magnolia Springs Old School Park.”

**Section Two:            Park Rules and Regulations**

- a. The Magnolia Springs Old School Park shall open at sunrise and close at sunset. No individual, group or other shall occupy the Magnolia Springs Old School Park after sunset or before sunrise unless otherwise approved by the Town Council.
- b. It shall be unlawful for any person to cut, remove or cause damage to any vegetation. It shall also be unlawful for any person to deface, destroy or drive any object into any tree, scrub, rock, sign, building or any other surface or object.
- c. It shall be unlawful to dump, deposit or strew garbage, waste, bottles, cans, papers, junk, or any other trash. All trash shall be placed in a proper receptacle or shall be removed from the park entirely.
- d. Pets should be kept on a leash or under owner’s control at all times. Any solid excretion matter from said pet must be picked up from any surface area.
- e. Maintenance Crews have first priority on any space within the park.

- f. Event applications with fee payment must be submitted to the Town Clerk sixty (60) days before the date of the event. The application will then be reviewed at the next regularly scheduled Town Council Workshop and normally voted on at the next Regular Council Meeting.
- g. Access to some areas of the park may be limited due to scheduled events; therefore, if the park has been prepared for a scheduled and approved event, it shall be off limits to public access. Access may also be limited due to periodic maintenance by the Public Works Director or Maintenance Staff.
- h. Use, solicitation, possession, or distribution of any controlled substance is strictly prohibited.
- i. Fires, fireworks, and explosives are prohibited except if under an approved event application.
- j. It shall be unlawful for any person to possess or use any container which is susceptible of breaking, shattering, fracturing or becoming fragmented, including, but not limited to, glass and breakable plastics, with a resulting risk of injury to any person.
- k. Children under the age of 12 must be under adult supervision at all times.
- l. Public intoxication is not allowed under Code of Alabama 13A-11-10.

**Section Three: Fines and Punishment**

It shall be unlawful to violate any of the terms and provisions of this Ordinance. Any person, firm or corporation violating any of the said terms and provision of this Ordinance shall, upon conviction, be punished in accordance with Title 11-45-9, Code of Alabama 1975, for a misdemeanor violation for each such offense. Each day any violation of this ordinance shall continue shall constitute a separate offense.

**Section Four: Severability**

If any part, section, or subdivision of this Ordinance shall be held unconstitutional or invalid for any reason, such holding shall not be construed to invalidate or impair the remainder of this Ordinance, which shall continue in full force and effect notwithstanding such holding.

**Section Five: Effective Date**

The provisions of this Ordinance shall become effective immediately upon the passage and approval thereof by the Town Council of the Town of Magnolia Springs, Alabama, and the publication and/or posting thereof as required by Alabama law.

ADOPTED AND APPROVED on this the 20<sup>th</sup> day of December 2022.


  
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Kim Koniar, Mayor

ATTEST:

  
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Hannah Driskell, Town Clerk

**CERTIFICATION OF PUBLICATION**

**TOWN OF MAGNOLIA SPRINGS, ALABAMA** Certificate of Publication. This is to certify that **Ordinance Number 2022-08**, Town of Magnolia Springs, Alabama, was published by posting on at least three (3) Bulletin Boards in the Town, Magnolia Springs Post Office, United Bank, and at the Mayor's Office from December 20, 2022, through January 21, 2022.

  
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Hannah Driskell, Town Clerk