

METROPOLITAN BOARD OF PARKS AND RECREATION

P O L I C Y M A N U A L

Ms. Christy Smith, Chairperson

Tommy Lynch, Director

***The policy statement and rules adopted
herein supersede and repeal any previous
rules of the Metropolitan Board of Parks and Recreation.***

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(Approved by Metro Council of 06-15-69)(78-929, as amended 06-06-78)

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PREFACE

The original Board of Park Commissioners of the City of Nashville, Tennessee was created and empowered as a self-perpetuating autonomous Board, as established by Section 1, of the General Assembly of the State of Tennessee, Chapter 117 of the Private Acts of 1901, which said act empowered and enabled municipal corporations to create, maintain and control a system of public parks, to provide for a Board of Park Commissioners, and to affix and define its powers and duties.

Later the Charter of the City of Nashville was enacted by Private Acts of 1947, Chapter 246, and amended at subsequent sessions of the General Assembly, including the Legislative Sessions of 1949.

The Board of Parks Commissioners was succeeded by the Board of Parks and Recreation by authority of the Metropolitan Government of Nashville and Davidson County's Charter, which became effective April 1, 1963, and at such time the total area of Davidson County came under the jurisdiction of one Metropolitan Government by referendum.

Article 11, Chapter 10, Section 11.1001 through Section 11.1005 of the Charter delineates and defines the powers of the existing Board of Parks and Recreation.

1000 BOARD

1000.1 TERMS AND SELECTION OF MEMBERS:

There shall be a Metropolitan Board of Parks and Recreation herein referred to as "the Board".

The Board shall consist of seven (7) members, who shall serve without compensation. One of the members of the Board shall be a member of the Board of Education, selected by said Board of Education for a term of one (1) year; and another member of the Board shall be a member of the Planning Commission, selected by said Planning Commission for a term of one (1) year. Five members of the Board, who shall hold no other public office, shall be appointed by the Mayor and confirmed by a majority of the whole membership of the Metropolitan Council. Said five members shall serve terms of five (5) years each. Any vacancy due to any cause, other than expiration of term, shall be filled for the unexpired term.

1000.2 POWERS AND DUTIES:

1. The Board shall supervise, control and operate the Parks and Recreation Department.
2. It shall formulate the policies to be followed in the administration of the Parks and Recreation Department, and shall promulgate such rules and regulations as may be appropriate with respect to the administration of its policies.

1000 BOARD

1000.2 POWERS AND DUTIES:

3. It shall employ, subject to the Civil Service Commission, provisions of the Charter and within its budget appropriation and other available funds, a Director of Parks and Recreation and such Superintendents and other employees as it deems necessary.

4. It shall review, approve, reject or amend the annual budget request as compiled by the Director.

5. It shall recommend to the Council (a) the sale of any lands owned by the Metropolitan Government and no longer needed for such purposes (b) the acquisition by condemnation of any additional lands needed for park or recreation purposes, and (c) the acceptance of any gift of lands offered for park and recreation purposes and useful for such purposes. In the acquisition or disposition of land, the Board shall cooperate closely with the Planning Commission, whose recommendations shall be sought and carefully considered by the Board.

6. It shall have the authority to establish the fees and charges within the administration of the Parks and Recreation Department. It shall have the sole authority of all matters pertaining to the operations of concessions.

1000 BOARD

1000.3 DUTIES OF OFFICERS:

Chairman: The Chairman shall preside at all meetings of the Board and shall call special meeting of the Board on the Chairman's own motion or on request of two or more members. The Chairman shall vote only to break a tie on all matters coming before the Board.

Vice-Chairman: The Vice-Chairman shall preside at any meeting of the Board when the Chairman is not present. This person shall assume any other duties as set forth by the Chairman.

Secretary: The Secretary need not be a member of the Board. The Secretary will have:

(a) the responsibility of preparing the agenda and minutes of all meetings, and will cause a copy of same to be mailed or delivered to each member of the Board prior to the subsequent meeting;

(b) the responsibility to conduct the official correspondence of the Board, and
(c) the responsibility to keep all official records of the Board.

Attorney: An attorney shall be assigned to the Board by the Legal Department, and shall represent the Board on all legal matters. He shall assist in the drafting of all ordinances resolutions and any other legal matters as required by the Board. The attorney shall attend Board meetings, and any other meetings as requested by the Board.

1000 BOARD

1000.4 ELECTION OF OFFICERS:

All officers shall be elected annually at the regular meeting each April. Their term of office shall be for one (1) year.

1000.5 COMPENSATION:

No member of the Board shall receive any compensation for work done or Board meeting attended as a commissioner. However, Board members attending local, state, regional, or national park and recreation conferences shall receive reimbursement for their expenses, as provided by the Metropolitan Government travel regulations.

1000 BOARD

1000.5 COMPENSATION:

No Board member shall be directly or indirectly involved in any contract work of any nature connected with the Parks and Recreation Department.

1000.6 BOARD MEETINGS:

1. The Board will meet regularly on the first Tuesday of each month at 12:00 P.M. Meetings will be held in the Centennial Park Administrative Conference Room or other such location as may be determined by the Board.
2. Special meetings may be called by the Chairman by his own motion, or by the request of any two (2) Board members.
3. All regular and special meetings of the Board will be open to the public.
4. Individuals or groups desiring to petition the Board for some specific action should present their request in writing to the Board Secretary no later than 14 days preceding the scheduled meeting. Petitioning parties may also appear in person at the meeting to make an oral presentation.
5. The Director and appropriate staff will be present at all meetings of the Board.
6. Minutes of all Board meetings will be available for review during regular office hours at the Centennial Park Administrative Office.

1000 BOARD

1000.6 BOARD MEETINGS: (Continued)

7. An agenda will be published and distributed for all regular board meetings ten (10) days prior to the meeting.
8. All citizen presentations before the Board will be limited to 3 minutes.
9. Robert's Rules of Order will govern all meetings.

1000.7 MINUTES, ORDINANCES AND RESOLUTIONS:

All ordinances, resolutions and proceedings of the Board shall be in typed form and filed in a permanent book of records open to public inspection at all reasonable and proper times.

1000.8 QUORUM:

A majority of the duly appointed Board Members shall constitute a quorum.

1000.9 VOTING:

The ayes and nays will be taken upon the passage of all Board matters. All votes will be entered upon the minutes of the meeting. The act of a majority of members present at the meetings, at which a quorum is present, will be the official act of the Board. The Chairman will vote only to break a tie.

1000.10 COMMITTEES:

1. The Board shall establish committees to investigate and review certain matters under consideration by the Board.

1000 BOARD

1000.10 COMMITTEES (con't.):

2. The Chairman, with the approval of the Board, shall annually establish certain standing committees. In addition, the Chairman may appoint, with Board approval, certain special committees with a specific purpose. Unless otherwise instructed, the committee shall be considered dissolved after the final report is submitted to the Board.
3. The Chairman, with Board approval, shall appoint to the committee the number of members deemed appropriate, and shall name one member as committee chairman. All Board Members, the Board Officers and the Director of Parks and Recreation shall serve as ex-officio members of all committees. The Chairman may also ask the Director to provide a Park and Recreation staff member to assist the committee.
4. Generally, a committee is not authorized to take any action; it is responsible for submitting report(s), either written or oral, to the Board and shall recommend that action be taken by the Board.

1000 BOARD

1000.10 COMMITTEES (con't.):

5. The Chairman may appoint non-Board Members to certain special advisory committees, to provide technical assistance and to advise on special programs and/or activities.
6. Generally, committee meetings shall be open to the public. The committee chairman shall be responsible for establishing the date, time and location of the meetings.

1000.11 ATTENDANCE

I. Purpose

Whereas Board Members consider the work of the Metropolitan Nashville Board of Parks and Recreation to be of the highest importance, it is critical that all members of the Board participate fully in carrying out the Board's responsibilities. Members must be available and willing to attend meetings of the full Board and to serve on panels reviewing specific issues.

As a result, it is deemed appropriate to adopt a policy regarding attendance of Board members. It is intended to support full contribution of all members of the Metropolitan Nashville Board of Parks and Recreation.

1000 BOARD

1000.11 ATTENDANCE

II. Definition of a Board Attendance Problem

A board attendance problem occurs if any of the following conditions exist in regard to a board member's attendance at board meetings:

1. The member has two un-notified absences in a row (" un-notified" means the member did not call ahead to a reasonable contact as defined by the Board to be the Secretary of the Board, or the Chairperson, before the upcoming meeting to indicate they would not be in attendance) or;
2. The member has three notified absences in a row or;
3. The member misses one third of the total number of board meetings in a twelve month period whether notifications are made or not.

III. Suggested Response to a Board Attendance Problem

If a board attendance problem exists regarding a member, the Board Chair will promptly contact the member to discuss the problem. The member's response will promptly be shared by the Chair with the entire board at the next board meeting. In that meeting, the board will decide what actions to take regarding the board member's future membership on the board. Should provision #3 above exist, the Chair shall request the member tender a letter of resignation within the next two weeks. The board will vote acceptance of the member's resignation letter in the next board meeting. A simple majority vote is required.

1000 BOARD

1000.11 ATTENDANCE

III. Suggested Response to a Board Attendance Problem

It is the responsibility of the Chair to report any such violations to the Mayor along with a recommendation from the Board that the Mayor accept the letter of resignation and/or remove that member from the Board. In the case of appointed members from the School Board or Planning Commission, the respective Board Chairs will be notified of the attendance problems and request for a replacement shall be made should the member miss more than one third of the board meetings in any calendar year of their appointment.

2000 ORDINANCES

2000.1 ORDINANCE #69-842 (Adopted by Council July 15, 1969)

ARTICLE I - GENERAL REGULATIONS AND ADMINISTRATION

SECTION 13.24.010 DEFINITIONS:

Unless otherwise expressly stated, whenever used in this chapter, the following terms shall respectively mean and include each of the meanings set forth:

BATHING AREA:

Any area maintained for the use of bathers, including the water area and lands under water adjacent thereto under the jurisdiction of the Board.

BOARD:

The Metropolitan Board of Parks and Recreation as provided in Article 11, Chapter 10 of the Chapter of the Metropolitan Government.

BICYCLE PATH:

Any path, road or trail maintained for persons riding on bicycles.

BRIDLE PATH:

Any path or road maintained for persons riding on horseback.

FOOT PATH OR TRAIL:

Any path or trail maintained for pedestrians.

OMNIBUS:

Any vehicle held and used for transportation of passengers for hire.

OWNER:

Any person owning, operating or having the use or control of a vehicle, animal or other property under a leash or otherwise.

ORDINANCES

ARTICLE I - GENERAL REGULATIONS AND ADMINISTRATION

SECTION 13.24.010 DEFINITIONS:

PARK:

Unless specifically limited, such term shall be deemed to include all parks, parkways, playgrounds, athletic fields, tennis courts, golf courses, swimming pools, beaches and other recreation areas, museums, zoological and botanical gardens, places, squares, circles, spurs, open places, boulevards, roads, waters and lands under water, and also entrances and approaches thereto, docks and piers, channels and bridges, in leading to or connecting such park or parts thereof under the supervision and control of the Board and such other rights and appurtenances as the Board shall utilize, whether the same is now or shall hereafter be owned or acquired by the Metropolitan Government in fee or otherwise, including all land under and space above the surface of the ground.

PERMIT:

Any written authorization issued by or under the authority of the Board for a specified park privilege permitting the performance of a specified act in the Park.

PLAYGROUND:

Any area maintained or designated as a playground, including all territory under the supervision and control of the Board adjacent to and within twelve (12) feet thereof.

ORDINANCES

ARTICLE I - GENERAL REGULATIONS AND ADMINISTRATION

SECTION 13.24.010 DEFINITIONS:

POLICE OFFICER:

Any member of the Police Department of the Metropolitan Government and any other Metropolitan employee who is a special policeman appointed and sworn by the Chief of Police and assigned to the Board.

RULES AND REGULATIONS:

Any rule or regulation of the Board established pursuant to Section 11.1002, Subsection 2, of the Charter of the Metropolitan Government, and duly filed with the Metropolitan Clerk.

SAFETY ZONE:

Any space within any park so designated by appropriate signs.

UNNECESSARY STOPPING:

Bringing a vehicle to a complete stop on a parkway, or a road in a park other than a parking space, or other than in conformity with traffic regulations, or other than because of an emergency.

ORDINANCES

ARTICLE I - GENERAL REGULATIONS AND ADMINISTRATION

SECTION 13.24.020 SCOPE:

This chapter affecting parks shall be effective throughout the General Services District of the Metropolitan Government area within and upon all areas under the supervision and control of the Board, as defined in Article 11, Chapter 10 of the Charter of the Metropolitan Government, and shall regulate the use thereof by all persons.

SECTION 13.24.030 CONSTRUCTION:

In the interpretation of this Chapter affecting parks, its provisions shall be constructed as follows:

- A. Any requirement or provision of these rules and regulations relating to any act shall respectively extend to and include the causing, procuring, aiding or abetting, directly or indirectly, of such act, or the permitting or the allowing of any minor in the custody of any persons, doing any act prohibited by any provision thereof.
- B. No provision hereof shall make unlawful any act necessarily performed by an officer or employee of the department of Parks and Recreation in line of duty or work as such, or by any person or his agents or employees, in the proper and necessary execution of the terms of any agreement with the Board.

ORDINANCES

ARTICLE I - GENERAL REGULATIONS AND ADMINISTRATION

SECTION 13.24.030 CONSTRUCTION (con't.):

- C. Any act otherwise prohibited by this chapter provided it is not otherwise prohibited by law, shall be lawful if performed under, by virtue of and strictly in compliance with the provisions of a permit and to the extent authorized thereby.
- D. This chapter is in addition to and supplements all Municipal, State and Federal laws and ordinances.
- E. Where any park area is designated by the Board so as to prohibit or permit certain activities, such designation shall be posted conspicuously.

SECTION 13.24.040 DONATIONS

AUTHORITY OF BOARD TO ACCEPT - EXCEPTION

- A. The Board of Parks and Recreation is authorized to accept or refuse gifts, donations, bequest or grants from any source, for any purpose related to the powers and duties of the Board.
- B. The provisions of subsection A of this section shall not apply to any gift, donation or bequest of land, such gift, donation or bequest being specifically governed by Section 11.1002(5)(c) of the Metropolitan Charter.

ORDINANCES

ARTICLE II. CEMETERIES

SECTION 13.24.050 OPERATION AND MAINTENANCE RESPONSIBILITIES OF THE BOARD

The Metropolitan Board of Parks and Recreation shall have the responsibility of operating and maintaining all cemeteries owned by the Metropolitan Government. The Board is authorized to promulgate rules and regulations concerning the operation of said cemeteries.

SECTION 13.24.060 OWNERSHIP OF BURIAL PLOTS AUTHORITY OF BOARD - APPEAL

- A. The Metropolitan Board of Parks and Recreation shall issue certificates to persons owning or claiming ownership of cemetery lots. The burden of establishing ownership to burial plots shall be on the person claiming ownership. The certificates shall authorize the burial of a named person or persons to the City Cemetery and shall be issued to the person or persons only after the person applying for permission to be buried has established ownership or chain of title to the burial plot.
- B. The Metropolitan Board of Parks and Recreation or its designee shall have final authority to determine ownership of burial plots. Any person aggrieved by the decision of the Board shall have the right to appeal that decision to the Circuit and Chancery Courts of Davidson County. (Bill No. 76-216; 1-3, 8-3-76)

ORDINANCES

ARTICLE III. REGULATED ACTIVITIES

SECTION 13.24.070 PERMITS - CONDITIONS - REVOCATION:

A permit to do any act shall authorize the same only insofar as it may be performed in strict accordance with the written terms and conditions thereof. Any violation of any law, ordinance, provision of this code or rule or regulation of the Board or of any other Metropolitan Department by the holder or the agents or employees of the holder of any permit of any term or condition thereof shall constitute grounds for revocation by the board or by its authorized representative, whose action therein shall be final.

In case of revocation of any permit, all money paid for or on account thereof shall, at the opinion of the Board, be forfeited to and be retained by the Metropolitan Government; and the holder of such permit together with his agents and employees who violated such terms and conditions shall be jointly and severally liable to the Metropolitan Government for all damages and loss suffered by it in excess of any money so forfeited and retained; but neither such forfeiture and retention by the Metropolitan Government of the whole or any part of such money nor the recovery or collection of such damages or both shall in any manner relieve such person from liability to punishment for any violation of any law, ordinance, provision of this code or rule or regulation of the Board or any other Metropolitan Department. In any case where a permit issued by the Board is to be exercised on park property, occupied by a museum, zoological or botanical society, the same will require approval of such society.

ORDINANCES

ARTICLE III. REGULATED ACTIVITIES

SECTION 13.24.080 HOURS:

No person shall, under any circumstances, enter for the purpose of remaining therein or remain in any park between the hours of 11:00 P.M. and one-half (1/2) hour before sunrise without general or special permission from the Board.

SECTION 13.24.090 ALCOHOLIC BEVERAGES:

A. It shall be unlawful for any person to possess or have under his control any beer, ale or other alcoholic beverages in any park or recreation area under the supervision or control of the Board, except under such circumstances, in such places and at such times as the Board may, by their rules and regulations, determine, provided, that in no case may a person possess or have under his control beer, ale or other alcoholic beverages in any playground area, swimming pool, recreation center building or comfort station, (except as hereinafter provided). Proof of possession of beer, ale or other alcoholic beverages in a park or recreation area under the supervision and control of the Board shall be prima facie evidence of a violation of this section, and it shall be incumbent upon a person charged to prove by certified copies of the rules and regulations of the Board that an exception has been granted.

B. Notwithstanding any other provisions of this Code, ordinances of the Metropolitan Government, Sections of this chapter or private acts, there is hereby permitted the sale and consumption of beer in parks and recreation areas under the supervision and control of the Board, subject to the following restrictions:

1. Beer may be sold and consumed only at municipally owned golf courses.

ORDINANCES

ARTICLE III. REGULATED ACTIVITIES

SECTION 13.24.090 ALCOHOLIC BEVERAGES:

B. con't.

2. All provisions of Metropolitan Council Ordinances and this Code pertaining to the sale of beer at retail shall apply to the sale of beer at municipal golf courses; except that no beer shall be sold after 8:00 P.M. or before 8:00 A.M. weekdays.
3. Beer may be sold for consumption on premises of any property leased from the Board of Parks and Recreation for use by a professional athletic team. The permit shall be valid only when the facilities are being utilized for professional baseball activities. All distance requirements set forth in Chapter 5, Article IV of the Metropolitan Code must be met by the applicant prior to issuance of the beer license.
4. Beer, ale, and other alcoholic beverages may be sold and consumed at special events in parks and recreation areas that are under the supervision and control of the Metropolitan Board of Parks and Recreation, subject to the Board's approval and appropriate state or local permits.

ORDINANCES

ARTICLE III. REGULATED ACTIVITIES

SECTION 13.24.100 BATHING AND SWIMMING:

No person shall bathe, wade or swim on any waters under the supervision and control of the Board except at such times and in such places as the board may designate or maintain as bathing areas. Appearing in bathing costume or any other than ordinary attire, except in such areas, is prohibited and no person shall bathe, wade or swim or appear in any such area unless covered with a bathing suit properly supported with straps or other devices which must be kept in place at all times. No person shall dress or undress in any park except in such bathhouses as may be designated or maintained for that purpose.

SECTION 13.24.110 BOATING:

A. No boat or vessel shall be laid up, stored, repaired or placed for any other purpose on park land except by permits.

B. No person shall operate a boat propelled by sail or steam, naphtha, gasoline, electric or other motor or engine, or row or paddle a row boat, canoe, or raft in, on or upon any waters under the supervision and control of the Board unless able to control or handle the same with safety to himself or other occupants thereof, or otherwise than in a careful or prudent manner and at a rate of speed so as not to disturb the reasonable comfort or endanger the property of another or the life and limb of any person, or in such manner as to annoy or endanger occupants of other boats. No person shall stand up in or rock any boat or canoe.

ORDINANCES

ARTICLE III. REGULATED ACTIVITIES

SECTION 13.24.110 BOATING (continued):

- C. No boat of any class shall land upon the shores of any park except at such locations as may be designated or maintained as landing places, except in an emergency.
- D. Boating of any kind in a bathing area is forbidden.
- E. All rules and regulations which have been proclaimed and adopted by the State Game and Fish Commission as to the operation of vessels on portions of Old Hickory Lake are herein adopted as if they were set out in the entirety.
- F. The Metropolitan Board of Parks and Recreation is authorized to adopt rules and regulations concerning the use of Riverfront Park for the docking and anchoring of boats. These rules and regulations may include a rate schedule which allows for the charging of a reasonable fee for such use of the park facility, as well as a reasonable fee for the permitting of all boats docking or anchoring at Riverfront Park. The rules and regulations adopted by the Board of Parks and Recreation may further include a procedure for their proper enforcement, provided such rules and regulations shall not be effective unless approved by the adoption of a resolution of the Metropolitan County Council.

ORDINANCES

ARTICLE III. REGULATED ACTIVITIES

SECTION 13.24.110 BOATING (continued):

1. No person shall operate a boat at Riverfront Park in violation of the rules and regulations established by the Board of Parks and Recreation. Persons operating boats contrary to such rules and regulations shall be charged with a violation of the applicable rule.
2. Each violation of the rules and regulations concerning the docking or anchoring of boats at Riverfront Park, adopted by the Board of Parks and Recreation and filed with the Metropolitan Clerk, shall constitute a separate offense. Each day any violation occurs shall also be considered as a separate offense. Each offense shall be punishable pursuant to the provisions of Section 1.24.010 of the Metropolitan Code of Laws.

SECTION 13.24.120 ANIMALS - PROTECTION REQUIREMENTS:

- A. No person shall, within any park, molest, kill, wound, trap, hunt, take, chase, shoot or throw missiles at, remove or have in his possession, any feral animal, reptile, bird, bird's nest or squirrel's nest, or remove the young of any such animal or the eggs or young of any such reptile or bird, or knowingly buy, receive, have in his possession, sell or give away any such animal, reptile, bird or egg so killed or taken.

ORDINANCES

ARTICLE III. REGULATED ACTIVITIES

SECTION 13.24.120 ANIMALS - PROTECTION REQUIREMENTS (con't.):

B. No person shall feed animals in any zoo area, except unconfined squirrels, sparrows, pigeons and ducks. No person shall throw anything whatsoever into any animal cage or enclosure or tease, annoy, frighten, molest or injure in any manner any animal or bird whether confined or otherwise.

SECTION 13.24.130 ANIMALS - RUNNING AT LARGE:

A. No person owning or being custodian or having control of any animal shall cause or permit such animal to go at large in the park. A dog may be brought into a park, provided that such dog shall be continually restrained by a leash not exceeding six feet in length; except, that no dog or other animal shall be permitted in buildings or in zoos, playgrounds, bathing and other areas designated by signs as prohibited areas.

B. Any animal found at large may be seized and impounded or disposed of pursuant to the laws or ordinances of the State and the Metropolitan Government in relation to the disposal of stray animals on the highways or other public places.

C. No person having the care or charge of any dog or other animal shall permit such animal to enter or drink the water of any drinking fountain, lake or pond in any park except at places designated or maintained therefor.

ORDINANCES

ARTICLE III. REGULATED ACTIVITIES

SECTION 13.24.140 CONSTRUCTION WORK:

A. No person or agency shall perform construction work or any kind of work incidental thereto to any park without a permit or under a contract with the Board.

B. No person shall erect or maintain projections on, over, or under any park without first obtaining a permit therefore from the Board, and upon such terms and conditions, and without making such compensation to the Metropolitan Government as the Board may determine.

SECTION 13.24.150 EXHIBITIONS AND CONTESTS:

A. No person shall erect any structure, stand or platform, exhibit any dramatic performance or the performance, in whole or in part, of any interlude, tragedy, comedy, opera, ballet, play, farce, minstrelsy, dancing, entertainment, motion picture, public fair, circus, juggling, rope-walking or any other acrobatics or show of any kind or nature, or parade, drill or maneuver of any kind, or run or race any horse or other animal or being in or on a vehicle, race with another vehicle or horse whether such race is founded on any stake, bet or otherwise, or hold any athletic contest, in any park except in accordance with the rules and regulations of the Board.

B. The Board shall adopt, promulgate and enforce such rules and regulations consistent with the proper use and protection of the park property under its supervision and control.

ORDINANCES

ARTICLE III. REGULATED ACTIVITIES

SECTION 13.24.160 FIRES AND LIGHTED CIGARETTES:

A. No person shall kindle, build, maintain or use a fire except in fireplaces provided or in self-supporting barbecue grills or stoves in designated picnic areas or under special permit. Any fire shall be continuously under the care and direction of a competent person over twenty-one years of age from the time it is kindled until it is extinguished, and no fire shall be built within ten feet of any tree or building, or beneath the branches of any trees or in any underbrush.

B. No person shall throw away or discard any lighted match, cigar or cigarettes in any park, or park-street. Cigars, cigarettes and matches shall be extinguished and deposited in a suitable container provided for the reception thereof.

SECTION 13.24.170 FISHING:

Fishing is prohibited in any waters under the supervision and control of the Board, except in such areas as are designated or maintained as fishing areas. No person shall have in his possession or take or attempt to take any fish in any such waters except in such designated areas, or at any time throw missiles at any fish, or place in such waters and piscivorous fish, poison or other substance injurious to fish.

ORDINANCES

ARTICLE III. REGULATED ACTIVITIES

SECTION 13.24.180 GAMES:

No person shall in any park throw, cast, catch, kick or strike any baseball, golf ball, tennis ball, football, basketball, bowling ball, croquet ball, bean bag or other object, nor shall any person engage in any sport, game or competition, in places specifically prohibited.

SECTION 13.24.190 HORSES AND BEASTS OF BURDEN:

No person shall use, lead, ride or drive a horse or other beast of burden in any park, except on designated bridle paths, or along routes customarily used for access to and from bridle paths, unless otherwise authorized by the Board. Driving or riding on a bridle path in a reckless manner is prohibited. Horses shall be well broken and constantly held in such control that they may easily or quickly be turned or stopped. No person shall permit any horse owned by him, or in his care or custody, to be unbridled or left unattended in any unclosed space, without being securely fastened.

SECTION 13.24.200 MEETINGS, ASSEMBLIES AND CEREMONIES:

A. No person shall erect any structure, stand on platform, hold any meeting, perform any ceremony, make a speech, address or oration, or exhibit or distribute any sign, placard, notice, declaration or appeal of any kind or description, in any park except by permit issued by the Board.

ORDINANCES

ARTICLE III. REGULATED ACTIVITIES

SECTION 13.24.200 MEETINGS, ASSEMBLIES AND CEREMONIES (con't.):

B. Upon application, such permit will be issued unless:

1. The use for which the permit is sought is of a private or commercial nature; or
2. The location selected is not suitable because the area is specially landscaped and planted with botanical, flowers, shrub or tree exhibits; or
3. The location selected is not suitable because it is one of the specialized park use areas such as zoos, skating rinks, swimming pools, recreational, etc.; or
4. The date and time requested has previously been allocated by permit, or would obstruct and interfere substantially with park use and enjoyment by the public.

B. Whenever a permit is denied by reason of paragraphs (2), (3) or (4) of subsection (b) above, alternative suitable locations and dates shall be offered to the applicant.

ORDINANCES

ARTICLE III. REGULATED ACTIVITIES

SECTION 13.24.210 PEDDLING:

No person shall, in any park or to any person in any park, exhibit, sell or offer for sale, hire, lease or let out any object or merchandise, or anything whatsoever, whether corporeal or incorporeal tickets for entertainment or other affairs of any description included, except under a permit issued by the Board. For advertising commercial or publicity purposes, no person shall take moving pictures or photographs within the limits of any park, or buy or sell or publish the negatives thereof or the prints therefrom or exhibit such negatives or prints in public, or use pictures or photographs of any park or park structure, or perform any personal service for hire in any park, except under a permit or otherwise than in accordance with the terms of such permit. Possession of objects or merchandise in quantities, packages or containers customarily associated with peddling shall be deemed to be prima facie evidence of exhibiting or offering for sale.

SECTION 13.24.220 PICNICS:

The Board is authorized to adopt, promulgate and enforce rules and regulations governing picnics or outings consistent with the proper use and protection of park property. Such authority shall include but not be limited to regulating the time, place and manner where picnics or outings may be held and may include the issuance of permits therefore.

ORDINANCES

ARTICLE III. REGULATED ACTIVITIES

SECTION 13.24.230 SKATING AND SLEDDING:

A. No person shall use roller skates in any park except at such times and upon places as may be designated or maintained therefore, or skate, sled, walk or go upon any ice, or snowshoe or ski or tow persons on skis, sleds or skates, except at such times and upon such places as may be designated or maintained therefore.

B. No person shall, in any park, coast with handsleds, bobs, carts, or other vehicles, on wheels or runners, except at such times and upon such places as may be designated therefore.

SECTION 13.24.240 MODEL AIRPLANES, BOATS AND AUTOS:

No person shall in any park engage in toy aviation, model boating or model automobiling, except at places designated or maintained therefore.

ORDINANCES

ARTICLE IV. VEHICLES AND TRAFFIC

SECTION 13.24.250 COMPLIANCE WITH POLICE AND PARK DIRECTIONS REQUIRED:

All persons shall at all times heed and comply with traffic directions of the police officers indicated by gesture or otherwise in using parks, and shall further comply with directions on traffic signs along the routes in the Parks. Directions on such traffic signs may be disregarded only on an order of a police officer. In parking spaces, all persons shall comply with the directions of a park employee.

SECTION 13.24.260 COMPLIANCE WITH STATE AND METROPOLITAN TRAFFIC LAWS REQUIRED:

No person shall operate a motor vehicle within any park area in violation of the laws of the State of the Metropolitan Government. Persons operating motor vehicles contrary to such laws shall be charged with violating the applicable statute of the state provisions of this Code.

SECTION 13.24.270 RECKLESS DRIVING PROHIBITED:

No person shall, in any park, operate or drive or propel, and no owner thereof shall cause or permit to be operated, driven or propelled, any vehicle recklessly or negligently or at a speed or in such a manner as to endanger or injure persons or property.

ORDINANCES

ARTICLE IV. VEHICLES AND TRAFFIC

SECTION 13.24.280 SPEED LIMITS:

A. No person shall drive a vehicle on a street within any park at a speed greater than is reasonable and prudent under the conditions then existing.

Where no specific hazard exists, the maximum speed limit in all parks shall be twenty (20) miles per hour, unless otherwise posted.

B. When official signs are posted indicating the speed limit in certain areas, it shall be unlawful for any person to drive or operate a vehicle in such areas in excess of the legal speed limit as posted.

SECTION 13.24.290 RESTRICTIONS ON CERTAIN VEHICLES:

A. Commercial Vehicles: Vehicles constructed or adapted for or engaged in the carrying of merchandise, including samples of merchandise, trucks and trailers are prohibited from using any park except where necessary to make deliveries in such park. Whenever service roads adjoin the main roadway to a park, such vehicles shall use the service roads set apart for such use. In all cases, such vehicles shall enter such parks from the nearest street intersection or entrance, in the direction of the traffic, and leave by the nearest intersecting street, or exit in the direction of the traffic.

B. Vehicles with Signs, etc.: Vehicles having any names, insignia or sign painted or displayed thereon for businesses or advertising purposes are prohibited in parks, except as provided in subsection (a) of this section. For purposes of identification, name and address only of the owner of the vehicles on the sides thereof in letters not more than two inches in height shall not be constructed as being displayed for business or advertising purposes.

ORDINANCES

ARTICLE IV. VEHICLES AND TRAFFIC

SECTION 13.24.290 RESTRICTIONS ON CERTAIN VEHICLES (con't.):

C. Carriers of Offensive Refuse or Heavy Materials: No garbage, ashes, manure or other offensive material shall be carried through any park. When such refuse is to be removed from premises fronting on any park, the vehicle collecting the same shall leave the park as soon as the collection has been accomplished, and by the shortest available route.

D. Omnibuses: No person shall drive or operate within any park any omnibus adapted for more than seven passengers, except under a permit. Omnibuses known as outing buses will be permitted to operate between the shortest possible routes from outside a park to deliver to or pick up its passengers from a picnic, bathing or other recreation area only if a permit to enter the park has been issued to the person sponsoring the outing, picnic, etc. Buses shall proceed over the route and to the parking space designated in the permit. Parking in the designated parking space will be limited to the time prescribed in the permit.

E. Hearses: No hearse or other vehicles carrying or used for carrying the body of a dead person shall enter or be allowed in any park, except by permit or in case of emergency.

ORDINANCES

ARTICLE IV. VEHICLES AND TRAFFIC

SECTION 13.24.300 AREAS OF VEHICLE OPERATION RESTRICTED:

No person shall in any park, drive or operate a vehicle within or upon a safety zone, walk, bridle path or any part of any park designated or customarily used for such purposes. No person shall ride a bicycle, velocipede or scooter in any park, except in places designated for such riding, but persons may push such machines in single file to and from such places, except on beaches.

SECTION 13.24.310 PARKING:

No person, in stopping or parking a vehicle in any park shall:

- A. Disobey a lawful and reasonable order of a park ranger or any park employee in the discharge of their duties or disobey or disregard the notices, prohibitions, instructions or directions on any park sign or parking meter, including rules and regulations of museums or zoological or botanical gardens posted on the grounds or buildings of such institutions.
- B. No person shall, between 11:00 P.M. and one-half hour before sunrise, stop or park a vehicle in a park, except at places designated or maintained therefore.

ORDINANCES

ARTICLE IV. VEHICLES AND TRAFFIC

SECTION 13.24.320 OPERATION OFF OF PAVED ROADWAY PROHIBITED - STALLED VEHICLES:

- A. No vehicle shall be operated or driven off the improved or paved roadways of any park or parkway unless so directed by a police officer or park employee.
- B. All stalled or disabled vehicles shall be removed from paved roadway in parks so as to prevent obstruction of traffic. If not so removed by the owners or operators, then such vehicles may be removed by the owners or operators, then such vehicles may be removed to the Metropolitan Government tow-in lot at the expense of the owners.
- C. No disabled vehicle shall be permitted to remain in a park for a longer period than twenty-four hours.

SECTION 13.24.330 OBSTRUCTING TRAFFIC PROHIBITED:

No person shall cause or permit any vehicle to obstruct traffic in any park, or stop such vehicle except at those places specifically designated or maintained for the purpose of stopping or parking, except in cases of emergency.

ORDINANCES

ARTICLE IV. VEHICLES AND TRAFFIC

SECTION 13.24.340 DRIVING INSTRUCTION PROHIBITED:

Instructions in operating automobiles or motorcycles is prohibited in parks at all times. Persons who may not lawfully operate a vehicle within the State of the Metropolitan Government area shall not drive or operate a vehicle within any park.

SECTION 13.24.350 HITCHHIKING:

No person shall, in any park or park street, attempt to stop, or stop by any visible or audible sign or signal, any vehicle for the purpose of soliciting a ride, except in case of emergency.

SECTION 13.24.360 SOLICITING PASSENGERS PROHIBITED - EXCEPTIONS:

No person shall solicit passengers for any automobile, coach, taxi, omnibus or other vehicle in any park, except in such areas as may be designated therefor, and only to the extent specifically designated. All chauffeurs, drivers and attendants of such vehicles shall remain in close proximity to their vehicles while the same are unloading, awaiting or loading passengers. In no case shall cruising or soliciting of passengers in a park be permitted.

SECTION 13.24.370 TOWING AND PROJECTING ARTICLES PROHIBITED - EXCEPTIONS:

A. No person shall cause or permit a vehicle to be towed by another vehicle in any park except, that in case of a breakdown, a disabled vehicle may be towed to the nearest exit. Licensed towing operators may enter such park in response to a call from an owner or operator of a disable vehicle. In all cases,

ORDINANCES

ARTICLE IV. VEHICLES AND TRAFFIC

SECTION 13.24.370 TOWING AND PROJECTING ARTICLES PROHIBITED – EXCEPTIONS (con't.):

such towing operators shall enter such park from the nearest street intersection or entrance, in the direction of traffic, and leave by the nearest intersection street or exit in the direction of the traffic.

B. No person shall operate or drive in any park a vehicle containing any person or object projecting or hanging outside or on the top therefor; except, that outdoor sports and recreation equipment, including but not limited to skis, ski poles, fishing rods, beach chairs, beach umbrellas, tent poles, toboggans and sleds, may be carried on the rear of such vehicle or on a rack designed for that purpose and attached to the top thereof; provided, that in all cases, fastenings shall be secure and substantial and such equipment so carried shall in no case project more than twelve inches above the top or to the rear of such vehicle.

SECTION 13.24.380 REPAIR WORK ON VEHICLES PROHIBITED:

No person shall in any park grease, lubricate or make repairs to any vehicle, except those of a minor nature and then only in cases of emergency.

ORDINANCES

ARTICLE V. UNLAWFUL ACTIVITIES

SECTION 13.24.390 ADVERTISING:

No person shall distribute, display, transport, carry or construct any flag, banner, sign, emblem, model, device, pictorial representation or any other matter within any park for advertising purposes. Nor, for the same purpose, shall any person display by means of aircraft, kite, balloon, aerial bomb, or any other device, any flag, banner, sign or any other matter above the surface of any park for advertising purposes, within the park. No person shall operate any musical instrument or drum or cause any noise to be made within any park for advertising purposes or for the purpose of attracting attention to any exhibition, performance, show or other spectacle. Provided, further, nothing herein shall be construed as to prohibit any gathering or function of a political or of a religious nature.

SECTION 13.24.400 AVIATION:

No person shall voluntarily bring, land or cause to descent or alight within or upon any park, any airplane, flying machine, balloon, parachute, or other apparatus for aviation. "Voluntarily", in this connection shall mean anything other than a forced landing. Any landing other than one caused by mechanical or structural failure of the aircraft or any of its parts shall be deemed to have been made voluntarily, and this shall include landings caused by error or oversight, negligence or failure to comply with F.A.A. regulations or rulings. This section is not to be construed in pari materia with Section 30A-1-24.

ORDINANCES

ARTICLE V. UNLAWFUL ACTIVITIES

SECTION 13.24.410 CAMPING:

No person shall tent or camp or erect or maintain a tent, shelter or camp in any park, except in those areas specifically designated by the Board for such purposes.

SECTION 13.24.420 COMMERCIAL FISHING:

No person shall take or attempt to take for commercial purposes any eels, fish or other forms of marine life in any park by using hand or power operated equipment, including but not limited to trawls, nets, dredges or eel combs. No person shall have in his possession in any park any hand or power operated equipment designed for or customarily used for the taking for commercial purposes of any form of marine life, nor shall any person have in his possession in any park, eels, fish or other form of marine life in quantities more than sufficient for personal use of the possessor, or which would violate limits set by the State Game and Fish Commission.

SECTION 13.24.430 DISORDERLY CONDUCT:

No person shall, in any park:

A. Disobey the lawful and reasonable order of a Park Ranger or park employee in the discharge of his duties or disobey or disregard the notices, prohibitions, instructions or directions on any park sign or parking meter, including rules and regulations of museums or zoological or botanical gardens posted on the grounds or buildings of such institutions.

ORDINANCES

ARTICLE V. UNLAWFUL ACTIVITIES

SECTION 13.24.430 DISORDERLY CONDUCT (con't.):

- B. Use threatening, abusive or insulting language.
- C. Do any obscene or indecent act.
- D. Throw, cast or propel stones or other missiles.
- E. Solicit alms, subscriptions, or contributions for any purpose.
- F. Interfere with, encumber, obstruct or render dangerous any part of a park.
- G. Climb or lie upon any wall, fence, shelter, seat, statue, monument or other structure.
- H. Do any act tending to or amounting to a breach of peace.
- I. Enter or leave any park facility except at established entrance ways or exits or at established times.
- J. Use or gain admittance to or attempt to use or gain admittance to the facilities in any park for the use of which a charge is made without paying the charge or price fixed by the Board.
- K. Engage in, instigate, or encourage a contention or fight, whether or not a ring or prize fight.
- L. Do, aid, abet or assist in doing any act injurious to any person, animal or property within any park not specifically prohibited herein.
- M. Act as crier or advertiser, through the media of voice, public address system or other mechanical device, in any park or in the vicinity of the same. (69-842.1)

ORDINANCES

ARTICLE V. UNLAWFUL ACTIVITIES

SECTION 13.24.440 EXPLOSIVES, FIREARMS AND WEAPONS:

No person shall bring into or have in his possession in any park any firearms, slingshots, firecrackers, torpedoes, fireworks or other missile propelling instruments or explosives, including any substance, compound, mixture or article having properties of such a character that alone or in combination or contiguity with other substances, mixtures, compounds or articles may propel missiles or may decompose suddenly and generate sufficient heat, sound, gas or pressure or any or all of these to produce rapid flames, combustion or noxious or dangerous odors or sounds such as to annoy any other person or to injure any person or property.

SECTION 13.24.450 GAMBLING:

No person shall play any games of chance, sell fortunes or futures, participate in the conduct of a lottery or use any slot machine, gaming table or instrument or bring into any park or have in his possession while there any implements, or devices commonly used, or intended to be used for gambling purposes.

SECTION 13.24.460 POLLUTING:

A. Littering. No person shall take into, carry through, leave in or throw, cast, lay, drop, or discharge into or on any park any rubbish of any sort, including but not limited to ashes, dross, cinders, shells, fruits, fruit skins, vegetable foodstuff, paper, pasteboard, dirt, sand, oil, grease, clay, loam, stone or building rubbish, hay, straw, oats, sawdust, shavings or manufacturing trade or household waste, vehicles or parts thereof as junk, old iron or other

ORDINANCES

ARTICLE V. UNLAWFUL ACTIVITIES

SECTION 13.24.460 POLLUTING (con't.):

metal or objects made therefrom, or sick, diseased or dead animals, organic refuse or other offensive matter, including swill, brine, urine, offal, fecal matter, garbage or rubbish. The placing except in receptacles provided for refuse, or using for any other purpose than reading of newspapers or other papers in a park is prohibited. No person shall throw, cast, lay or deposit any bottle or piece of crockery, or any glass or glassware or any part thereof, or metallic or other substance with sharp edges or projections in any park. No person shall place household refuse and garbage in receptacles which are provided solely for newspapers and litter resulting from normal park use.

B. Spitting: No person shall in any park or park street, spit upon any walk, crossing, safety zone, structure, bridge, platform, stairway or floor of any building or structure.

C. Polluting Waters: No person shall throw, cast, lay, drop or discharge into or leave in the waters used for bathing or waters in any park or in any storm sewer or drain flowing into such waters any substance, matter or thing, liquid or solid, which may or shall result in the pollution of such waters.

ORDINANCES

ARTICLE V. UNLAWFUL ACTIVITIES

SECTION 13.24.460 POLLUTING (con't.):

D. Discharging into Sewers: No person shall discharge, directly or indirectly, into any opening or into any gutter leading into any sewer, receiving basin or drain, in or leading into any park, any gas or vapor or any substance which may form a deposit tending to choke the same, or any volatile liquid which will emit an inflammable vapor, or any steam or hot water above one hundred degrees Fahrenheit.

SECTION 13.24.470 HUNTING AND TRAPPING WILDLIFE CARRYING FIREARMS:

A. It is unlawful for any person to hunt or trap any of the game or fowl within any parks located within the area of the Metropolitan Government, which are under the jurisdiction and control of the Board of Park Commissioners.

B. It is unlawful for any person, other than an official park policeman on duty or other law enforcing officer to carry or discharge a firearm of any description or any BB gun or air rifle within any of the parks of the Metropolitan Park System, which are under the jurisdiction of the Board of Park Commissioners.

SECTION 13.24.480 PLANT LIFE - DISTURBING, REMOVING OR DESTROYING:

A. No person shall in any park destroy, cut, break, deface, mutilate, injure, disturb, sever from the ground or remove any growing thing, including but not limited to any plant, flower, flower bed, shrub, tree, growth or any branch, stem, fruit or leaf thereof; or bring into or have in his

ORDINANCES

ARTICLE V. UNLAWFUL ACTIVITIES

SECTION 13.24.480 PLANT LIFE - DISTURBING, REMOVING OR DESTROYING (con't.):

possession in any park any tool or instrument intended to be used for the cutting thereof, or any garden or agricultural implements or tools which could be used for the removal thereof; or pile or maintain any material or debris of any kind against or upon the same; or attach any rope, cable or other contrivance thereto; or set fire to any trees, shrubs, plants, flowers, grass, plant growth or living timber; or suffer any fire upon land to extend into park lands; or hitch any horse or other animal to or leave the same standing enough to injure any tree, shrub, lawn or grass plot; or go upon any prohibited lawn, grass plot or planted area, except at such times and in such manner as the Board may designate.

B. No person shall bring into or have in his possession in any park any tree, shrub or other plant or any branch, stem, flower or leaf thereof.

C. No person shall attach any posters or directional signs to trees.

SECTION 13.24.490 PROPERTY - REMOVING OR DESTROYING:

No person shall injure, deface, displace, remove, fill in, raise, destroy, or tamper with any drive, path, walk, bridge or approach thereto; take up, remove or carry away any asphalt, curb, flagstone, rock, stone, gravel, sand, clay or earth; make any excavation of any kind, name or nature; harvest, cut, injure or remove any ice, or injure, mutilate, deface, displace, remove or destroy any wall, fence, shelter, seat, statue, monument or other structure, building, post, railing, bench, seat, platform, stand, tree, guard, telephone, telegraph, pipe or main for conducting gas, water or wires, or any hydrant, sewer, drain, pipe,

ORDINANCES

ARTICLE V. UNLAWFUL ACTIVITIES

SECTION 13.24.490 PROPERTY - REMOVING OR DESTROYING (con't.):

main, receiving basin, covering, manhole or vent forming a part thereof, or any appurtenance or appendage conforming therewith, or any other property or equipment, real or personal, owned by the Metropolitan Government or under the supervision or control of the Board or appertaining to the creation, government, use or maintenance of any park; or injure, deface, displace, remove or destroy any sign, notice, inscription, post or monument erected or marked for any purpose, or any milestone, danger sign or signal, guide sign or post, or any signaling device, sanctioned, installed or placed by the Board, by the Police Department or Traffic and Parking Commission of the Metropolitan Government within any park for the purpose of directing, restricting or regulating traffic, establishing zones or giving information or directions to the public; or interfere with any lamp, lamp post, gas or electric light apparatus or light, or extinguish the light therein, or attach string, adjust or suspend any wires or similar objects on or over any part of any park.

3000 POLICIES

3000.1 NAMING OF PARKS (amended April 7, 2015)

I. Purpose:

The purpose of this policy is to establish a systematic and consistent approach for the official naming of parks, recreational areas and facilities.

II. Objectives:

- Ensure that parks, recreational areas and facilities are easily identified and located.
- Ensure that names given to parks, recreational areas and facilities are consistent with the values and character of the area or neighborhood served.
- Encourage public participation in the naming of parks, recreation areas and facilities.

III. Definition:

Parks, recreational areas and facilities – includes all property assets under the City’s ownership and under the control of the Parks Department including buildings, structures, open spaces, public parks, natural areas, wetlands, environmental habitats and land.

IV. Criteria:

The policy of the Parks Department is to name parks, recreation areas and facilities through an adopted process utilizing established criteria emphasizing community values and character, local history, geography, environmental, civics and service unique to the City of Nashville.

3000 POLICIES

3000.1 NAMING OF PARKS (amended April 7, 2015)

IV. Criteria:

- A. The following criteria shall be used in determining the appropriateness of the naming designation:
1. Geographic location (neighborhood, significant areas, etc.)
 2. Natural features
 3. A person (non-living) or place of historical or cultural significance
 4. A person (non-living), group, or feature particularly identified with the land or facility
 5. **A living person who served or was employed by The Metropolitan Board of Parks and Recreation of Nashville and Davidson County for at least 30 years and/or whose work contributed substantially to the improvement of the Metropolitan Government's parks, recreation areas or other facilities.**
- B. The process to name parks, recreation areas and/or facilities should begin within 12 months after the City has acquired title to the land and/or formally accepted the gift. **Provided, however, that the process for naming a park, recreation area or other facility under section 3000.1 (IV)(A) (5) may be started at any time.**
- C. Conditions of property donation as agreed upon by the donor and the City shall be honored regarding the naming of the parks, recreation areas and facilities subject to these adopted policies.
- D. Names that are similar to existing parks, properties or facilities in the City system (or other systems in the Metro area) should not be considered in order to minimize confusion.

3000 POLICIES

3000.1 NAMING OF PARKS (amended April 7, 2015)

IV. Criteria:

- E. In the case of parks where only geographic, conceptual or other generic names exist or have been proposed, and when such names are not of special historical or geographical significance to the neighborhood; nominations may be made to name a park or park facility for a local or community leader (non-living).
- F. When park property is named for an individual, this action in no way gives the family members naming rights over other features on the property. Features within the facility or on the property will remain eligible for naming without the consent of the individual or family members for which the property is currently named. This matter will be clearly outlined in the written agreement at the time of the naming.
- G. Nominations will be accepted and considered only when received from community-based organizations which have been in existence a minimum of three years, e.g. advisory councils, neighborhood associations, youth service agencies, churches, elected and/or appointed bodies, etc. The nominating organization will be required to provide information about its history. A formal vote of the organization's executive board must be taken, and the family of the honoree must agree with the proposed recognition.
- H. Nominations will not be accepted from any individual person including elected officials. The only exception to this policy is when a significant financial contribution is made and the naming is a condition of the gift.

3000 POLICIES

3000.1 NAMING OF PARKS (amended April 7, 2015)

IV. Criteria:

- I. The Department will not consider a naming request if any of the following conditions are present:
 1. Duplicates the name of another park or park feature;
 2. Endorses or advocates religion or a specific religious belief;
 3. Has obscene connotations; or
 4. Demeans, intimidates or maliciously portrays any racial and ethnic group.
- J. Requests will not be considered when submitted by an individual or a group for self-nomination. The only exception to this policy is when a significant financial contribution is made and the naming is a condition of the gift.
- K. When new park property is proposed, acquired or constructed, the property may be given a temporary, unofficial name until a formal petition is submitted by a community based group on the basis of the criteria and procedures outlined in this policy. The temporary name will be designated by the Parks Department for the purpose of administration and accounting.
- L. No park once named may ever be changed.**
- M. All community centers will retain the name of the park in which they are located.

3000 POLICIES

3000.1 NAMING OF PARKS (amended April 7, 2015)

V. Procedure:

A. Naming of Parks, Recreation Areas and Facilities

1. A request for naming of a park, recreational area or facility shall be submitted in writing to the Parks Board through the Parks and Recreation Department
2. Those submitting a naming request should show how the proposed name is consistent with the criteria stated in this policy. When naming after a person or persons, the application will describe the contributions to the City. Written documentation of approval by next of kin to be honored (if available/possible) is required as part of the proposal.

Staff will review the proposal for adherence to the stated criteria and authentication of statements relative to contributions in the case of an individual before forwarding to the Parks Board. If the request is incomplete, staff will contact the applicant, in writing, and provide them with the opportunity to resubmit a revised request.

3. The Parks Board will offer the opportunity for public input on the proposed naming.
4. The Parks Board can initiate the naming process whenever deemed necessary and/or in the best interest of the City.
5. In the absence of any naming requests, the Parks Board shall adhere to criteria stated in this policy in recommendation of name.

POLICIES

3000.2 USE OF FACILITIES ON A REGULAR AND PERMANENT BASIS (formerly titled USE OF FACILITIES BY RELIGIOUS ORGANIZATIONS – amended October 6, 2009)

I. Purpose: The purpose of this policy is to ensure that all potential users of parks facilities shall have an equal opportunity to apply for use of such facilities, which applications are granted on a first come, first served basis. In furtherance of this purpose, this policy aims to ensure that no one particular user be allowed to tie up the use of a particular facility on a regular and permanent basis such that access to that facility would be effectively unavailable to other potential applicants for use of the same facility.

II. No park facility may be used for an activity, other than a Recreational Activity, as defined below, on a Regular or Permanent Basis (as defined below) during regular operating hours; such use for a non-Recreational Activity, on a Regular and Permanent Basis will only be granted on an Emergency Basis, as defined below. Non-Recreational Activities occurring after regular operating hours, as all other after hour reservations, are subject to availability of staff and payment of appropriate usage fee.

III. Definitions.

A. **“Recreational Activity”** means an activity authorized by the Board of Parks and Recreation, where the use of the park facility in question serves a recreational purpose at a facility for which that activity was specifically designed.

POLICIES

3000.2 USE OF FACILITIES ON A REGULAR AND PERMANENT BASIS (formerly titled USE OF FACILITIES BY RELIGIOUS ORGANIZATIONS – amended October 6, 2009)

III. Definitions.

- B. **“Regular or Permanent Basis”** shall mean the use of the same facility at the same hour, daily, weekly or at some other regular interval of time, for more than a three month period.
- C. **“Emergency Basis”** means where sufficient cause of the need of the permitted user to use the space on a Regular or Permanent basis is proven such as the occurrence of a fire, the demolition of building, or some other emergency event that causes the proposed user of the parks facility to need regular access to that facility on an emergency basis. In the case of such an emergency, the facility may not be used for said activity on a for a period exceeding six months period or the duration of the emergency, whichever is shorter.

- IV. Nothing in Policy No. 3000.2 shall be construed to prevent a proposed user of a park facility for such a non-Recreational Activity from submitting a subsequent application for additional uses of a park facility after the applicant has completed two months use of such facility at regular intervals.
- V. For the purpose of policy Section 3000.2, no permit shall be required for a group of 25 people or less in Regional, Community and Neighborhood Parks (as defined in the Parks Master Plan). In Mini or Pocket Parks, (as defined in the Parks Master Plan) no permit shall be required for a group of 15 people or less.

POLICIES

3000.3 MASS GATHERINGS (INCLUDING RELIGIOUS AND POLITICAL)

Section 1: No person shall erect any structure, stand on any platform, hold any meeting, perform any ceremony, make a speech, address or oration; exhibit or distribute any sign, placard, notice, petition, declaration, or appeal of any kind or description or conduct any type of solicitation in any park except by Board approval at a regularly scheduled monthly board meeting, as permitted by this regulation.

Section 2: Any person, corporation, association or group shall be authorized to use Riverfront Park, the bandshells and surrounding areas designated as the bandshell area in Centennial Park and Hadley Park, without Park Board approval, upon submitting an application and complying with Section 3 of this Regulation.

Section 3: Any person, corporation, association or group applying for a permit to use any park shall:

- i. File an application provided by the Staff of the Metropolitan Board of Parks and Recreation. The application must contain the specific location in the park that will be used. Any application that does not specify a particular location will be denied. Applications must be filed a minimum of seven (7) days prior to a regularly scheduled meeting of the Park Board (Park Board meets the first Tuesday of each month).

POLICIES

3000.3 MASS GATHERINGS (INCLUDING RELIGIOUS AND POLITICAL)

- ii. Submit a deposit based on established fee schedule which shall be refunded not later than at the end of the next working day if all debris, litter, signs, notices, placards, etc. have been removed from the area and no damage has been inflicted to park property.
Event organizers are subject to billing for damages and labor costs for any associated cleaning.
- iii. Pay the required rental fee for use of bandshells and Riverfront Park.
- iv. Hire one (1) off duty Park Ranger for a minimum of four (4) hours at an hourly rate of established fee in effect at the time of the event, and such other off-duty Park Police, for the same number of hours at the same rate, as may be determined to be necessary by the Director or Assistant Director/Parks. Said payments shall be made to the Parks Department, who shall in turn be responsible for paying the officers.

Section 4: Notwithstanding anything to the contrary herein, applications with a crowd expectancy in excess of area capacity, as determined by Parks Department staff, must be presented to the Board for approval, and shall be subject to such additional requirements as may be necessary to protect park property.

POLICIES

3000.3 MASS GATHERINGS (INCLUDING RELIGIOUS AND POLITICAL)

Section 5: Upon application, applications will be approved unless:

- i. The use for which the permit is sought is of a private or commercial nature; or
- ii. The location selected is not suitable because the area is specifically landscaped and planted with botanical, flowers, shrub or tree exhibits; or
- iii. The location selected is not suitable because it is one of the specialized park use areas such as zoos, skating rinks, swimming pools, recreation, etc; or
- iv. The date, time, and location requested has been allocated by permit, or would obstruct and interfere substantially with park use and enjoyment by the public.

Section 6: Whenever a permit is denied by reason of paragraphs (ii), (iii) or (iv) above, alternative locations and/or date shall be offered to the applicant.

POLICIES

3000.4 USE OF FACILITIES BY COMMERCIAL GROUPS

No commercial activity or groups will be permitted use of any park or community center, unless the Board approves such permit and applies appropriate fees, or co-sponsors the activity, seeks out the activity, or after being approached by the commercial group, deems it beneficial to the Parks and Recreation Department.

POLICIES

3000.5 USE OF PARTHENON AFTER OPERATING HOURS

- A. Governmental functions shall be permitted to use the Parthenon for events after operating hours at no fee. The only other requests for use of the Parthenon after operating hours that will be considered are those made by the Olympian Members of the Parthenon Patrons Foundation. These members are allowed to host one annual event in the Parthenon as a benefit of their annual membership fee.
- NOTE: It is understood that the Parks Department will be reimbursed for all expenses related to the event.
- B. It shall be the responsibility of the staff to grant permission for use of the Parthenon steps for any functions it deems feasible.

POLICIES

3000.6 PARTHENON ACQUISITIONS AND LOAN POLICY

It is the policy of the Parthenon to collect only those paintings, photographs, artifacts and archival materials which reflect the historical setting of the Parthenon and those works of art which demonstrate the development of fine arts in North America. The Parthenon should collect only those items of that nature that it is able to care for, preserve, store and exhibit in a manner acceptable to the museum field at large.

The following guidelines shall prevail concerning acquisition by gift of object(s) to the museum:

1. There shall be no restrictions as to an object's use or ultimate disposition.
2. Each object shall have attached an appraisal mutually acceptable to the donor and to the museum.
3. No museum staff member or affiliate shall provide such an appraisal nor recommend an appraiser.
4. Any gift shall be fully tax deductible to the extent allowed by law, but such deduction shall be strictly between the donor and the Internal Revenue Service.

POLICIES

3000.6 PARTHENON ACQUISITIONS AND LOAN POLICY

The following guidelines shall prevail concerning acquisition by purchase:

1. Any object or group of objects whose cost is \$1,000 or less must be approved by the Parthenon Director, upon the recommendations of the curatorial staff.
2. When purchase of any object or group of objects whose cost is expected to exceed \$1,000 shall be considered, the Board shall activate a Special Acquisition Committee to assist the Museum Director and Staff in selecting available objects for potential approval by the Board.
3. The Museum Director shall report from time to time all new acquisitions for the approval of the Board, and no material will be taken into the Parthenon's collections until so approved.

POLICIES

3000.6 LOAN POLICY FOR PARTHENON'S COLLECTIONS

The function of the Parthenon's art collections is both aesthetic and educational. The museum's responsibility is to preserve and protect these works for this and further generations and to exhibit them for the aesthetic and educational enrichment of the public. Requests for loans from the Parthenon's collections shall be considered on an individual basis, taking into consideration reason for loan, duration of requested loan and other variables that may affect the object. All requests for loans from the Parthenon's collections shall be addressed in writing to the Director of the Parthenon. The Director shall review all requests in advance and, after consultation with curatorial Staff, make recommendations to the entire Park Board.

Guidelines:

1. Loans to exhibitions of a scholarly nature receive higher priority than "theme" exhibitions.
2. Loans solely for the sake of exposure to a new or wider public are looked upon with disfavor by conservators.
3. Loans within Metro Government shall be requested in writing and will be considered quarterly by the Parthenon Director and curatorial staff. Costs associated with inter-departmental loans will be billed to the borrowing department.
4. Loans shall be for a maximum of two (2) years unless the nature of the piece restricts its display to a shorter time period, (i.e., works on paper).

POLICIES

3000.6 LOAN POLICY FOR PARTHENON'S COLLECTIONS

Guidelines con't.:

5. All loans subject to approval by a qualified conservator.
6. All loans subject to receipt of approved facility form (to be provided by Parthenon Registrar and completed by institution requesting loan).

Conditions of loans:

If loan is approved, then the borrower must:

1. Pay all insurance, transportation and handling charges from wall to wall, and crating expenses should they be necessary.
2. Pay a fee for installation should Parthenon staff be asked to perform this service (this condition may be waived in certain cases at the discretion of the Director).
3. Pay for any restoration of the work and/or frame and for matting and framing whenever applicable.
4. Label the work as being on loan from the Parthenon, with the proper credit line to be supplied by the Registrar of the Parthenon.
5. Acknowledge receipt of the work or works and complete condition reports upon receipt and at the end of each year of the loan, forms to be supplied by the Registrar of the Parthenon.

POLICIES

3000.6 LOAN POLICY FOR PARTHENON'S COLLECTIONS

Conditions of loans:

If loan is approved, then the borrower must:

6. Report to the Registrar of the Parthenon any change in the condition of a work on loan and arrange for the return to the Parthenon of any damaged work.
7. Be given a copy of the Parthenon's loan policy and acknowledge having read it by signing a statement to this effect.
8. Notify the Registrar in advance of the works being returned to the Parthenon and make proper arrangements for its transportation subject to the approval of the Registrar.
9. The Parthenon reserves all reproduction rights. This reservation may be waived in certain circumstances when request is made to the Parthenon in writing.

POLICIES

3000.7 RULES AND REGULATIONS GOVERNING THE USE OF RIVERFRONT PARK

- I. Riverfront Park
 - A. Applications will be considered on a first come, first serve basis and will not be taken more than 12 months in advance. The Board of Parks and Recreation has first priority in scheduling events at Riverfront Park.
 - B. Riverfront Park areas that shall be considered for reservation are The amphitheaters at either end of the park area and the entire Riverfront Park area inclusive of the two amphitheaters. Note that the parking lot, the arrival court, Fort Nashborough, the pleasure boat docking facilities, the commercial boat docking area(s), the brick sidewalk adjacent to the arrival court and the sidewalk east of 1st Avenue North are not considered part of Riverfront Park for this purpose.
 - C. Any non-profit group and/or organization may reserve Riverfront Park for no more than one event per month unless otherwise approved by the Board.
 - D. Rental fees are not refundable except upon cancellation of event a minimum of sixty (60) days prior to date of event. Cancellation because of inclement weather will not be considered an exception to this rule. If cancellation occurs because of weather, every attempt will be made to reschedule.

POLICIES

3000.7 RULES AND REGULATIONS GOVERNING THE USE OF RIVERFRONT PARK

- E. Fees, as stated in section 4000.15 of fees and charges, for use of Riverfront Park shall cover use of the restrooms and available utilities. Permit holder is responsible for ALL cleanup relative to the event.
- F. The Board of Parks and Recreation reserves the right to require the permit holder to provide at their expense as many off-duty Park Police the Department deems necessary to assure the safety of the public and the Park. This cost is over and above the rental fee stated above. Arrangements can be made through the office of the Park Police. Police Officers may be hired if an adequate number of Park Police are not available.
- G. Acquiring all necessary food and beverage licenses and adhering to all rules and regulations of the Board of Parks and the city of Nashville are the responsibility of the permit holder.
- H. All signage, advertising, publicity, exhibits or displays to be used must have prior approval of the Board of Parks staff.
- I. All programs must have scheduled hours and must begin and end at those times. All events must end no later than 11:00 P.M. and the general public must be out of the Park by 12:00 A.M.
- J. All sound amplification must be maintained at a level deemed acceptable by the Board of Parks staff. Appropriate park personnel will have the authority to require lowering of the sound level and/or changing direction of the speakers.

POLICIES

3000.7 RULES AND REGULATIONS GOVERNING THE USE OF RIVERFRONT PARK

K. No vehicles shall be allowed to remain on the ramp or the deck area at any time. Vehicles may be driven onto the deck area for loading and unloading but must be immediately removed.

Vehicular access to the ramp must never be blocked. Vehicles violating these regulations are subject to towing at owner's expense.

L. Permit holder is required to have the permit in possession during the event and is required to show it if requested.

M. Alcoholic beverages are not permitted in the Park, unless previously approved by the Park Board, the Metro Beer Board and/or any other required agencies.

POLICIES

3000.7 RULES AND REGULATIONS GOVERNING THE USE OF RIVERFRONT PARK

II. Pleasure Floating Dock

A. Pleasure boat transit mooring only.

B. Mooring:

1) limited to a maximum of 72 hours.

2) Twenty-four (24) hours must lapse prior to subsequent moorings.

3) Parks reserves the right to make exceptions to A and B for "major" special events held in Riverfront Park.

C. No attendant on duty. Mooring at your own risk. Parks will not be responsible for any thefts, personal injuries, or property damages occurring to or on moored boats.

D. Moorage of only one boat width allowed without special permission of Parks.

E. Drinking or possession of alcoholic beverages or non-prescribed controlled substances prohibited on dock and in Riverfront Park.

F. No fishing or diving permitted from dock or moored boats.

G. An electrical usage fee shall be charged for each twenty-four (24) hour period of mooring.

POLICIES

3000.7 RULES AND REGULATIONS GOVERNING THE USE OF RIVERFRONT PARK

III. Commercial and Transit Docks

- A. No individual or organization shall use the Commercial or Transit Docks without first obtaining a berthing license from the Board of Parks and Recreation.
- B. The berthing license shall include a description of the berthing facilities, the vessels subject to the agreement, the allowed use of the facilities, the term of the license, required usage fees, insurance requirements, and all other terms and conditions under which the license may be held.

POLICIES

3000.8 SKATING AND COASTING:

All park roads are designated for skating and coasting use unless specifically prohibited by the Parks' Department. Skating and skateboarding are prohibited on Parthenon steps and plaza.

POLICIES

3000.09 JURISDICTION AND DUTIES OF PARK POLICE:

SECTION 1

Section 11.1005 of the Metropolitan Government Charter provides that the Park Board may employ custodial personnel who shall be designated as special police by the chief of police, without obligation to give a public officer's liability bond, and whose jurisdiction as special police shall be pursuant to the conditions of the Memorandum of Understanding between the Metropolitan Nashville Police Department and the Metropolitan Board of Parks and Recreation.

SECTION 2

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (hereinafter "MOU") is entered into by and between the Metropolitan Nashville Police Department (hereinafter "MNPD") and the Metropolitan Board of Parks and Recreation (hereinafter "Parks"), which are both part of the Metropolitan Government of Nashville and Davidson County. It shall be the intent of this MOU to establish, promote, and maintain a harmonious working relationship and cooperative effort between the MNPD and Parks.

In furtherance of this intent:

1. Whereas, the MNPD and Parks seek to work together to assist the Metropolitan Park Police to operate in a professional and efficient manner;
and
2. Whereas, MNPD is willing to assign a Police Captain to Parks to oversee the operation of the Metropolitan Park Police.

POLICIES

3000.09 JURISDICTION AND DUTIES OF THE PARK POLICE:

SECTION 2 MEMORANDUM OF UNDERSTANDING

NOW, THEREFORE, the MNPDP and Parks mutually understand and agree as follows:

- I. The Chief of Police of the MNPDP will assign, in his sole discretion, a Captain with the MNPDP to Parks for the purpose of overseeing the Metropolitan Park Police. This individual will continue in such capacity until the assignment of a different Captain or until the conclusion of this MOU, whichever event occurs first.
- II. Throughout the term of this assignment, the assigned Captain will remain an employee of the MNPDP subject to all applicable rules, regulations and benefits.
- III. The assigned Captain will continue to follow the applicable chain of command within the MNPDP. Although the Chief of Police remains as the Captain's appointing authority, oversight of the Captain's job will be accomplished through a joint effort of both the Chief of Police and the Director of Parks.
- IV. Parks will reimburse the MNPDP for the full cost of the assigned Captain. These costs include salary, benefits, training, police vehicle, radio, and any other necessary equipment and supplies.
- V. The assigned Captain will be expected to oversee all activities of the Metropolitan Park Police. This authority includes, but is not limited to, assignment of personnel and enforcement of rules and regulations. The full job duties and the extent of the Captain's authority will be established pursuant to guidelines created by the Chief of Police and the Director of Parks.

POLICIES

3000.09 JURISDICTION AND DUTIES OF THE PARK POLICE:

SECTION 2 MEMORANDUM OF UNDERSTANDING

- VI. The intent of this MOU is not, and should not be construed, to give to, or remove from, employees of the Metropolitan Park Police any rights and/or benefits that they now possess under the Metropolitan Charter, Civil Service Rules and Regulations, or provisions of the Metropolitan Employee Benefit Board.
- VII. The personnel serving as officers for the Metropolitan Parks Police will be subject to the following requirements and guidelines:
 - A. The issuance or non issuance of a special police commission to a particular employee shall be within the sole discretion of the Chief of Police. (Metropolitan Charter § 8.205)
 - B. The carrying of weapons pursuant to the special police commission shall be limited to while on duty and while traveling to and from the employee's place of residence and the worksite.
 - C. Compliance with the minimum requirements of the Tennessee Peace Officer Standards and Training Commission (P.O.S.T) shall be a prerequisite for application for a special police commission.
 - D. The Chief of Police may require any additional training or requirements to be completed prior to the issuance of a special police commission.
 - E. All members of Metropolitan Parks Police, holding a special police commission, shall be subject to all the rules and regulations of the MNPD. (Metropolitan Charter § 8.205)

POLICIES

3000.09 JURISDICTION AND DUTIES OF THE PARK POLICE:

SECTION 2 MEMORANDUM OF UNDERSTANDING

- VII. The personnel serving as officers for the Metropolitan Parks Police will be subject to the following requirements and guidelines (con't):
- F. Parks officers issued special police commissions may exercise law enforcement authority only while actually on duty and while acting within the scope of their employment. The jurisdiction for their law enforcement authority shall be limited to the area of parks, playgrounds and other recreational areas. (Metropolitan Charter § § 8.205 and 11.1005)
 - G. Whenever MNPDP police officers are present and Metropolitan Park Police are engaging in the exercise of law enforcement authority, Park officers shall be subject to the supervision of the MNPDP officers present.
 - H. All rules and regulations of the MNPDP shall become rules and regulations of the Metropolitan Park Police who engage in law enforcement activities unless the rules and regulations are clearly inapplicable. (Metropolitan Charter § 8.205) However, for personnel related matters, employees of the Metropolitan Park Police will continue to be guided by and subject to the Civil Service rules currently applicable to employees of Parks. This specifically includes, but is not limited to, the Civil Service rules concerning appointment and promotion, vacation, leave accrual, holidays, pay issues, disciplinary actions, and grievances.
 - I. All Metropolitan Park Police shall successfully complete annual MNPDP inservice training and any other training deemed appropriate by the MNPDP.
 - J. All weapons or other protective devices used or carried by Metropolitan Park Police must be approved by MNPDP.

POLICIES

3000.09 JURISDICTION AND DUTIES OF THE PARK POLICE:

SECTION 2 MEMORANDUM OF UNDERSTANDING

- VII. The personnel serving as officers for the Metropolitan Parks Police will be subject to the following requirements and guidelines (con't):
- K. All MPD use of force restrictions and guidelines shall apply to the Metropolitan Park Police. (Metropolitan Charter § 8.205)
 - L. Uniforms, uniform patches or insignias worn by the Metropolitan Park Police must be approved by the MNPD. Notwithstanding this authority, the signatories to this MOU agree that the uniforms currently being worn by the Metropolitan Park Police are acceptable.
- VIII. Either party to this MOU may immediately terminate its participation at any time, upon written notice being given to the other party. Further, this MOU may be amended upon the mutual agreement of all parties.

POLICIES

3000.10 FT. NASHBOROUGH ACQUISITION POLICY:

It is the policy of the Board of Parks and Recreation to collect only those artifacts for Fort Nashborough dealing with the life and times of the early settlers of Nashville, or artifacts indicative of a frontier lifestyle during the time period of 1780 and 1800. The Board should accept or purchase only those items it is able to care for, preserve, store and exhibit in a manner acceptable to the museum field at large.

The following guidelines shall prevail concerning acquisition by donation to the museum:

1. There shall be no restrictions as to an object's use or ultimate disposition.
2. Any donation shall be fully tax deductible to the extent allowed by law, but such deduction shall be strictly between the donor and the Internal Revenue Service.
3. No Museum staff member or affiliate shall provide an appraisal nor recommend an appraiser.

POLICIES

3000.11 ALCOHOLIC BEVERAGES ON METRO PARK PROPERTY

A. Alcoholic beverages are prohibited in Metropolitan Parks except as set forth in this rule or as otherwise permitted by Metropolitan Ordinance. In addition to any permit issued by the Metropolitan Board of Parks and Recreation ("Park Board") or its administrative staff, it shall be the responsibility of the permit applicant to obtain all other permits required by other state or local governmental entities relating to the service, distribution, giving away, possession or consumption of alcoholic beverages on Metropolitan Parks property.

B. Pursuant to Tenn. Code Ann. 57-5-105, the Park Board will Consider applications for temporary permits to serve alcoholic beverages on Metropolitan Park property, provided that: (1) such applications are submitted for events ("Events") sponsored by bona fide charitable, nonprofit or political organizations as defined in Tenn. Code Ann. 57-4-102; and (2) the service of alcoholic beverages during events will be in clearly delineated areas accessible only to serving staff, security personnel and ticketed patrons of legal drinking age who have been charged solely for admission to such areas and not for food or beverages consumed.

The following guidelines regarding consumption of alcohol were adopted by the Board in August 2002:

- 1) All consumption of alcohol must take place in an enclosed area and must be located at least 100 feet from the general public with a temporary fence surrounding the designated area.

POLICIES

3000.11 ALCOHOLIC BEVERAGES ON METRO PARK PROPERTY

- 2) Substantial food must be served in the designated area and all beverages served including alcohol must be in unmarked containers.
- 3) An admission fee for food and drink, including alcohol, will be charged to enter the area.
- 4) No on-site signage advertising the consumption of alcoholic beverages is allowed.
- 5) A minimum of one off-duty Park Ranger and/or Metro Police Officer must be hired to control and secure the area.
- 6) A specific site plan for the event delineating where the area in which alcohol will be served is located is required and must be approved in advance by appropriate Parks' staff.
- 7) Additional insurance may be required by Metro's Risk Management Office for this privilege.

Parks reserves the right to close any area in which alcohol is served at any time if all of the policies, regulations, and ordinances governing alcohol use or distribution are not adhered to.

No sale of alcohol is allowed in Metro Parks except in parks located in the Core Commercial District (CC), golf course clubhouses, and professional baseball games at Greer Stadium.

C. Consumption of alcohol may be permitted by the Park Board in such places, and at such times, by their rules and regulations, determine, provided that in no case may a person possess alcoholic beverages in any playground area, swimming pool, recreation center building or comfort station (as per Metro Ordinance No. 69-842, Section 13.24.090).

POLICIES

3000.11 ALCOHOLIC BEVERAGES ON METRO PARK PROPERTY

D. With respect to the annual Iroquois Steeplechase at Percy Warner Park, the Park Board will consider applications for temporary permits to allow service of alcoholic beverages as described above and also the possession and consumption of all alcoholic beverages will be:

- (1) limited to areas forming a part of the Steeplechase grounds and in any event within view of the race course; and
- (2) allowed only from two hours prior to the first race until two hours after the last race on the day of the Steeplechase.

E. Service, possession and consumption, but not sale, of alcoholic beverages are permitted during private parties in the core commercial zone district (CC) (parks located within this district are Riverfront Park, Commerce Center Park, Church Street Park, Walk of Fame Park, and Public Square Park, and the Hamilton Creek Sailboat Marina, the Centennial Art Center, the Cumberland Museum, Nashville Wildlife Park at Grassmere, Two Rivers Mansion, the Nashville Academy Theater, Nashville Sounds property (Fort Negley), Susanne Bass Nature Center in Warner Park, the Parthenon, and Stone Hall Mansion provided that:

- (1) an application covering use of the facility has been properly completed and approved in advance by Metro Park's administrative staff;

POLICIES

3000.11 ALCOHOLIC BEVERAGES ON METRO PARK PROPERTY

- (2) all fees have been paid in full; and (3) alcoholic beverages will be consumed only by invited guests.

F. Alcohol consumption is permitted on the East Bank Greenway during Tennessee Titan football functions only. All other requests for alcohol consumption on the East Bank Greenway must be presented to the Park Board for approval.

POLICIES

3000.12 SELLING OF BEER IN CORE COMMERCIAL ZONE DISTRICT PARKS

Beer may be sold and consumed at special events in parks located within the core commercial zone district (CC) subject to the approval of the Metropolitan Board of Parks and Recreation and upon receiving a "permit" from the Metropolitan Beer Board as per ordinance 094-960 and all other applicable ordinances.

Parks located within this district are Riverfront Park, East Bank Greenway, Commerce Center Park, Church Street Park, Walk of Fame Park and Public Square Park.

However, the Metropolitan Government shall assume no liability for the actions of individuals, as a result of issuance of a permit to consume alcoholic beverages on park property. The holder of the permit will be responsible for monitoring the behavior of individuals attending the event for which the permit covers.

POLICIES

3000.13 RESTRICTIONS ON MODEL AIRCRAFT/BOATS

I. Permits

A. Model aircraft/boats shall be allowed only upon the issuance of a permit by the Director of the Metropolitan Department of Parks and Recreation.

B. Any individual applying for a permit to operate model aircraft/boats shall:

1. File an application provided by the staff of the Metropolitan Board of Parks and Recreation.

2. Pay an established annual permit fee.

Resident

Non- Resident

\$35.00

\$45.00

3. Furnish proof of public liability insurance in amounts to be established by the Metropolitan Department of Law, Division of Insurance.

C. Individuals who have obtained a permit may operate model aircraft/boats in Metropolitan Parks within the terms as provided by the Metropolitan Parks Department. Permits shall be valid for up to one (1) year and shall be renewed thirty days prior to permit expiration.

II. Operation of Model Aircraft/Boats

A. Competitions are authorized only by special permit issued by the Board of Parks and Recreation with the exception of Warner Park Flying Field. Warner Flying Field is designated for recreational flying only - **NO COMPETITIVE EVENTS ARE TO BE HELD AT**

THE WARNER FIELD.

POLICIES

3000.13 RESTRICTIONS ON MODEL AIRCRAFT/BOATS

- B. Use shall be permitted in designated areas within designated Parks only.
- C. Permittee may operate model aircraft/boats at the following sites during the designated scheduled hours:

1. Aircraft:

Cane Ridge Park - 8:00 am to Dusk Daily

Peeler Park - 8:00 am to Dusk Daily

Edwin Warner Park (**amended September 2010**)

MARCH THROUGH NOVEMBER

Monday-Friday 8 a.m. to 3 p.m.

DECEMBER, JANUARY AND FEBRUARY

Monday through Saturday – 8:00 am until dusk

Sundays – 12:00 noon until dusk

- a. For safety reasons, all aircraft will be electric only (no wet fuel aircraft).
- b. 3-D flying of helicopters is prohibited.
- c. Flying will cease during permitted special events (on actual days of the events as well as load-in and load-out days).
- d. All other Park Board policies related to the Edwin Warner Park Model Airplane Field remain in effect.
- e. All flying will cease during special events in Warner Parks, i.e. Iroquois Steeplechase, MS Walk, etc. with timely notification.

2. Boats:

Hamilton Creek Park "Beach Cove" - 7:00 am - Dusk Daily

These schedules may be altered by action of the Board of Parks and Recreation.

POLICIES

3000.13 RESTRICTIONS ON MODEL AIRCRAFT/BOATS

III. Operation of Model Aircraft/Boats

- D. All permittee shall comply with safety regulations furnished to the permittee upon issuance of the model aircraft/boat permit.
- E. All permittee shall be subject to all federal, state and local laws and the rules and regulations of the Board of Parks and Recreation.
- F. Violation of any of the aforesaid regulations shall be cause for suspension and/or revocation of a model aircraft/boat permit.

IV. TERMS AND CONDITIONS FOR MODEL AIRCRAFT/BOAT PERMIT IN METROPOLITAN PARKS

- A. Upon approval of an application for a model aircraft/boat permit by the Director of Parks and Recreation a permittee is authorized to operate model aircraft/boats in the Metropolitan Parks in accordance with the terms, conditions and restrictions set forth herein and the rules and regulations of the Board of Parks and Recreation.
- B. All permittees shall maintain public liability insurance in the minimum amount of \$300,000, or as determined by the Risk Management Division of the Metropolitan Government.
- C. Permits are valid for up to one (1) year. Permittee shall apply for renewal of a permit within thirty (30) days prior to expiration date.

POLICIES

3000.13 RESTRICTIONS ON MODEL AIRCRAFT/BOATS

III. TERMS AND CONDITIONS FOR A MODEL AIRCRAFT/BOAT PERMIT

- D. The Metropolitan Department of Parks and Recreation assumes no responsibility or liability for any injury or damages caused by the flying of radio-controlled model aircraft or any other operation of radio-controlled aircraft/boats in parks operated by the Metropolitan Department of Parks and Recreation.
- E. Permittee agrees to indemnify and hold the Metropolitan Government of Nashville and Davidson County harmless from any and all liabilities including but not limited to personal injury, property damage, court costs and attorneys fees which arise out of its use of park facilities owned and or operated by the Metropolitan Government.
- F. Conditions for issuance of Aircraft permits:
1. The Department of Parks and Recreation prohibits the following:
 - a. Absolutely no flying shall be behind the zero line.
 - b. No aerobatics or high-speed passes are to be performed over the runway.
 - c. No flying outside of the flight boundaries specified on attachments to this permit application.
 - d. Taxiing toward the pits or taking off from the pits.
 2. Insure that all transmitters have the proper frequency flags attached at all times as per AMA specifications.

POLICIES

3000.13 RESTRICTIONS ON MODEL AIRCRAFT/BOATS (continued):

III. TERMS AND CONDITIONS FOR A MODEL AIRCRAFT/BOAT PERMIT

3. Insure that all engines are equipped with effective noise reducing mufflers. All two-stroke engines with displacements of .15 cu or above shall be equipped with a non-flow through silencer. Four-stroke engines are exempt from this requirement so long as noise levels are not offensive.
4. Keep all model aircraft in the designated pit area when not being flown.
5. Insure that all engines are started on the runway, near the elected flight station, behind the zero line.
6. While flying, pilot shall remain behind the zero line and their selected flight station, and only go on or across the runway to retrieve the model.
7. Use frequency control systems at all times.
8. Announce takeoffs and landings.
9. All pilots shall observe all FCC and AMA regulations regarding the operation of radio equipment.
10. No more than six (6) airplanes shall fly at the same time.
11. Pilots and helpers shall stand at the designated areas of the flight line. Spectators shall be instructed that they shall at all times remain behind the pits.

POLICIES

3000.13 RESTRICTIONS ON MODEL AIRCRAFT/BOATS

III. TERMS AND CONDITIONS FOR A MODEL AIRCRAFT/BOAT PERMIT

12. All pilots will observe the following frequency control procedure.
 - a. Place your Park permit card or other identification in the slot provided on the frequency control board which corresponds to the flight station or the helicopter station which you intend to use. If all flight stations are in use, wait until a flight station becomes available.
 - b. Place frequency pin, i.e. clothespin with your channel and name, on the appropriate space on the frequency control board.
 - c. Turn your transmitter on only at your selected flight station after your Park permit card and frequency pin are placed on the frequency control board.
 - d. After each flight remove your card and frequency pin from the frequency control board.
13. All pilots will complete a successful radio equipment ground check on any new or repaired aircraft or radio prior to flying.
14. Pilots shall keep themselves and spectators clear of propeller arcs.
15. Any pilot utilizing gasoline fuel shall have a fire extinguisher readily available at all times.
16. When fixed wing aircraft are flying, helicopters shall, insomuch as possible, be flown in the same pattern and manner as fixed wing aircraft.
17. Hovering and all other maneuvers which interfere with the basic flow of air traffic over the field shall be performed at the designated helicopter flying area.

POLICIES

3000.13 RESTRICTIONS ON MODEL AIRCRAFT/BOATS

III. TERMS AND CONDITIONS FOR A MODEL AIRCRAFT/BOAT PERMIT

G. Conditions for issuance of Boat Permits.

1. Whenever running a boat, whether during a race or practicing, there should be a spotter to watch for any unsafe conditions which should arise around the pond.
2. A positive engine throttle control will be required of all boats.
3. Anyone in the Pit area **MUST** wear shoes. (Sandals or open-toed shoes of any kind are **NOT** acceptable).
4. All inboard hydros should have throwing handles.
5. No plastic props to be used above a 3.5 engine.
6. Boat stands should have prop guards.
7. Transmitter on/off switch shall be positioned in such a manner as to prevent its accidental shut off if bumped either during launching, handling or racing. (Same shall apply to switch on boat.)
8. There will be no model boats running on the pond while the pickup boat is working.
9. Coast Guard approved life vests and/or flotation devices should be worn, or at least available, in the pickup boat.
10. Spectator area should be kept back 20 feet from the shoreline, and signs should be posted: "No Spectators Beyond This Point".

POLICIES

3000.13 RESTRICTIONS ON MODEL AIRCRAFT/BOATS (continued):

III. TERMS AND CONDITIONS FOR A MODEL AIRCRAFT/BOAT PERMIT

11. "NO SWIMMING" signs should be posted in conspicuous places on all sides of the pond.
12. Any tent, dining fly, canopy, or similar device must have adequate in-ground anchors.
13. All accidents will be reported to the club's Safety Officer. In the event of an accident, the Safety Officer will write his opinion on the accident, and forward it to the IMPBA Safety Director as soon as possible.
14. IMPBA Accident and Injury forms will be kept at the race site at all times. If there should be an accident, it will be recorded on these forms and sent to the National Safety Director as soon as possible. The forms will be a prerequisite to payment of claims.

POLICIES

3000.14 AMPLIFICATION OF MUSIC

All special events to be held in any park (excluding Riverfront, Centennial, Hadley and Warner) requesting permission to have amplified music will be considered by the Board on a case by case basis. All amplification requests at Warner Parks will be considered by the Superintendent of Warner Parks on a case by case basis.

Each use will be limited to a two hour performance time and also will be monitored by a Park staff member to assure proper sound level. The staff member shall have the right to stop the performance if deemed absolutely necessary and in the best interest of the Parks Department and the immediate neighborhood.

POLICIES

3000.15 PERMITS FOR USE OF PARK FACILITIES

A. Permits for use of park and recreation areas shall be obtained by application to the Director of Parks and Recreation and/or his designee and permit staff at common consent in accordance with the following procedures:

1. A person seeking issuance of a permit hereunder shall file an application stating:
 - a. The name and address of the applicant.
 - b. The name and address of the person, persons, corporation or association sponsoring the activity; if any.
 - c. The day and hours for which the permit is desired.
 - d. The park or portion thereof for which the permit is desired.
 - e. Any other information required by the Director of Parks as being reasonably necessary to a determination as to whether a permit should be issued hereunder.
 - f. Variances required from park rules and regulations.
2. Standards for issuance of a use permit shall include the following findings:
 - a. That the proposed activity or use of the park will not unreasonably interfere with or detract from the general public's enjoyment of the park.
 - b. That the proposed activity and use will not unreasonably interfere with or detract from the promotion of public health, welfare, safety and recreation.

POLICIES

3000.15 PERMITS FOR USE OF PARK FACILITIES

- c. That the proposed activity or uses are reasonably anticipated will not include violence, crime or disorderly conduct.
- d. That the proposed activity will not entail extraordinary or burdensome expense or police operation by the city.
- e. That the facilities desired have not been reserved for other use on the date and hour requested in the application.
- f. That the applicant has complied with all applicable laws, rules and regulations governing the use of Parks and Recreation areas.
- g. A permittee shall be bound by all park rules and regulations and all applicable ordinances fully as though the same were inserted in said permits.
- h. An applicant for a permit may be required to submit evidence of liability insurance covering injuries to members of the general public arising out of such permitted activities in such amounts as may be from time to time determined prior to the commencement of any activity or issuance of any permit.
- i. Event organizers will not assign their permit to other individuals or organizations, nor will they establish any sub-permitting process or fee structure separate from or inconsistent with the policies and fees of the Board of Parks and Recreation.
- j. The Park Board reserves the right to select a staff member or board representative to attend any event permitted on park property at no charge including those not offered to the general public. The purpose of this is to monitor the activities and assure that all departmental rules and regulations are being adhered to.

POLICIES

3000.15 PERMITS FOR USE OF PARK FACILITIES

B. REVOCATION

The Board of Parks and Recreation shall have the authority to revoke a permit upon a finding of violation of any rule or ordinance or upon good cause shown.

C. APPEAL

The Director of Parks and Recreation shall tell an applicant in writing of the decision to grant or deny a permit; in the event of a denial the notification shall include the reason for the denial. Any aggrieved person shall have the right to appeal a decision of the Director of Parks and Recreation to the Board of Parks and Recreation by serving written notice thereof on the Director of Parks and Recreation within five working days of said refusal.

In the event of an appeal the Board of Parks and Recreation shall hear the matter at its first meeting after the appeal is filed. The decision of the Board of Parks and Recreation shall be final.

POLICIES

3000.16 PROFESSIONAL INSTRUCTORS USING PARK FACILITIES

Instructors in the area of golf, ice skating, tennis, personal training and other activities shall pay an appropriate fee as established by the Board and adhere to all conditions imposed related to facility usage, hours, regulations, etc.

POLICIES

3000.17 Golf Course Guidelines

Golf Operations and/or all other aspects will be similar to the typical golf industry.

I. AGE RESTRICTION FOR ACCESS TO GOLF COURSES

- A. Children under eight (8) years of age will not be allowed on any golf course as a player, spectator or caddy. Children between the ages of eight (8) and twelve (12) may be allowed on all golf courses as a player, spectator, or caddy if they are accompanied by an adult.
- B. At VinnyLinks children five (5) years to eight (8) years of age may be allowed on the course as a player and/or spectator if they are accompanied by their parent or legal guardian the entire length of their stay on the course.

POLICIES

3000.17 Golf Course Guidelines

II. GOLF COURSE VOLUNTEER PROGRAM

The Golf Course Volunteer Program is proposed to enhance customer Service and provide additional manpower during the peak season of golf.

The Guidelines are as follows:

- A. The Special Services administrative staff and the golf course management staff will determine the number of volunteers at each course.
- B. Volunteers will be scheduled on a year round basis, as needed. The volunteer schedule will run Friday – Thursday in conjunction with Metro weekly pay periods. Each volunteer must work their scheduled shift during that weekly period in order to receive golf benefits for that weekly period in order to receive golf benefits for that week. (Exceptions will be made for emergencies on a case by case basis.)
- C. If a volunteer works a four-hour schedule weekly, they will receive free green fees for that week. If a volunteer works an eight hour shift, they will receive free green fees and a discounted riding cart fee. Benefits are received on an individual basis and cannot be transferred.

POLICIES

3000.17 Golf Course Guidelines

III. GOLF COURSE VOLUNTEER PROGRAM

- D. Volunteers receive no benefits for a private cart. Daily trail fees must be paid.
- E. Volunteers will receive benefits only at the course that they are assigned to work. These privileges do not transfer to other Metro courses.
- F. Any golfer sharing a rental cart with a volunteer must pay regular price for their riding cart.
- G. Volunteers must keep a continuous work level at the course in order to retain volunteer status.

IV. GOLF TOURNAMENTS:

Local organized municipal golf groups or associations who play regularly on Parks and Recreation golf courses will be allowed one (1) tournament annually with green fees reduced. These tournaments may be a maximum length of three days.

A maximum of one association per course in the following categories may qualify for said tournaments:

1. Senior Men's Association
2. Ladies' 9-Hole Association
3. Ladies' 18-Hole Association
4. Men's Association

The lone exception to the above categories is the Industrial League.

This league has met Board approval in the past due to the fact that its members play several different courses during the season.

POLICIES

3000.17 Golf Course Guidelines

IV. GOLF TOURNAMENTS:

In order to qualify for tournaments in the above categories, the associations must:

1. Play regularly scheduled league and/or tournaments at a municipal course.
2. Cooperate and assist Park personnel in enforcing golf rules and etiquette.
3. Abide by all rules of the Board of Parks and Recreation.
4. Have an open and non-discriminatory membership in relation to race, color, creed, or religious denomination.

Municipal golf courses will not be closed for any other tournaments or outings without the prior approval of the Director of Parks and Recreation or his designee.

Shelby Golf Course may be reserved for tournaments by non-profit groups at one-half of the established green fee rate Monday - Friday, excluding Metro holidays.

Green fees will also be waived for Junior Golf Tournaments that are approved by the Board and for the Municipal Amateur Championship sponsored by the Board.

POLICIES

3000.17 Golf Course Guidelines

IV. GOLF TOURNAMENTS

All tournaments other than those sponsored or co-sponsored by Parks must adhere to the following regulations:

1. Green fees must be paid one (1) week in advance at the course where the event will be held.
2. The minimum number of participants for a "shotgun" start is fifty four (54) for a nine-hole course and one hundred eight (108) for an eighteen hole course.
3. All "shotgun" starts must be at the opening time of the course. If you wish to have a later starting time, the course must be closed a maximum of two (2) hours prior to the scheduled tournament start. All established fees must be paid.

POLICIES

3000.18 SPECIAL EVENTS IN WARNER PARKS

1. The Mission of Warner Park embodies three important elements:
 - A) to provide relief from the intensity of urban life;
 - B) to provide a wide range of recreation choices;
 - C) to celebrate the beauty of the natural environment.

It is this Mission that shall determine the production of special events with Warner Park. Only special events which will maintain the character and quality of Warner Park without causing adverse impact on it will be allowed.

2. Definitions:

SPECIAL EVENTS: shall be defined as any significant occurrence or happening in which the general public or organized activities within Warner Park are displaced or with a group size of more than 1500 attendees.

SPECIAL EVENT AREA: is the site within Warner Park that is designated for the production of special events. This shall be the large field area currently within Edwin Warner Park (known as the "model airplane field"). Specifically excluded from this limitation are those events held in specially designated areas within Warner Park, namely the equestrian field and the golf courses.

POLICIES

3000.18 SPECIAL EVENTS IN WARNER PARKS

3. Park staff will permit and schedule requests that meet the definition of large special events only during the months of April through November.
4. Park staff will permit and schedule no more than one (1) such large special event in the special event area during a thirty (30) day period within the months of April through November. Event organizers requesting permits that do not fall within the established season and frequency policies must seek approval from the Park Board.
5. All special events shall be required to meet all other requirements of the Metropolitan Park Board with regard to use of park facilities and the production of special events.

POLICIES

3000.19 INSURANCE REQUIREMENT

It is the responsibility of permitted event organizers to provide adequate liability insurance for the event as determined by the Metropolitan Government.

POLICIES

3000.20 HOT AIR BALLOON LAUNCHING

Hot Air Balloon launching shall be allowed in Elmington, Cane Ridge and Warner Parks. These launchings must be authorized by permit issued by the Board of Parks and Recreation. Adequate liability insurance as determined by the Metropolitan Government must be provided by the launcher.

POLICIES

3000.21 MAINTENANCE OF NON-GOVERNMENT PROPERTIES

Upon advance request and at the Director's discretion Parks may provide maintenance in-kind assistance, as appropriate personnel is available, to any and all Davidson County properties owned and/or operated by non-profit organizations and other government agencies.

POLICIES

3000.22 PARKING POLICY FOR ALL PARKS AND FACILITIES

The Board of Parks and Recreation (the "Board") recognizes the need to ensure the availability to park patrons and "Board" employees of a reasonable number of parking spaces at park facilities in the area served by the Metropolitan Government of Nashville and Davidson County. Accordingly the Board authorizes the Director to take such measures as are in his judgment necessary to ensure that parking spaces at park facilities are available only by vehicles belonging to park patrons, "Board", employees, and others visiting park facilities to conduct lawful and authorized business with the "Board".

POLICIES

3000.23 SECURITY POLICY FOR PARK FACILITIES

The Board authorizes the use of stationary and hand held metal detectors by park personnel or the limited purpose of determining the possible presence of dangerous weapons among the clothing and effects of those seeking admission to indoor park facilities. The Board further authorizes the exclusion from park facilities of any person who refuses to permit park personnel to employ a metal detector to determine the possible presence of a dangerous weapon among that person's clothing or effects or among whose clothing or effects the possible presence of a dangerous weapon among that person's clothing or effects or among whose clothing or effects the possible presence of a dangerous weapon has been detected. The Board also authorizes the Director to obtain a sufficient number of hand held metal detectors and otherwise to take measures necessary for the implementation of this policy.

POLICIES

3000.24 UNRULY BEHAVIOR AT PARK FACILITIES

The Board of Parks and Recreation (the "Board") recognizes a responsibility to make all reasonable efforts to facilitate the enjoyment of park facilities by all park patrons. The Board also recognizes that a park patron's unruly behavior may require park personnel to take immediate disciplinary action for the protection of other personnel and patrons. For these reasons, the Board hereby delegates to the manager of each park facility the authority to expel from the facility for a period up to 30 days, with review by division head for additional and/or subsequent penalties, any park patron whose behavior, in the judgment of the facility manager, threatens the health or safety of park personnel or patrons, disrupts normal business or operations at the facility or constitutes a failure to follow posted rules or the reasonable instructions of a park employee.

Any order of expulsion under this statement of policy shall be issued, in writing, not more than 10 days after it takes effect and mailed to the expelled patron, or, if no address is known, posted for at least 30 days in a conspicuous place in the facility from which the patron was expelled. The order shall state the length and reason for the expulsion, inform the patron that violation of the order will cause a criminal trespassing citation to be issued and state that an appeal may be taken to an appeal committee.

POLICIES

3000.24 UNRULY BEHAVIOR AT PARK FACILITIES

The Board further instructs the Director to appoint an appeal committee to hear appeals from patrons seeking to challenge an expulsion ordered by a park facility manager issued under this statement of policy. The appeal committee shall be reconstituted for each such appeal and shall consist of three senior park employees selected from sections or divisions of the Parks Department other than that from which the appeal arises. It shall be the duty of the appeal committee to hear the appeal for which it is appointed under such rules as the Director, with the advice of the Metropolitan Department of Law, shall provide for appeals generally and to make a recommendation to the Board whether to uphold, modify or rescind the expulsion. The Board will consider the recommendation of the appeal committee and such other materials as it deems necessary and make a final decision, which will be issued, in writing, to the patron. The Board authorizes the Director to take measures necessary for the implementation of this policy.

POLICIES

3000.25 ACQUISITION AND DISPOSITION OF PARK PROPERTY

- 1) The Park Board should establish a committee to evaluate all requests for acquisition and disposition of park property. It should be chaired by the Planning Commission representative who serves on the Park Board.
- 2) The Director or his designee should forward the request to the Metro Planning Commission, if applicable, as soon as received.
- 3) Duties and/or responsibilities of the committee are as follows:
 - A) All requests/issues regarding existing or future park properties will be referred to the committee.
 - B) The committee will thoroughly research all aspects of a request including the seeking of factual information and advice from the Planning Commission and its staff as well as affected Metro agencies and council members, if applicable .
 - C) The committee will make every effort to make a recommendation to the Park Board by the following month's meeting.
 - D) Once the Park Board recommends approval, a request will be sent to the Metro Council for action, if applicable.
- 4) As per the 2011 Open Space Plan there should be no net loss of open Space in Metro Parks after 2012.

POLICIES

3000.26 ADMITTANCE TO PARK FACILITIES

The Board of Parks and Recreation (the “Board”) will make a reasonable accommodation for the enjoyment of all patrons. The Department of Parks and Recreation does not discriminate on the basis of age, race, sex, color, national origin, religion, or disability in admission to, access to, or operations of its parks facilities, programs, services, or activities. The department shall designate appropriate personnel to handle all questions, concerns, complaints, requests for accommodation, or requests for additional information regarding the Americans with Disabilities Act. The appropriate personnel shall coordinate with other Metro agencies as necessary to assure the fullest participation possible for all park users.

POLICIES

3000.27 USE OF COMMUNITY CENTER FACILITIES

The Board of Parks and Recreation (the “Board”) recognizes that some community groups do not have adequate facilities available for meetings. The Board seeks to make community center facilities available to responsible groups whose meetings will not conflict with other facility operations. The Board also recognizes a responsibility to preclude community center uses that may raise health concerns or interfere with normal park business. For these reasons, it is declared to be the policy of the Board that community center facilities be made available on a non-discriminatory basis for meetings or responsible groups and organizations, during times when the facilities are not otherwise open to the public or required for other park uses. It is further declared to be the policy of the Board that community centers not be used for any purpose that may, in the judgment of parks personnel, damage the facilities or pose a threat to the health or safety of patrons. Funeral services are permitted consistent with this policy, provided that no dead body or other human remains may be brought into or upon the grounds of a community center. The Board authorizes the Director to take measures necessary for the implementation of this policy.

POLICIES

3000. 28 FEE WAIVERS AND REDUCTIONS

- A. The Park Board will consider a request for fee waiver only if the activity, program, or event:
1. The event, program, or activity must be sponsored by or organized for the exclusive benefit of a department, agency, or entity of the Metropolitan Government other than the Board of Parks and Recreation; or
 2. The event, program, or activity must be sponsored by or organized for a not-for-profit entity and the net proceeds derived from such event, program, or activity must be devoted to the exclusive benefit of the Metropolitan Government. Evidence of not-for-profit status, which may include but is not limited to, certification and/or registration by or with the **Charitable Solicitations Division of the State of Tennessee** and or the **United States Department of Internal Revenue**, must be submitted with the application for fee waiver; or
 3. The event, program, or activity must demonstrably benefit the Department of Parks and Recreation as may be determined by the Director.
- B. The Assistant Director of Special Services, with the approval of the Director, is authorized to establish reduced rates and/or specials for revenue producing facilities when excess capacity exists, market conditions warrant and/or to promote the facilities to various users. Such activities shall be periodically reported to the Board.

POLICIES

3000.29 PUBLIC/PRIVATE PARTNERSHIPS

This policy is applicable to those services traditionally offered by the department and consistent with the Metro Parks/Greenways County-wide Master Plan.

This policy is applicable to only Parks and Recreation public assets which are not currently being utilized for Parks and Recreation services, including but not limited to underdeveloped land, discontinued facilities, or other assets so defined by the Board in keeping with this objective.

This policy requires the following requirements be met in order to ensure the best interests of Metropolitan Nashville and the public at large

Protection of Public Assets

In order to protect the public assets of the Parks and Recreation Department, any public/private Partnership created cannot financially encumber Metro assets. Additionally, the Board is already familiar with the general rule that existing Metro facilities must be made available to all members of the public on an equal basis. Similarly, the opportunity to contract with Metro for services or for exclusive use of Metro property, as with a lease, generally must be made available to all qualified members of the public through some competitive process.

POLICIES

3000.29 PUBLIC/PRIVATE PARTNERSHIPS

Protection of Public Assets

In finding the best solution to the question how to develop park property without public funds, the Request for Proposal (RFP) process is the process of choice. In conjunction with the Purchasing Department, this process allows Metro to identify a problem or need, and the proposers offer both prices and plans for the solution. The RFP process thus allows Metro flexibility in finding good and creative ideas for solving problems and meeting community needs. An RFP in this instance may present several ideas for use of the park property at issue and would allow an opportunity for evaluation of these competing ideas and ultimately selection of a development, developer and management plans that best suits Metro's needs and further ensures that the Board's financial and service objectives are thoroughly addressed. RFP approvals for contracts will be forwarded to the Metro Council for approval.

The Public Interest

In order to ensure the public interest in creating such a public/private partnership, the staff of Parks and Recreation, in conjunction with the area council representatives, will hold a minimum of two community meetings to ascertain the need for services identified to validate the assumptions. Additionally, the council representatives should endorse the planned development.

POLICIES

3000.29 PUBLIC/PRIVATE PARTNERSHIPS

Protection of Public Assets

The proposed development should not in any way be in conflict and must be consistent with the General Land Use Plan of Nashville, the Metro Parks/Greenways Country-wide Master Plan and be reviewed by the Mayor's Office prior to the RFP process being made public. Additionally, the right for public access and utilization must be maintained.

LEGAL ISSUES

Aside from the legal issues developed as part of the RFP process, special attention by the staff and Board appointed sub-committee shall be given to protecting Metro assets from being pledged for private use and all property reviewed for proper deeding to make sure no restrictions exist.

POLICIES

3000.30 SPECIAL INTEREST MEMORIALS ON PUBLIC LAND

“Policy on Special Interest Development, Dedication and Designation of Park Lands” Designation in Parks” refers to any statue, monument, sculpture, memorial or other structure or landscape feature, including a garden or memorial grove, intended to perpetuate in a permanent manner a “special interest” or “cause,” including those of organizations, groups, corporations, or individual citizens.

- I. No park, or physical feature including, but not limited to sculpture, memorial, structure, landscape feature, including a garden or memorial grove, etc., shall be developed for the purpose of bringing attention to a specific special interest or cause unrelated to the park system, history of Nashville, the State of Tennessee or historical event or figure.
- II. No section of any park or facility shall be permanently designated, set aside, or otherwise omitted for a special interest or cause.
- III. The Board shall accept no land, feature, or facility, previously developed for the purpose of bringing attention to a special interest or cause, for inclusion in the Metropolitan Parks system.

The Board recognizes that parks often have been donated by and/or named after persons who have made significant contributions to Tennessee, Nashville and Davidson County, and specifically, the park system. Further, parks and features have been developed in parks to commemorate historical events. Such instances shall not be affected by this policy, and the Board shall determine on an individual basis the appropriateness of such approvals.

POLICIES

3000.30 SPECIAL INTEREST MEMORIALS ON PUBLIC LAND

The Board shall determine the extent of such recognition and features or improvements. No section of this policy shall prohibit contributions or donations by organizations, groups, corporations, or individuals, of elements within parks designed and intended to enhance the overall parks system, as approved by the Board, and where such contribution or donation is unrelated to a special interest or cause.

Permanent recognition of contributions or donations shall be limited to appropriately sized signage, as determined by the Board. Elements include, but are not limited to the following:

- Buildings or facilities
- Specimen single tree
- Specimen tree grove
- Natural enhancements, including:
 - Meadow restoration
 - Stream restoration
 - Wetlands restorations
 - Woodlands restoration
- Functional elements, including:
 - Trail bridges
 - Shelters
 - Benches
 - Paving

The Board shall determine that elements proposed for contribution or donation enhance the overall park system and shall consider, prior to acceptance, the cost of maintenance and operation of the features.

The Board may determine that the commemoration of historical events and/or persons is appropriate in a particular park.

POLICIES

3000.30 SPECIAL INTEREST MEMORIALS ON PUBLIC LAND

Before being approved, a determination must be made, based on consultation with qualified professionals that the proposed commemorative work will:

- be of the highest quality design and craftsmanship to assure permanence;
- be designed and sited to avoid disturbance of natural and cultural resources and values;
- be located in surroundings relevant to its subject;
- be constructed of materials suitable to and compatible with the local environment;
- not encroach on any other pre-existing work, or be esthetically intrusive;
- not interfere significantly with open space and existing public use; Not divert attention from a park's primary interpretive theme; and
- not be affixed to the historic fabric of a structure;
- and be approved in its final design by the Metropolitan Board of Parks and Recreation.

Pre-existing Special Interest Memorials on Public Land

Many Special Interest Memorials on Public Land have existed in the parks long enough to qualify as historic features. A key aspect of their historical interest is that they reflect the knowledge, attitudes, and tastes of the persons who designed and placed them. These works and their inscriptions will not be altered, relocated, obscured, or removed, even when they are deemed inaccurate or incompatible with prevailing present-day values. Any exceptions require specific approval by the Parks Director with Board notification.

POLICIES

3000.31 ESTABLISHMENT AND OPERATION OF NOT FOR PROFIT

FRIENDS OR SUPPORT GROUPS

I. The Board may authorize the establishment of Not for Profit, volunteer, or other groups to support the operation or promotion of individual parks, Park Board initiatives, and/or the park system as a whole, consistent with the overall mission and objectives as set by the Board.

The Board shall make a determination of the appropriateness and desirability of a group or organization prior to its formal establishment based on the following criteria:

1. The group or organization is formed to support the operation of a park, Park Board initiative, and or the park system;
2. The group or organization does not exclude participation based on race, gender, economic status, sexual orientation, religion, or creed;
3. The operations and/or activities of the group or organization will not in any way detract from, or conflict with, Park Board operations and/or activities, or restrict in any way use of parks or park facilities to the general public as established by Park Board policy;
4. The proposed purpose and or by-laws of the group or organization are in accordance with all federal, state, and Metro regulations;
5. The group or organization must be not for profit;

POLICIES

3000.31

ESTABLISHMENT AND OPERATION OF NOT FOR PROFIT

FRIENDS OR SUPPORT GROUPS

II. Established groups or organizations must adhere to all Park Board policies and conditions imposed by the Park Board. Further, the Board shall monitor compliance, activities, and fundraising efforts for the direct or indirect benefit of the park system, including, but not limited to the following requirements:

1. Groups or organizations must submit an annual financial statement or report to the Park Board;
2. An annual budget must be submitted to the Park Board, and all fundraising activities must be reported to the Board;
3. The group or organization must submit evidence of not for profit status by providing the Board a copy of its annual filing with the Internal Revenue Service and a copy of their current letter of exemption from the Internal Revenue Service.
4. The group or organization must annually report to the Board its membership, including board members and/or officers;
5. Any work or activities on park property must be approved by the Board or Director, or his/her designee;

POLICIES

3000.31 ESTABLISHMENT AND OPERATION OF NOT FOR PROFIT

FRIENDS OR SUPPORT GROUPS

III. The Board may withdraw its authorization of any group or organization at any time for failure to comply with regulations, policies or conditions imposed, or a determination by the Board that such group or organization is not desirable or in the best interest of the park system. No individual, group, or organization may promote himself, herself, or itself as having authorization to raise funds for Metro Parks, or conduct activities and/or operations on park property without Park Board approval.

IV. No group or organization shall commit the resources of the Parks Department to any project, endeavor, or event without the approval of the Board or Director. This shall include staff time, equipment, funds, or any other resources. No group shall undertake any project which would require departmental resources without such approval.

POLICIES

3000.32 DOG MANAGEMENT ON PARK PROPERTY

(policy approved September 12, 2006 – amended July 1, 2014)

The Metropolitan Board of Parks and Recreation has established goals and policies to accommodate recreational opportunities for dog owners and their pets on municipal park property within the framework of the Board's Mission Statement.

All Metro Parks will be "dog friendly" subject to Park Board rules, regulations, and policies. It is the responsibility of dog owners and custodians of dogs to ensure that they are in compliance with these conditions when they visit and enjoy Metro Parks and Greenways with their pets.

I. The use of Metro Park property and facilities by dog owners, custodians of dogs, and their pets will be subject to the Department's "core service" conditions that promote safety and quality of recreational experiences for all Nashville residents and visitors who share park resources. The intent of related Park Board policies is to make safety the highest priority in providing dog management on park property. The primary goals of dog management on park property are:

- A. Strict compliance with the leash law
- B. Strict compliance with regulation regarding removal of dog waste

II. RULES AND REGULATIONS FOR METRO DOG PARKS

- A. "VISITOR RESPONSIBILITIES" will be posted at all Metro Dog Parks.
- B. Use of the dog park will be at the user's risk.

POLICIES

3000.32 DOG MANAGEMENT ON PARK PROPERTY (policy approved September 12, 2006 – amended July 1, 2014)

II. RULES AND REGULATIONS FOR METRO DOG PARKS

- C. Disposal of dog waste, in the provided trash receptacles, is required.
- D. Dogs must be wearing current rabies and identification tags at all times.
- E. Dogs must be leashed before entering and leaving the fenced area.
- F. Dogs that become aggressive must be leashed and removed from the park immediately. Users are legally responsible for injuries inflicted by their dog. Metro Parks reserves the right to impose limitations, including restricting access to the Metro Parks, for any aggressive dog and its handler.
- G. Park users must have a leash on hand for each dog at all times.
- H. For safety reasons, children under the age of 10 years are prohibited from entering the fenced area of the dog park. All minors must be supervised by an adult.
- I. The following are not permitted in Metro Dog Parks:
 - 1. Any dog that exhibits or has a history of aggressive behavior
 - 2. Female dogs in heat

POLICIES

3000.32 DOG MANAGEMENT ON PARK PROPERTY (policy approved September 12, 2006 – amended July 1, 2014)

II. RULES AND REGULATIONS FOR METRO DOG PARKS

I. The following are not permitted in Metro Dog Parks:

3. Puppies under four months of age
4. Dogs without handler supervision
5. Dog food, human food or glass containers
6. Spiked collars
7. More than two dogs per handler
8. Dog grooming

J. The designated use of the Metro Dog Parks will be for individual dog handlers and their pets. Organized activities and events such as shows, competitions, pet adoptions, organized training and fundraisers are prohibited.

POLICIES

3000.33 COMMUNITY GARDENS (interim policy approved September 12, 2006)

- I.** The Metropolitan Nashville Board of Parks and Recreation adopts this Community Garden Program as a framework for the Parks' staff to further develop and implement this new initiative.

The Community Garden Program provides an entry point for individuals and households to get involved in an endearing partnership project. Community gardeners use Metropolitan Park land to grow their own food, which has a positive impact on their household food security, and provide recreational outdoor activity as well as a fun and friendly environment for people of all ages, incomes, and cultures to work the land together and share their gardening knowledge and ideas. Park Staff shall identify unused park property for implementation of this program.

II. Program Parameters

- A. Community gardeners shall obtain a permit for a plot each spring, paying a minimal fee to help defray the costs of site maintenance and management (tilling, mowing, plot layout, and provision of water, and compost). Gardeners also assist in site maintenance and management through volunteer commitments.
- B. Educational workshops will be held throughout the season to provide instruction in gardening skills such as organic gardening, pest control, starting seeds indoors, seed saving, fall planting, food preservation, and cooking.

POLICIES

3000.33 COMMUNITY GARDENS (interim policy approved September 12, 2006)

I. Program Parameters

- C. There are many people who would love to garden but have difficulty gardening on the ground. Some may be in a wheelchair or just unable to bend over for a long period of time. Park and Recreation Community Gardens will build raised beds, which make it possible for people with disabilities to enjoy the pleasures of gardening.
- D. Garden plots should measure 20' x 20' (400 sq. ft.) There is a one plot limit for new gardeners, but if an individual maintains their plot well the first year, more plots may be applied for in the following year.
- E. This policy discourages the use of non-organic pest control by organizing garden-wide organic pest control.
- F. Plot rental for the season shall be annually established by the department with approval of the board. A gardening season will be established.
- G. Water is provided on site throughout the season.
- H. Tilled plots are plowed at the beginning of the season, making it possible to plant directly in the ground. Donated seeds and plants are given away to gardeners free every year at the beginning of the season.
- I. Compost, manure, and mulch should also be available at the gardens to help gardeners build their soil.

POLICIES

3000.34 CAMPING POLICY FOR BELLS BEND

(policy approved July 10, 2007)

- A. It is the policy of the Park Board that tent camping at Bells Bend Park be used for the following type of activities:

Programs sponsored by Metro Parks

Outdoor Recreation programming by organizations such as Boy Scouts and Girl Scouts

- B. Tent camping will be by permit only and will be allowed for one overnight session.
- C. Pitching tents is permitted only at designated sites.
- D. Digging or leveling of the ground at any campsite is prohibited.
- E. Camping equipment must be removed and campsites cleaned prior to departure. The permit holder agrees to reimburse Metro Parks for all costs incurred in performing clean up and repairs which the permit holder failed to perform.
- F. Quiet-time is between the hours of 10:00pm and 6:00am.
- G. Tent camping at Bells Bend is primitive. There are no bathing facilities, running water, or electrical hook-ups. There are portable restrooms within walking distance.
- H. Gathering wood or plants, whether live, dead, or downed, is prohibited. Removing or defacing any natural or manmade feature in the park is prohibited.
- I. Camp Fires
1. Campfires are allowed at the group ring and tent-site rings only.
 2. Firewood will be available by Metro Parks.
 3. Campfires should not be left unattended.

POLICIES

3000.34 CAMPING POLICY FOR BELLS BEND

- I. Camp Fires (con't.)
 - 4. Fires must be completely extinguished before left unsupervised.
 - 5. Non-burnable items must not be placed in the fire rings.
- J. Smoking is not allowed in the camping areas.
- K. Metro Parks reserves the right to limit or cancel camping during periods of drought, high risk of fire, flooding, or other natural hazards.
- L. All food and equipment used to prepare food must be kept sealed in a storage unit to prevent animal foraging. Trash must be stored in contained bins and packed out.
- M. Tent Camping Reservations at Bells Bend
 - 1. Tent camping is by permit only. It is the policy of the Park Board that tent camping at Bells Bend Park be used for programs sponsored by Metro Parks and for outdoor recreation programming. Metro Parks' sponsored programs take scheduling precedence. Outside organization requests are on a first-come, first-serve basis.
 - 2. **Fees to be charged:**
One tent-site with fire-grill. . \$10.00 resident/\$11.00 non-resident
Exclusive use of tent-sites . . \$50.00 resident/\$55.00 non-resident
 - 3. Method of payment:

Reservation fees may be paid by cash, check, or money order and made payable to Metro Board of Parks and Recreation. Application for permit must be made at least 20 working days prior to date of use.

POLICIES

3000.35 PUBLIC SQUARE (policy approved February 6, 2007)

I. A true community facility, the Public Square, hereinafter referred to as the Square, is a public space, surrounding the refurbished historic Metro Courthouse. Its design offers citizens and visitors a timeless setting that acts, through interpretation, to remind them about the historical significance of this important community and governmental center.

Members of the public who wish to use an area of the Square cannot be turned away, and usage will be permitted on a first come, first permitted basis. No event can completely close the Square to the public. Cultural and other organizations are encouraged to sponsor and present free programming at the square. The Square will not be held to same permitting standards as all other Metro Parks. Special events and use of the Square shall be permitted at the discretion of the Parks Director and Parks Board Chair and/ or their designee.

II. The Lawn

Maximum capacity: 5,000 (standing) 75,000 ft²

Taking up the foremost space in the Square, the 1.75 acre lawn is an excellent location for large-scale activities, such as civic and political events, and/or large festivals. As the most popular and highly trafficked area in the Square, the availability of the Lawn is limited depending on its condition. Weather conditions and other factors on the day of and prior to an event may also limit its availability.

POLICIES

3000.35 PUBLIC SQUARE (policy approved February 6, 2007)

III. General Public Square Guidelines

- A. Alterations or modifications of any kind to the Square or site amenities without permission
- B. Unauthorized alcohol consumption
- C. Drug use
- D. Organized sports on the lawn
- E. Walking dogs through landscaped areas
- F. Bicycling, skateboarding, roller or in-line skating on any of the pathways
- G. Harming birds, wildlife, park landscape or park property
- H. Amplified music, except by permit
- I. Performances, except by permit
- J. Commercial activity, advertising or photography, except by permit
- K. Obstructing park entrances and walkways
- L. Food preparation and/or distribution, except by permit
- M. Merchandising, except by permit
- N. Pyrotechnics (refer to fireworks policy)
- O. Feeding the pigeons
- P. Panhandling
- Q. Rummaging in trash receptacles

POLICIES

3000.35 PUBLIC SQUARE (policy approved February 6, 2007)

IV. Public Square Event Rules

- A. **Alcohol at an Event:** Alcohol must be approved by the appropriate agencies and served by a licensed bartender.
- B. **Hours:** Events must take place between the hours of 8:00 a.m. and 11:00 p.m.
- C. **Insurance:** Special Event Liability insurance may be required with Metro Parks named as additionally insured.
- D. **Parking:** Paid parking is provided in the garage beneath the Square, however, at no time shall any event completely block access to the roadways surrounding the Square without the consent of the Metro Parks Department, as well as the Department of Public Works. Valet service can be arranged at client expense through the Metro Parks permit office.
- E. **Photography and filming:** Commercial photography and filming requires a permit from the Metro Parks. The fee will be assessed based on the appropriateness to the Square, interruption of the public's use of the Square, crew size, complexity of set-up, amount of equipment brought into the Square, and the space used in the Square.
- F. **Security:** All events will require additional security at client's expense coordinated through the Metro Parks Police Division. Cost will be dependant upon the size and duration of the event.
- G. **Security Deposit:** In the interest of Public Square property, horticulture, and equipment, a security deposit is required for each event. The fee will be assessed based upon the size and utilization of Square services. The Square will be properly assessed before and after each event to determine the condition. An additional fee may be charged if the damage is greater than the deposit. Copies of receipts documenting event caterer and/or equipment rental company use must be submitted to the Metro Parks before refund of security deposit will be refunded.
- H. **Square Loading Guidelines:** Walker Parking Consultants (WPC) is the Engineer of Record for the design of Nashville Public Square and Parking Structure. WPC has been asked to provide loading guidelines for use by the Nashville Fire Department and event planners for the Nashville Public Square.

POLICIES

3000.35 PUBLIC SQUARE (policy approved February 6, 2007)

V. Loading Guidelines for the Public Square Area

- A. **Fire Truck Loading:** The truck turnaround off James Robertson parkway has been designed for AASHTO HS20 loading and therefore can accommodate fire trucks. The maximum allowable axel load is 24,000 lbs. Fire trucks must stay on the paved road surface (truck turnaround area) because the landscaped areas have not been designed to support fire trucks. **Fire trucks must not go on landscaped areas of the Square.**
- B. **Landscape Loading:** The landscaped area of the Square has been designed with a live load of 100 psf. This loading is appropriate for holding concerts and special events. Passenger vehicles, light trucks, ambulances, and small construction equipment and park anywhere on the Square.
- Tractor trailers and heavy construction equipment must not be driven or placed on the landscaped areas. Semi trucks can easily exceed the 100 psf live load considered in design.
 - It is not possible to address the innumerable loading scenarios possible during special events. The Square can support any configuration of human assembly. However, significant point loads (material storage, stage platforms, scaffolds, bleachers, etc.) could potentially exceed the 100 psf design live load. WPC recommends having a qualified design professional review any event loading where special loads similar, but not limited to, those mentioned above could occur. If assistance is needed in reviewing the event loading, WPC is available to perform this function on an as needed basis.
- C. **Waterproofing System:** Event planners should be mindful of the waterproofing system buried beneath the landscaping. Driving or screwing stakes or anchors into the Square could damage the waterproofing system. They should be cognizant that fill depth varies significantly across the Square, meaning the waterproofing system is roughly 8 inches to 3 feet below the surface, depending on location.

POLICIES

3000.35 PUBLIC SQUARE (policy approved February 6, 2007)

V. Loading Guidelines for the Public Square Area

- D. **Sanitation and Maintenance:** There is a sanitation/maintenance staff for the Square during Square hours. Events will require additional sanitation/maintenance at Client's expense through the Metro Parks permit office. All debris generated by an event must be removed from the Square prior to the event sponsor leaving the premises. Cost will be dependant on the size and duration of the event.

VI. Public Square Event Rules

- A. **Signage:** All signage pertaining to the event and other materials intended for distribution must be approved by the Director of Metro Parks and or his designee.
- B. **Sound and Set-up** for amplification, including direction of staging, sound equipment and decibel levels must be approved by the Metro Parks permits office.
- C. **Teardown:** All equipment must be removed from the Square within 24 hours of the event.
- D. **Weather:** Events are rain or shine, rain dates are not typically given.
- E. **Wireless:** Wireless internet is available anytime that Public Square is open. Public Square has free wireless internet access for users of laptops and handheld devices with a compatible Ethernet card or built-in wireless capability.
- F. **Memorials, Plaques and Monuments:** In the January 12, 2004, Park Board meeting a dedication of a grove of trees was approved for Ann Chapman to recognize her dedication and commitment to the Metropolitan Government upon her retirement after 28 years of service. Due to its nature, additional memorials at the Public Square shall be limited to governmental, local history and national significance and shall be installed only at the discretion of the Park Board.
- G. **Vendors:** Vendors will be restricted in number and to the first level off the sidewalk facing Third Avenue (nearest Second Avenue) only. Design, Appearance and set-up of each vendor must be approved by the Parks Board and its designee.

POLICIES

3000.35 PUBLIC SQUARE (policy approved February 6, 2007)

Note:

- Other agency approvals, including Health, Codes, Fire Marshall, Beer Board, Public Works, and General Services may be required.
- All events shall meet compliance standards for ADA.
- Electricity may be available. Fees shall apply.

As the Department receives future requests, the Public Square will eventually best define its use. The Board and Department can then become more or less restrictive as we receive requests for events and know better what our concerns should be.

POLICIES

3000.36 SALE AND DISTRIBUTION OF PRODUCTS

(policy approved February 6, 2007)

- A. Vendors are defined as those who sell and those who distribute.
- B. Vendors and/or distributors wanting to sell/distribute concessions in the park system or at scheduled special events/activities must submit a Vending Application Form to the Office of the Director of Metro Parks.
- C. Products are limited to non-alcoholic drinks and food items.
- D. Vendors are only allowed in areas that do not have permanent city concession facilities.
- E. Vendors will be assigned specific areas at all locations.
- F. Vendors must remain stationary at the site and not solicit park users.
- G. Permanent stands, equipment, etc. are not permitted. Once the special event/activity has concluded all apparatus is to be removed from the site.
- H. The Department of Parks and Recreation will provide vendors with a list of authorized, scheduled special events/activities. Staff will assist vendors with determining which events warrant multiple vendors.
- I. Vendors must be licensed and comply with all local and state regulations.
- J. Vendors must provide the Parks Department with a copy of their mobile vending insurance.
- K. Vendors will be responsible for removal of trash from their immediate concession area.
- L. Existing park utilities can be utilized at no expense to the vendor. If additional utilities are needed it will be responsibility of the vendor to install, at their cost. Written authorization to install additional utilities must be obtained through the office of the Director of Metro Parks.
- M. The Parks Department can cancel this agreement at anytime if it is deemed in the best interest of the City of Nashville and the public.

POLICIES

3000.37 FIREWORKS IN METRO PARKS (policy approved April 2008)

Fireworks in Metro Parks will only be permitted for events that are open to the general public or at the discretion of the Director of Metro Parks or his designee.

POLICIES

3000.38 SPREADING OF ASHES IN METRO PARKS
(policy approved February 6, 2007)

The spreading of ashes is not permitted in Metro Parks as prohibited by Metro Charter, Section 13.24.460 Polluting.

POLICIES

3000.39 Amusement Rides and Circus/Dangerous Animals (policy approved March 6, 2007)

- I. The Metro Parks and Recreation Department does not allow carnival and amusement rides in the Metro Parks.
- II. Inflatable equipment may be utilized in the Metro Parks upon securing a use permit issued by the Department. Permittee must possess the permit at all times while on Metro Parks' premises. Permits are available to private parties and commercial vendors upon meeting the Department's conditions.
- III. **Circus and/or Dangerous Animals:**
A potentially dangerous animal will be defined by the conduct, characteristics, and personality of the animal in terms of whether or the not the animal can be maintained on a particular piece of property. The term "dangerous animal" is being used because *wild and exotic* pets are becoming common, such as the alligators that have been found in Tennessee. Therefore, to ensure the safety of other animals, visitors, the public and staff, **Dangerous Animals**, except for those used for demonstrative and teaching purposes by the Nashville Zoo and/or Metro Parks Nature Centers are prohibited within all Metro Parks.

POLICIES

3000.40 Outreach and/or Shelter Activities (policy approved March 6, 2007)

- I. Public food distribution in Metro Parks is permissible:
 - A. at events permitted by the Metro Parks;
 - B. when such distribution is sponsored or co-sponsored by a department or agency of the Metropolitan Government or
 - C. by permit issued by the Director of Metro Parks

PLEASE NOTE: Permit by the Metro Health Department may also be required.

POLICIES

3000.41 Signage in Metro Parks (policy approved July 10, 2007)

Signage, not specific to Metro Parks or authorized park activities, e.g. temporary event signage, is not permitted to be placed in/on park properties unless mandated by Federal or State legislation.

POLICIES

3000.42 Guidelines for Acquisition and Installation of Public Art in Metro Parks (policy approved June 3, 2008)

- I. The following criteria are intended to guide the Board of Parks and Recreation in connection with any proposal for acquisition of or request for placement of public art in connection with any particular construction project on any new or existing site in any Metro Park:
 - A. Installations shall be compatible with the individual park's design, and shall not restrict park operations in any way.
 - B. The installations shall not obstruct pathways, open areas or other park features.
 - C. Installations generally shall not alter designed landscapes or spaces, fountains, previously dedicated or memorialized spaces, or alter the original design intent of the park. Generally, the original design of the individual park should be respected.
 - D. Public art installations generally shall not necessitate the removal of existing features, landscaping, or trees.
 - E. Public art installations shall not limit the availability or flexibility of spaces for park activities or events.
 - F. The size, number, and location of installations shall not impact park functions and operations, and shall minimize the potential for visual clutter, increased maintenance needs, and/or park alterations.
 - G. The Public Art shall not impact public accessibility, health or safety.
 - H. The Public Art shall be related in terms of scale, material, form, and content to immediate and adjacent buildings and landscaping so that it complements the site and surrounding environment.
 - I. The proposed installation shall not conflict with local, state, federal ordinances and/or regulations

POLICIES

3000.42 Guidelines for Acquisition and Installation of Public Art in Metro Parks (policy approved June 3, 2008)

- II. Other considerations for the approval of Public Art shall include, but are not limited to the following:
- A. The compatibility of the Public Art with the unified design character or historical character of the site.
 - B. Approval of adequate funding for ongoing maintenance.
 - C. Compatibility with annual and/or scheduled events and activities.
 - D. The impact on future development of park spaces, including requests for future public art proposals or other park appropriate amenities.
 - E. Displacement of public amenities.

POLICIES

3000.43 PERMITS FOR USE OF ATHLETIC FACILITIES

- I.** The Board may authorize organizations and/or groups to support the operation of athletic facilities within individual parks, consistent with the overall mission and objectives as set by the Board.

The Board shall also make a determination of the appropriateness and desirability of said groups or organizations on an annual basis based on the following criteria:

1. The group or organization supports the operation of a park by providing maintenance, upkeep, and/or capital improvements to the permitted area;
2. The group or organization does not exclude participation based on race, gender, economic status, sexual orientation, religion, or creed;
3. The proposed purpose and or by-laws of the group or organization are in accordance with all federal, state, and Metro regulations;
4. The group or organization must inform Metro Parks if they are non-profit or not for profit;

- II.** Established groups or organizations must adhere to all Park Board policies and conditions imposed by the Park Board. Further, the Board shall monitor compliance, activities, and fundraising efforts, including, but not limited to the following requirements:

1. Groups or organizations must submit an annual financial statement or report (template provided by Metro Parks) of previous year, which are to include signatures of the Treasurer and President, to the Parks' Administrative Office before January 31st of the permitted year;

POLICIES

3000.43 PERMITS FOR USE OF ATHLETIC FACILITIES

II. (con't.)

2. The group/organization must provide in detail the scope of financial assistance offered to underserved participants and criteria is used to determine assistance;
3. The group or organization must provide Parks' staff a listing of all fees charged to other user groups and/or individuals by the permitted organization.
4. The group or organization must obtain permission from the board prior to charging fees to other groups and/or individuals;
5. Any work or activities on park property must be approved by the Board or Director, or his/her designee;

III. The Board may withdraw its authorization of any group or organization at any time for failure to comply with regulations, policies or conditions imposed, or a determination by the Board that such group or organization is not desirable or in the best interest of the park system. No individual, group, or organization may promote himself, herself, or itself as having authorization to conduct activities and/or operations on park property without Park Board approval.

POLICIES

3000.44 SPONSORSHIPS

It is the policy of the Metropolitan Nashville Board of Parks and Recreation to allow sponsorships of department programs, events, projects, and sites from profit and non-profit entities. These sponsorships must enhance and sustain Nashville and Davidson County's park and recreation system in a manner that respects the noncommercial nature of public places. All such sponsorships must comply with Parks and Recreation departmental guidelines and procedures.

- Sponsorship agreements projected to generate more than \$25,000 shall require the approval of the Metropolitan Council, per Section 13.24.390 of the Metropolitan Code.
- Sponsorship agreements projected to generate \$25,000 or less shall require the approval of the Metro Parks Board.
- Monies and in kind support received from sponsorships should go to benefit the Metro Parks and Recreation department. The funding generated through these policies should be made to the Metro Parks Gift Fund or respective Friends Group.
- Parks staff will develop an application and specific sponsorship guidelines to be followed by the department. Every effort to avoid an increase in visual clutter or detracting from the mission of parks shall be made when considering signage.

CEMETERIES

5000.1 CITY CEMETERY

Any time a lot is sold, subdivided, transferred or assigned, the owner must have the lot surveyed by a qualified surveyor to determine the available space. The survey document must be placed on file with the Metro Historical Commission.

Lots cannot be subdivided for resale by the owner, without written approval of the Metro Board of Parks and Recreation. Metro Parks and Recreation reserves the right to determine the method is by certificate, the original must be returned to the Historical Commission and a new certificate will be issued to the new owner. This procedure is required in order that the Historical Commission may at all times have a complete and accurate record of all owners. When a lot can be subdivided, a separate certificate for each subdivision must be issued. Any and all transfers of any lot or interment rights, whether by transfer or certificate or assignment or Purchase contract, are subject to all rules and regulations of this document which are now in full force and effect, or which may be hereafter adopted. The Metro Board of Parks and Recreation may refuse consent to a transfer, or assignment of lots or graves as long as there is any indebtedness due to the cemetery, or if for any reason the transfer or assignment does not conform to the rules and regulations in force at the time of the transaction.

CEMETERIES

5000.1 CITY CEMETERY

Lot owners who desire to authorize the privilege of future interments on their lots to others than those entitled to burial thereon, must file such instructions with Metro Historical Commission in writing, to be entered on the cemetery records. One not having a legal right thereto shall not be buried in any lot by written consent of the Metro Board of Parks and Recreation, the Metro Historical Commission, the owner of the record, or other persons entitled to consent thereto under the rules and regulations.

Upon the death of any owner, or part owner of a lot, the surviving spouse, or heirs or next of kin of such decedent, must file in the office of the Metro Historical Commission full information as to the survivors of such decedent, and the proprietorship of such lot, designating someone by name and address who will be in charge of said lot, or part of the lot. Such records protect the rights of those claiming ownership in the lots, and save time and trouble when future interments are ordered.

In the case of deceased lot owners whose descendants do not possess the certificate of ownership and whose wills do not provide specifically for the transfer of ownership, the descendants must provide proof of descendants and waivers of claim from other descendants who have equal legal claim.

INTERMENTS - DISINTERMENTS

No telephone orders for burial arrangements or grave locations will be accepted. The proper burial certificate required in all cases by the State Board of Health must be delivered to the Metro Historical Commission before any interment is made or any body deposited in any vault or tomb.

CEMETERIES

5000.1 CITY CEMETERY

INTERMENTS - DISINTERMENTS

A vault is to be used for interments. The work of interring and disinterring shall be done by licensed independent companies, with arrangements and payments for same to be made by lot owners.

Arrangements for opening and closing graves must be made at least two (2) working days before the funeral.

Only one person will be interred in any one grave, except in the case of a parent and infant child buried at the same time, or two (2) infant children buried at the same time, who may be interred in one casket in the same grave.

The rules shall apply to interment of cremated remains which shall be interred in proper spaces designated for graves. No more than three (3) persons shall be buried in each 10' x 10' lot.

No interment shall be allowed without the consent of the Metro Historical Commission. The Historical Commission may refuse to allow an interment on any lot for which the ownership has not been certified.

Before a grave is opened for interment or disinterment, an order signed at the office of the Metro Historical Commission is required from the lot owner of record, or someone duly authorized by the owner, or if the original purchaser is deceased than by his or her lawful heirs or next of kin, or the assignee or transferee of record.

CEMETERIES

5000.1 CITY CEMETERY

INTERMENTS - DISINTERMENTS

No disinterment or removal will be allowed without the consent in writing of the lawful custodian of the body to be removed, or the removal of bodies from the cemetery shall be done only upon written direction of the Metro Historical Commission.

Except in cases of urgent necessity, the Metro Historical Commission reserves the right to deny a permit for a funeral on a holiday. No interments, disinterments, or reinterments will be made on holidays.

All funerals will be subject to the direction and control of the Metro Historical Commission or one of their assistants in charge.

All workmen and builders on the cemetery grounds are subject to the control of the Metro Board of Parks and Recreation and must enter and leave the cemetery within the working hours of the cemetery employees.

Due to the age of the cemetery and the incompleteness of early records, it is possible that occupied graves are not marked. In such cases, where the opening of a grave reveals that the site is already occupied, the Metro Historical Commission reserves the right to designate burial in some other location within their lot to be agreed upon by the family of the deceased.

CEMETERIES

5000.1 CITY CEMETERY

GENERAL REGULATIONS

The general care of the entire cemetery grounds and lots is assumed by the Metropolitan Board of Parks and Recreation.

Monuments and memorials, trees, flowers, shrubs, plants, vases, ornaments or anything placed in the cemetery is so placed at the owner's risk. The Metro Board of Parks and Recreation will take precautions for the care of such, but it is in no way responsible for loss or damage of such articles. Funeral flowers will be removed from graves when they become unsightly.

The Metro Board of Parks and Recreation shall direct all improvements within the grounds and upon all lots and graves before as well as after interments have been made therein. They shall have charge of the planting, sodding, surveying and improvements generally.

The Metro Board of Parks and Recreation reserves the right to determine, establish, modify, alter, or change the grade of each and every lot, driveway, walkway, or part thereof, and it shall not be liable to anyone for such action.

The right is reserved by the Metro Board of Parks and Recreation to prevent the construction of, or to remove any structure, monument or other object which shall be considered unsightly or injurious to the immediate locality or prejudicial to the character or general appearance of the grounds, or which shall prevent the easy and proper care of graves or lots.

CEMETERIES

5000.1 CITY CEMETERY

GENERAL REGULATIONS

The Metro Board of Parks and Recreation also reserves the right to fill and sod sunken graves on neglected lots and do whatever is necessary for the care and good appearance of the lots and grounds.

All grading, landscape work, sodding or seeding and improvements of any kind, all care of lots, shall be done by the Metro Board of Parks and Recreation. All trees and shrubs and herbage of all kind shall be planted, trimmed, cut or removed by the Metro Board of Parks and Recreation.

For the purpose of making excavations or other such work, the Metro Board of Parks and Recreation reserves the right to use temporarily the adjoining lots or graves to receive such tools, derricks, and materials as may be required.

No trees, shrubs or flowers may be planted on, or removed from lots, without approval and permission of a duly authorized employee of the cemetery Florists, nurserymen and others not in the employ of the Metro Board of Parks and Recreation may, by the direction and approval of Parks and Recreation, plant and remove flowers, shrubs and trees.

The Metro Board of Parks and Recreation reserves the right to reject and decline to have planted any and all plants which in its opinion are diseased or injured or not in the good taste or in keeping with the general rules of the grounds, or are otherwise objectionable or unsuitable.

CEMETERIES

5000.1 CITY CEMETERY

GENERAL REGULATIONS

The Metro Parks and Recreation staff reserves the right to remove at any time without notice, any tree, shrub or plant, in whole or in part, whether growing on a lot or in the cemetery, when in its opinion, the same or its roots, branches or any other part thereof, is diseased, or is injurious or detrimental to any adjacent lot, road or walk, or renders access to any lot inconvenient or is otherwise objectionable.

The Metro Board of Parks and Recreation from time to time may lay out or alter such avenues or walks or section plans, or make such rules and regulations for the management of the grounds, as it deems requisite and proper to secure and to promote the general objectives of the cemetery.

No person other than the proper employees of the Metro Board of Parks and Recreation shall be allowed to perform any work or any grave or lot within the grounds without permission from the Parks and Recreation staff.

No person shall be allowed to produce any type movie, film, or commercial type filming within the cemetery.

No advertisement or sign of any kind shall be placed or kept on any lot or grave.

CEMETERIES

5000.1 CITY CEMETERY

GENERAL REGULATIONS

Only family type vehicles are allowed within the cemetery; no buses, trucks or other heavy vehicles. All vehicles used for interments and setting of monuments must be approved by the Metro Historical Commission. If a violation is made and damage is done to the cemetery, the Metro Board of Parks and Recreation has the right to recover the damaged expenses.

No urns, glass or wood boxes or houses, trellises, benches, trinkets, toys, baskets or ornaments will be allowed on any lot or grave; if so placed, the Metro Board of Parks and Recreation shall have the right to remove such objects without notice.

No enclosure of any kind, such as a fence, coping, hedge or ditch, shall be permitted around any grave or lot. Grave mounds will not be allowed and no lot shall be raised above the established grade.

Any unauthorized person found on the grounds after dark will be considered a trespasser. Fast and reckless driving of cars will not be permitted, and no person shall ride or drive upon the lawns.

All persons are strictly forbidden to break or injure any tree or shrub, or mar any landmark, marker or memorial, or in any way deface the grounds of the cemetery.

CEMETERIES

5000.1 CITY CEMETERY

GENERAL REGULATIONS

Permission must be obtained from the Metro Historical Commission for all activities to be held at the cemetery, including funerals, historical ceremonies, etc. Open hours of the cemetery shall be 7:30 am until dark, seven days per week.

MEMORIALS

No monument or gravestone shall be placed in the cemetery or removed from it without written permission of Metro Parks and Recreation, and same shall have no responsibility for, nor liable for anything that may happen to monuments and markers.

No change shall be made on a gravestone or monument without the permission of the Metro Historical Commission.

All monumental work must be of good quality reinforced concrete, granite, marble or standard bronze. No wooden markers are permitted. No mausoleums shall be built. The work of placing all monuments shall be done by licensed independent companies with arrangements and payments for same to be made by lot owners. The Metro Parks and Recreation Department reserves the right to prohibit the erection of any monument or structure and to remove any monument or structure considered undesirable or to be in violation of the rules and regulations.

Every monument or marker on the grounds must be approved by the Metro Historical Commission before it can be set in the cemetery; no temporary marker or memorial may be placed on any lot.

CEMETERIES

5000.1 CITY CEMETERY

MEMORIALS

Photographs shall not be placed on markers, monuments or other memorials. If any monument or marker, at any time, for any reason, becomes unsafe and unsightly, the Metro Board of Parks and Recreation may reserve such monument or marker, or repair same and the expense of removing or repairing said monument or marker shall be chargeable to and paid by the lot owner.

The Metro Board of Parks and Recreation disclaims any and all responsibility for loss or damage to monuments and markers from the acts of thieves, vandals, rioters, and malicious mischief makers, and from elements, including but not limited to winds, tornadoes, cyclones, hail, snow, frost and ice, whether such damage directly or indirectly results there from.

Special cases may arise in which the literal enforcement of a rule may impose unnecessary hardship. The Metro Board of Parks and Recreation, therefore reserves the right, without notice, to make exceptions, suspensions or modifications in any of the rules and regulations, when in its judgment, the same appears advisable, and such temporary exemptions, suspensions or modifications shall in no way be construed as affecting the general application of such.

Written permission must be obtained from the Board of Parks and Recreation to have any activities other than burials in the cemetery, i.e. picnics, any kind of ceremonies or any large tour group.