

ARTICLE II.

Section 23-201 Violence At County Recreation Facilities Ordinance

1. The following definitions are used within this ordinance:
  - A. **County Recreation Facilities:** Any property owned, operated, or leased by Newton County for the purposes of recreation. This includes Newton County Board of Education property pursuant to agreement with the Newton County Recreation Department.
  - B. **Board:** The Newton County Board of Commissioners ("Board").
2. **Prohibited Acts.**

The following acts are prohibited by any person at Newton County Recreation Facilities:

  - A. Profanity or profane language that is sufficient to constitute a verbal attack on coaches, players, spectators, or sports officials.
  - B. Physical threats to coaches, players, spectators or sports officials.
3. **Disturbances and Violation of the Law – Penalties.**
  - A. *Any person committing a prohibited act in Section 23-201(2), causing a disturbance or engaging in any activity which shall unreasonably interfere with the use and enjoyment of a Newton County Recreation Facility ("County Recreation Facility") by citizens, or violating any ordinance of the County or law of the State shall leave the recreation facility upon notification by any field/gym supervisor or any law enforcement officer, and shall not return to any County Recreation Facility for a period up to seventy-two (72) hours as specified by the field/gym supervisor.*
  - B. *Any person suspended from County Recreational Facilities pursuant to Section 23-201(3)(A.) may appeal the decision of the field/gym supervisor to the Director of the Newton County Recreation Department ("Director") or his duly authorized representative on the next business day. Based on the record presented, the Director may approve or reduce the period of suspension.*
  - C. *In addition to the suspension pursuant to Section 23-201(3)(A.), the Director may bar for a period of up to sixty (60) days a person from any County Recreation Facility for committing a prohibited act in Section 23-201(2), causing a disturbance or engaging in any activity which shall unreasonably interfere with the use and enjoyment of the County Recreation Facility by citizens, or violating any ordinance of the County or law of the State.*
  - D. *Any person barred from County Recreation Facilities pursuant to Section 23-201(3)(C.) may appeal the Director's decision to the Newton County Recreation Commission. The Newton County Recreation Commission shall review the Director's decision at its next regularly scheduled meeting and issue its decision to approve or reduce the suspension within five (5) business days of the meeting.*
  - E. *In addition to the suspension pursuant to Section 23-201(3)(A.) and/or Section 23-201(3)(C.), the Newton County Recreation Commission may bar for a period up to six (6) months a person from County Recreational Facilities for committing a prohibited act in Section 23-201(2), causing a disturbance or engaging in any activity which shall unreasonably interfere with the use and enjoyment of the County Recreation Facility by citizens, or violating any ordinance of the County or law of the State.*
  - F. *Any person barred from County Recreational Facilities pursuant to Section 23-201(3)(E.) may appeal the Newton County Recreation Commission's decision to the Board. The Board shall review the Newton County Recreation Commission's decision at its next regularly scheduled meeting and issue its decision to approve or reduce the suspension within five (5) business days of the meeting.*
4. **Violence at County Recreation Facilities - Penalties.**
  - A. Any person found guilty of committing a prohibited act enumerated in Section 23-201(2) by a court of competent jurisdiction may be punished by a fine not to

exceed one thousand dollars (\$1000.00) or imprisonment for a period not exceeding sixty (60) days or both.

- B. Mandatory exclusion from county recreational facilities for:**
- (1) Any person who is convicted of a violent misdemeanor or felony at a recreation facility shall be excluded from participating in or attending any recreation event or activity at County Recreation Facilities for a minimum period of two (2) years or for the term of any sentence or probation service imposed by any court deciding a particular case, whichever is greater.
  - (2) Any person who is convicted of violating Section 23-201(2)(B) of this Ordinance shall be excluded from participating in or attending any recreation event or activity at County Recreation Facilities for a minimum period of 6 months.
  - (3) The above mentioned exclusions apply to persons involved in independent leagues using County Recreation Facilities.
  - (4) On recommendation of the Newton County Recreation Commission, the Board may, in aggravated cases, exclude a person charged with a misdemeanor involving violence or any felony from participating in or attending any recreation event or activity at County Recreation Facilities pending the outcome of a Court's determination of those charges.
  - (5) Any person excluded from participating or attending any recreation event or activity at County Recreation Facilities for any period of time and who is found to have violated this exclusion during that time shall be banned from participating in or attending any recreation event or meeting at County Recreation Facilities for life.

- 5. Reinstatement.** The following applies to reinstatement of recreation facilities privilege:
- A.** At the conclusion of the period of exclusion as set out above, an individual excluded from participating in or attending any recreation event or activity at County Recreation Facilities may petition the Board to have that individual's exclusionary status lifted. The Board when considering a petition for lifting the exclusionary status shall consider the nature and severity of the crime committed and shall not be obligated to lift the exclusionary status of any individual who, in the opinion of the Board, poses a threat to the safety and health of citizens using County Recreation Facilities.
  - B.** Any person who petitions and his or her exclusionary status is continued by the Board may petition again at the end of a one (1) year period for permission to attend and participate in events and activities at County Recreation Facilities.
  - C.** Nothing contained in this Ordinance shall imply that the Board is ever obligated to lift a person's exclusion from participating or attending recreation events and activities at County Recreation Facilities and, in appropriate cases, an individual may never be allowed to attend or participate at events and activities at County Recreation Facilities.
- 6. Independent Leagues.** All independent leagues using County Recreation Facilities shall:
- A.** Establish rules governing the conduct of players, coaches, and spectators while attending or participating in recreational activities at County Recreation Facilities in a form acceptable to the County and shall post or otherwise distribute those rules to all participants,
  - B.** Report any violations of County or league rules, policies, or regulations to the County Recreation Director or designate within 24 hours of occurrence with a written report by league officials within 72 hours of occurrence.

**APPROVED**  
**JULY 19, 2005**

**The Newton County Board  
of Commissioners**