

VILLAGE OF NEW LONDON
ORDINANCE NO. 2020 - 23

AN ORDINANCE AMENDING AND RESTATING SECTION 955.24 OF THE CODIFIED ORDINANCES

BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF NEW LONDON, HURON COUNTY, OHIO, AS FOLLOWS:

Section 1. That Section 955.24 of the Codified Ordinances of the Village of New London, Ohio, as it heretofore existed, be amended and restated in its entirety, to read as follows:

955.24 PARKS OPERATING POLICY.

(a) Hours. The Council shall have the authority to establish the hours during which the Recreation Park and Reservoir shall be open to the public. However, bank fishing at the Reservoir shall be permitted on a twenty-four hour basis.

(b) Closed Areas. Any section or part of any Recreation park or Reservoir Grounds may be declared closed to the public by the Village Administrator at times 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 Village Administrator shall find reasonably necessary.

(c) Lost and Found Articles. The finding of lost articles by attendants shall be reported to the Village Administrator who shall make every reasonable effort to find articles reported as lost.

(d) Uses for which a Special Permit is Required. A special permit shall be obtained from the Village Administrator before participating in the following activities:

- (1) Use of the Reservoir, Recreation Park, and/or Reservoir property during closed seasons.
- (2) Use of the Reservoir, Recreation Park, and/or Reservoir property closed hours of the day.
- (3) Use of the Reservoir, Recreation Park, and/or Reservoir property for group gatherings.
- (4) Use of the restricted areas of the Reservoir, Recreation Park, and/or Reservoir property.
- (5) Operating boats and other facilities for hire on the Reservoir property.
- (6) Alteration or erection of duck blinds in season or other structures on the Reservoir and/or Reservoir property.

(e) Application for a Special Permit.

- (1) A person seeking issuance of a special permit hereunder shall file an application with the Village Administrator.

The Application shall state:

- A. The name and address of the applicant.
- B. The name and address of the persons, corporations or associations sponsoring the activity, if any.
- C. The day and hours for which the permit is desired.
- D. The Reservoir or portions thereof, for what such permit is desired.
- E. An estimate of the anticipated attendance.
- F. Any other information which the Village Administrator shall find reasonably necessary to a fair determination as to whether a special permit should be issued hereunder.

- (2) Standards for issuance. The Village Administrator shall issue a special permit hereunder when he finds:

- A. That the proposed activity or use of the Reservoir or Recreation Park will not unreasonably interfere with or detract from the general public enjoyment of the Reservoir or Recreation Park grounds.
- B. That the proposed activity and use will not unreasonably interfere with or detract from the promotion of public health, welfare, safety, and recreation.
- C. That the proposed activity or use is not reasonably anticipated to incite violence, crime, or disorderly conduct.
- D. That the facilities desired have not been reserved for other use at the date and hour require in the application.
- E. That the facilities desired have not been reserved for other use at the date and hour require in the application.
- F. That the following procedures for issuing a duck/goose blind permit have been satisfied:
 - i. An individual desiring to participate in the duck/goose blind pool must attend, in person, the Lottery (or Lotteries) held by the Administrator on the announced day and time each year, and shall bring proof of residency. For purposes of this Section, "Resident" shall mean an individual, domiciled in the Village of New London; it will be rebuttably presumed that an individual who currently occupies a residence within the Village and

who either (I) paid income tax in the most recent tax year or (II) who currently has a utility account within the Village for his personal residence located within the Village, is domiciled in the Village. Any person who accepts a duck blind location shall pay a nonrefundable \$50 fee.

- ii. For the ten blind sites available, the Administrator shall conduct a lottery from among the adult residents who have appeared; and the duck blind locations shall be allocated to those selected in the residents' lottery. If fewer than ten residents appear for the residents' lottery, a second lottery from among the adult non-residents present shall be conducted, and the remaining duck blind location(s) available shall then be allocated to those selected in the non-residents' lottery.
- iii. Those chosen in the lottery shall then be eligible for the issuance of a special permit; such permits are not transferable or assignable and, if not utilized, will not be re-assigned for that hunting season. There shall be no charge for admittance to the Reservoir. A permit holder may not attempt to "sell" his permit or charge guests for the use of his blind; a violation of this provision will result in revocation of the permit.

G. DUCK/GOOSE BLIND CONSTRUCTION. Each hunting season, the Administrator shall designate up to ten (10) selected locations where blinds shall be permitted. Blinds may only be constructed in the sites identified by the Administrator. Each blind shall be at least two hundred feet (200') from any other blinds. Size shall be limited to no greater than five feet (5') x six feet (6'); there will be no digging permitted nor riprap moved. All hunting shall be conducted from within the blind only.

H. DUCK/GOOSE BLIND DECONSTRUCTION. Each blind shall be removed at the end of the season and the area shall be restored by the permit holder to its prior condition within two weeks after the end of duck hunting season. If the duck blind is not removed, the permit holder will not be allowed to apply for a new permit the following year.

- (3) Appeal. Within ten days after receipt of an application, the Village Administrator will apprise an applicant in writing of his reasons for refusing a special permit and any aggrieved person shall have the right to appeal in writing within ten days to the Village Council, which will consider the application under the standards set forth in subsection (e)(2) hereof and sustain or overrule the Village Administrator's decision within ten days. The decision of the Council shall be final.
- (4) Effect of special permit. A special permit shall be bound by all Reservoir or Recreation Park rules and regulations and all applicable ordinances fully ad though the same were inserted in said special permits.
- (5) Liability of special permittee. The person or persons to whom a special 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 special permit shall have been issued.
- (6) Revocation. The Village Administrator shall have authority to revoke a special permit upon a finding of violation of any rule or ordinance, or upon good cause shown.

Section 2. That this Ordinance shall take effect at the earliest period allowed by law.

PASSED:

August 24, 2020

ATTEST:

Nancy Howell
Fiscal Officer

John Thomas
Mayor