

# **Title 7. Recreation / Contests**

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## **Article 1 Parks and Recreation**

### **Chapter 1 Park Rules and Regulations**

#### **7.1.1.1 Parks and other recreational areas defined.**

Sec. 1 The words "park and other recreational areas" shall include, but not be limited to, any lands, buildings, structures, waters, paths, trails, drives and roadways in the City of Goshen, Indiana that are within jurisdiction and control of the City of Goshen through the Goshen Parks and Recreation Department.

(Ord. No. 4294, § 1, 6-7-2005)

#### **7.1.1.2 Park hours.**

Sec. 2 No person shall enter or remain in any park or other recreational area after the location is closed to the public. Parks and other recreational areas are open to the public from dawn until 11:00 p.m. or until the conclusion of a park approved activity, if later.

(Ord. No. 4294, § 2, 6-7-2005)

#### **7.1.1.3 Vehicles left in parks after closing prohibited.**

Sec. 3 No person shall leave a vehicle within any park or other recreational area after the location has closed to the public, except in cases of an emergency or with the consent of the Goshen Parks and Recreation Department. The City of Goshen will consider the registered owner of a vehicle to be the person who left the vehicle within any park or other recreational area after the location has closed to the public unless such presumption is properly rebutted by the owner...

(Ord. No. 4294, § 3, 6-7-2005)

#### **7.1.1.4 Altering or removing signs, structures, fixtures and other improvements prohibited.**

Sec. 4 No person shall damage, deface, remove or otherwise alter any sign, structure, fixture or other improvement in any park or other recreational area. The signs, structures, fixtures or other improvements shall include, but not be limited to, any drive, roadway, walk, path, trail, bridge, wall, monument, statue, fountain, grill, table, bench, fence, gate, building, pool and recreational equipment.

(Ord. No. 4294, § 4, 6-7-2005)

**7.1.1.5 Disturbing, injuring or removing wildlife and vegetation prohibited.**

Sec. 5 (a) No person shall harass, hunt, trap, injure, remove or otherwise disturb any wildlife located in any park or other recreational area without the express written permission of the Parks Superintendent or the Superintendent's designee. The term "wildlife" shall mean any wild mammal, bird, reptile, amphibian, mollusk, crustacean, or other wild animal; or any part, product, egg, offspring, or the dead body or parts of the wild animal.

(b) No person shall harvest, cut, break, set afire, injure, remove or otherwise disturb any plant, flower, bush, tree or other vegetation growing in any park or other recreational area. No person shall attach any rope, cable or other component to any such vegetation.

(Ord. No. 4294, § 5, 6-7-2005)

**7.1.1.6 Swimming prohibited.**

Sec. 6 No person shall swim, wade, or bathe in any waters that are within any park or other recreational area unless a lifeguard is on duty at the particular site. Wading in such waters as part of entering or exiting from a boat or canoe shall not be prohibited.

(Ord. No. 4294, § 6, 6-7-2005)

**7.1.1.7 Pet supervision required.**

Sec. 7 No person shall bring any pet into a park or other recreational area unless the person continuously supervises such pet, including preventing or promptly repairing any damages caused by the pet, and properly disposing of any excrement left by the pet upon any park property.

(Ord. No. 4294, § 7, 6-7-2005)

**7.1.1.8 Camping prohibited.**

Sec. 8 No person shall erect or maintain a tent or other shelter, or otherwise camp within any park or other recreational area without the express written permission of the Parks Superintendent or the Superintendent's designee. The person must conspicuously post such permission at the campsite.

(Ord. No. 4294, § 8, 6-7-2005)

**7.1.1.9 Fires prohibited.**

Sec. 9 No person shall build, kindle, maintain or use a fire within any park or other recreational area in the City of Goshen unless the person properly contains such fire in facilities designed for that purpose. Any fire shall be continuously monitored and under the care and direction of a person who is at least eighteen (18) years of age from the time the fire is kindled until the fire is extinguished.

(Ord. No. 4294, § 9, 6-7-2005)

**7.1.1.10 Possession, consumption and sale of alcoholic beverages prohibited.**

Sec. 10 No person shall possess, consume, sell, offer for sale, barter or exchange any alcoholic beverage in any park or other recreational area. The term "alcoholic beverage" means a liquid or solid that is, or contains, one-half percent (0.5%) or more alcohol by volume; is fit for human consumption; and is reasonably likely, or intended, to be used as a beverage.

(Ord. No. 4294, § 10, 6-7-2005)

**7.1.1.11 Possession or use of weapons prohibited.**

Sec. 11 No person shall possess or use a weapon in any park or other recreational area. The term "weapon" means any device, firearm, equipment, or other material that in the manner it is used or is ordinarily used, is readily capable of causing serious bodily injury. The term "firearm" means any weapon that is capable of, designed to or that may readily be converted to expel a projectile by means of an explosion.

(Ord. No. 4294, § 11, 6-7-2005)

**7.1.1.12 Solicitations, commercial sales and commercial photography prohibited.**

Sec. 12 No person shall solicit, advertise, sell, photograph or promote for sale any commercial product or commercial event within any park or other recreational area without the express written permission of the Goshen Board of Parks and Recreation Department. The person must conspicuously post such permission at the site of such activity.

(Ord. No. 4294, § 12, 6-7-2005)

**7.1.1.13 Speed limits.**

Sec. 13 No person shall operate any vehicle or bicycle upon roadways within a park or other recreational area in excess of the speed limit as posted, which in any event, shall not exceed 15 miles per hour.

(Ord. No. 4294, § 13, 6-7-2005)

**7.1.1.14 Bicycle / pedestrian trail restrictions.**

Sec. 14 (a) No person shall operate any motorized vehicle, motorized bicycle or other similar device upon any trail designed for bicycle / pedestrian use in the City of Goshen, except if a person with a disability, as defined by the Americans with Disabilities Act, operates the device.

(b) No person shall ride or allow any horse upon any trail designed for bicycle / pedestrian use in the City of Goshen.

(c) No person shall ride a bicycle at an excessive speed or engage in any racing activity upon any trail designed for bicycle / pedestrian use in the City of Goshen.

(Ord. No. 4294, § 14, 6-7-2005)

**7.1.1.15 Skate park equipment.**

Sec. 15 The skate park shall be used only by persons operating skateboards, roller skates and inline skates. No person shall operate any other equipment or wheeled devices inside the skate park.

(Ord. No. 4294, § 15, 6-7-2005)

**7.1.1.16 Enforcement.**

Sec. 16 (a) Any person who violates any provision of this Code article shall be fined an amount not to exceed Two hundred fifty Dollars (\$250.00), in addition to any court costs, including reasonable attorneys' fees. A separate offense shall be deemed committed each day that a violation occurs or continues to occur.

(b) The City of Goshen may bring action to enforce the provisions of this Code article by filing a complaint in any court of competent jurisdiction within Elkhart County, Indiana.

(Ord. No. 4294, § 16, 6-7-2005)

## **Article 2 Ultimate Fighting Contests**

### **Chapter 1 Prohibition of Ultimate Fighting Contests**

**7.2.1.1 Prohibition**

Sec. 1 (a) No person or other entity shall publicize or promote an ultimate fighting match to be conducted in the City of Goshen, Indiana if the match is not sanctioned by an appropriate sanctioning body and such body has not issued a license or permit for the match or contest to be conducted

within the City of Goshen, Indiana.

(b) No person or other entity shall conduct or engage in an ultimate fighting match or contest within the corporate boundaries of the City of Goshen, Indiana, unless such match has been licensed or permitted by an appropriate sanctioning body.

(c) No ultimate fighting match or contest may be conducted within the corporate boundaries of the City of Goshen even if licensed or permitted by an appropriate sanctioning body unless either the sanctioning body or the facility at which the contest or match is conducted has insurance that will cover injuries to the participants in an amount of at least One Million Dollars (\$1,000,000.00).

#### **7.2.1.2 Penalty**

Sec. 2 Any person or other entity who violates this Code article may be fined up to Two Thousand Five Hundred Dollars (\$2,500.00) for each violation. Each match or contest conducted in violation of this ordinance constitutes a separate offense.

#### **7.2.1.3 Enforcement**

Sec. 3 Violations of this Code article will be enforced in accordance with 1.1.3 of this Code, as such section of the City Code may be amended from time to time.

#### **7.2.1.4 Definitions**

Sec. 4 The following definitions should apply in the interpretation and enforcement of this Code article:

- 1) APPROPRIATE SANCTIONING BODY. An appropriate sanctioning body is any nationally recognized organization which engages in sanctioning matches or contests either nationally or regionally, provided the region includes the State of Indiana. The sanctioning body must have been in existence a minimum of five (5) years and be able to demonstrate that the sanctioning body has safely and successfully sanctioned ultimate fighting events for at least three (3) years. The sanctioning body must have adopted a set of rules governing the manner in which the matches or contests will be conducted and the sanctioning body must also have established licensed officials who supervise all sanctioned events.
- 2) SERIOUS BODILY INJURY. An injury that creates a substantial risk of death or substantial risk of serious permanent disfigurement, unconsciousness, extreme pain, or permanent or protracted loss of the function of a bodily member or organ.
- 3) ULTIMATE FIGHTING. Any activity, including but not limited to extreme fighting, no holds barred fighting, full contact fighting, cage fighting, mixed martial arts contests, ground or

pound challenges, or tough man contests which allows or permits one of the following:

(A) the use of anything that is not part of the human body to intentionally inflict serious bodily injury upon an opponent through direct contact or the expulsion of a projectile.

(B) striking a person who is unable to protect himself or herself from the advance of an opponent.

(C) allowing continued contact with a person who has been injured to a point where the person is unable to protect himself or herself or where continuing the contest or match exposes the person to substantial risk of further serious bodily injury.

(D) direct and forceful strikes to the eyes, groin, throat, neck or temporal area of the head unless such area is adequately protected to prevent injury.

(Ord. 4350, § 7, 3-21-2006)

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