

RESOLUTION 383-97

Upon Motion of Commissioner Carlisle, and seconded by Commissioner Smith, the Tuscarawas County Board of Trustees designate the lands owned by the Board of Commissioners in Lawrence Township, Tuscarawas County, Ohio, and being the lands within the Ohio and Erie Canal and adjacent thereto, and the approximate 3.1 acre tract on the east side of the Tuscarawas River and West of the Village of Zoar, Lot 60, formerly owned by the Ohio Power Company, shall constitute the Canal Park.

It is further resolved that the attached Canal Park Rules shall be enacted governing use of the Canal Park and that the accompanying Summary of the Rules shall be published in the Times Reporter once each week for two consecutive weeks.

Mr. Smith – yes  
Mr. Winters – yes  
Mr. Carlisle – yes

Date: May 8, 1997

## RESOLUTION 383-97

### CANAL PARK RULES

Pursuant to Revised Code Section 755.13, the Board of Commissioners of Tuscarawas County, Ohio, has established the following rules regarding the use of the Ohio and Erie Canal lands owned by Tuscarawas County and located in Lawrence Township, Tuscarawas County, Ohio. These rules do not superseded any other federal, Ohio or local law or regulation related to the use of the Canal Lands.

**Hours of Usage:** No person shall be present on the lands included in the Canal Lands from one-half hour after sunset to one-half hour before sunrise, without first obtaining writing authorization from the Board of County Commissioners or an officer designated by the Board to issue such approvals, under terms established by the Board. This provision shall not prevent persons owning lands located between the easterly boundary of the Canal Lands and the Tuscarawas County River from crossing the Canal Lands and to enter or leave their lands.

**Adjacent Property:** Persons using the Canal Park Lands shall not enter onto lands owned by adjacent property owners without the consent of such adjacent property owners.

**Hunting; Use of Firearms, Weapons and Explosives:** No person shall engage in hunting of wildlife, nor shall any person engage in trapping, snaring or other means of capturing wildlife, on the Canal Park Lands. This provision shall not prohibit fishing in the Tuscarawas County River from the Canal Park Lands by persons holding valid fishing licenses issued by the State of Ohio.

No person shall use or possess while on the Canal Park Lands any firearm, pellet or similar gun using pressurized air or gas for propelling projectiles, explosive devices, fireworks, bow and arrow or other item whose primary use is as a weapon. No person

shall discharge a weapon so as to propel a projectile onto or across the Canal Park Lands. This provision shall not apply to law enforcement officers, game wardens or any other person specifically authorized by law or the Board of Commissioners to carry weapons while performing such person's duties while on lands owned by the County.

**Alcoholic Beverages; Drugs:** No person shall have in his or her possession beer or intoxicating liquor or any non-prescribed controlled substances while on the Canal Park Lands.

**Vehicles:** Motor vehicles shall not be permitted on the Canal Park Lands, except as follows:

- 1) Vehicles parked in designated parking areas;
- 2) Emergency vehicles while providing emergency services;
- 3) Use of public roadways within the Canal Park Lands;
- 4) Maintenance and construction vehicles while performing construction or maintenance on the Canal Park Lands;
- 5) Vehicles used by owners of lands between the Canal Park Lands and the Tuscarawas River, and persons authorized by such owners, to gain access to and use of their lands along the river, so long as such crossings are made in the most direct manner at points designated by the County for crossing. Neither the towpath nor the canal bed shall be used as a route for access to adjacent lands owned by private landowners.

No motor vehicles shall be parked over night on Canal Park Lands.

"Motor vehicle" means any vehicle, including manufactured homes and recreational vehicles, that is propelled or drawn by power other than muscle power, including but not limited to motorcycles and motor bikes, "all terrain vehicles, automobiles, busses, trucks, trailers and machinery used in agricultural production, construction or drilling.

**Animals:** No person who is the owner of or person in control of cattle, sheep, goats or other grazing animals shall permit such animals to graze on any portion of the Canal Park Lands. No person who is the owner or person in control of dogs, horses or other pets shall permit such animals to run at large on the Canal Park Lands. Horseback riders shall use parallel horse trails where provided.

**Littering and Dumping:** No person shall dispose, discard or deposit any waste, refuse, litter, automobile parts, hazardous substances, petroleum or solvents or any other kind of trash on any lands or in any waters within the Canal Park Lands, except for deposit into designated receptacles.

**Vandalism; Unauthorized Construction; Removal of Property.** No person shall knowingly or recklessly cause physical harm to any structures, constructions, pathways, trees or shrubbery, signs or natural features located on the Canal Park Lands.

No person, without the written consent of the Board of Commissioners or officer designated by the Board, shall cause to be made any excavations or construction on the Canal Park Lands. No person shall post any signs on the Canal Park Lands without the written consent of the Board of Commissioners or officer designated by the Board.

No person shall remove any wild animals, trees or other vegetation, archeological formations, structures or parts of structures, stone, minerals or any items of historical significance which may be located on the Canal Park Lands without the written consent of the Board of Commissioners or officer designated by the Board.

**Fires.** Fires shall be confined to areas designated and shall be contained in grills, stoves or other containers. Fires shall not be left unattended and must be completely extinguished prior to the users' departure.

**Commercial Activities.** No person shall engage in business or commercial activity on the Canal Park Lands without the written consent of the Board of Commissioners or officer designated by the Board.

**Penalties.** Whoever violates a rule established by the Board of Commissioners for use of the Canal Park Lands shall be fined not more than one hundred dollars. If the offender has previously been convicted of a violation of these Rules they shall be fined not more than five hundred dollars. All fines collected for any violation of these Rules shall be paid into the General Fund of the County Treasury.