

**AN ORDINANCE TO AMEND CHAPTER N OF THE CODE OF ORDINANCES OF  
THE TOWN OF ORIENTAL**

**ORDINANCE 2025-308**

THAT WHEREAS, the Manager recommends that amendments be made to Chapter N of the Code of General Ordinances of the Town of Oriental; and

WHEREAS, the Board of Commissioners deems it advisable and in the Public Interest to effect said revisions to Chapter N of the Code of General Ordinances of the Town of Oriental;

NOW, THEREFORE BE IT ORDAINED BY THE COMMISSIONERS OF THE TOWN OF ORIENTAL:

**SECTION 1.** that all of Chapter N be removed and replaced with:

**CHAPTER N – PARKS & RECREATION**

**ARTICLE 1 - GENERAL PURPOSE OF THIS ORDINANCE**

Oriental, North Carolina, (Town) is a friendly and welcoming waterfront community nestled among several creeks and the Neuse River in southeastern Pamlico County. The community’s vision is to preserve its waterfront personality by seeking to maintain historic access to the waterfront by commercial and recreational interests, and by supporting growth and development that is diverse, environmentally sensitive, economically sustainable, and consistent with the natural, historical and cultural character of Oriental.

Oriental Parks and Recreation Advisory Committee mission is to preserve, protect, maintain, improve, and enhance its natural resources, parkland, and recreational opportunities for current and future generations. Future development of parkland and recreational area will focus on underserved areas with the Town.

As of 2024 the following areas have been identified as future parkland and recreational areas: Mini Park located in the area of Midyette Street. Renovation of baseball field at the Recreation Park to include Pickleball Courts (4), Tennis Court, Half Basketball Court, and Pavilion. Future desire to link by path (walking/bicycle) the Town of Oriental with the Recreation Park and ultimately to the Dolphin Point neighborhood.

The intent of the Oriental Parks and Recreation Advisory Committee to address the needs of the Town’s Stakeholders: Residents (full and part time), Local Business, and Visitors.

**Section 1 – Purposes** - In compliance with the CAMA Land Use Plan, Growth Management Ordinance, and Oriental’s Long Range Plan.

- (a) *Open & Green Space*: To preserve the Town’s lands and public park lands as open space; and to protect recreational space by allowing uses which are compatible with the scenic values and natural setting of the Town.
- (b) *Park Protection and Regulation*: To recognize existing park sites and to designate and protect those locations designated by the Town Board for local park use, and to provide development and operation standards for such uses. To encourage future development of parks for under serviced areas of the Town’s population.
- (c) *Water Access*: To maintain and expand the public’s access to the water and water views. To ensure that future development and redevelopment include the public’s interest in preserving and expanding access to the harbor’s working waterfront, while also encouraging fishing, both commercial and recreational, as important elements of the local economy and traditional reflections of the Town’s heritage.
- (d) *Interconnections*: To develop pathways, trails and corridors that interconnect the town’s recreational facilities, parks, commercial areas and residential

neighborhoods. Expand Oriental's park space and recreational opportunities in established and future neighborhoods.

This Ordinance shall be effective within and upon all parks in the corporate limits of the Town of Oriental, and shall regulate the use thereof by all persons.

## ARTICLE 2 - DESIGNATION OF TOWN PARKS

### Section 1 - Background

Park Designation serves two purposes under the Town Code of Ordinances:

- *Primary Restriction:* A designated park may not be sold, leased (except as provided below), or otherwise disposed of without the approval of a majority of the registered voters voting in an election held by the Town of Oriental.
- *Allowed Uses:* A designated park may only be leased for park purposes. Concession licenses and privileges to sell goods in parks and recreational areas can only be granted in conjunction with special events. Cooperative agreements may be entered into by the Town with charitable and nonprofit entities or governmental entities with respect to the development of parks and recreational facilities, programs, and activities. Other lawful uses of parks may be authorized by revocable permits issued in accordance with policies and/or rules and regulations adopted by the Town of Oriental.

The standards established in this ordinance resulted from the analysis of existing conditions, user needs, demographic information, and the desire by the community to support a program of park development and recreational programming.

### Section 2 - Terms and Definitions Used

There are four (4) different Designated Park classifications; mini, neighborhood, community, and special facilities.

- (a) **Mini Parks (less than 2 acres):** A mini park is a facility designed to provide recreational opportunities for a small area within a neighborhood. Generally, a mini park is designed for young children, however in some cases it may be designed for aesthetic purposes. One half (1/2) an acre is the recommended minimum size to provide adequate buffer space and diversity of uses; however, in some cases smaller sizes may be developed. One or more mini parks should be provided in each neighborhood. Mini parks have an intended service area of .5 miles.

**(b) Neighborhood Parks (2-4 acres):** The neighborhood park is designed to serve the recreational needs of all residents. It would typically include family picnic areas, open turf areas for informal sports and play equipment. Lighted athletic fields would not be included. At least one neighborhood park should be provided in each neighborhood. Neighborhood parks have an intended service area of .5-1 mile.

**(c) Community Parks (4-10 acres):** A community park is designed to serve a wide variety of needs for youths and adults in both active and passive recreation. Facilities for sports fields, open turf areas, playgrounds, picnic areas, and off-street parking could include restrooms and other facilities. The park could also include facilities for preschoolers, young children, senior citizens, and families. Components of neighborhood parks and mini parks should be included in the community park. Community parks have an intended service area of 1-5 miles.

**(d) Special Facility:** A special facility is one that does not fit within other park definitions, such as an aquatic center, recreation building, gymnasium, teen center, senior center, public access to public waters, or other facility that serves a specific need for a portion of the population. These can be constructed as part of a neighborhood, community, or district park.

***Current Town of Oriental Parks***

<b>Name</b>	<b>Park Type</b>	<b>Acres</b>	<b>Service Area</b>
Lupton Park	Mini	0.871	.5mi
Lou Mac Park	Mini	0.50	.5 mi
Dog Park	Special Facility		
Recreation Park	Community	9.11	5 mi





## ARTICLE 3 - PARKS AND RECREATION CONSTRUCTION

### Section 1 – Fees

All fees associated with Town of Oriental building permits are waived if the Town will be both the construction entity and the remitting entity for any such fees, however, all plans are to be filed with required paperwork (Land Use Permit Application), as if the fee were applicable. (Article I, Section 7, Article IX, Section 122-123, Art II, Permissible Uses, and Art. IX, Sec 132.)

**Section 2 – Structures**

Restrooms, shade structures, playgrounds, performance platforms, storage sheds, and other structures necessary to the operation of Park and Recreation structures will comply with the requirements of the GMO.

**ARTICLE 4 - PARKS AND RECREATION MANAGEMENT**

**Section 1 – Managing Authority**

The Public Works department working with the Parks & Recreation Advisory Board will provide an environment that is safe and functional with appropriate and necessary services. They will manage the town's facilities and assets to preserve and protect the local environment, while linking together community and county assets, resources, activities and services.

**Section 2 – Permits**

The Town Clerk shall have the authority to issue permits, consistent with the rules and regulations promulgated by the Board for use of parks. Permits are not transferable.

A permit to do any act shall authorize the same only insofar as it may be performed in strict accordance with the terms and conditions thereof. Any violation by its holder or agents or employees of any term or condition thereof shall constitute grounds for its revocation by the Town Clerk, whose action therein shall be final.

In case of revocation of any permit, all monies paid for or on account thereof shall, at the option of the Town Manager, be forfeited to and be retained by the Town; 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 Town for all damages and loss suffered in excess of money so forfeited and retained; but neither such forfeiture and retention by the Town of the whole or any part of such monies nor the recovery or collection thereby of such damages, or both shall in any manner relieve such person or persons from liability for punishment for any violation of any provision of this Ordinance.

**Section 3 - Park Rules and Regulations**

**(a) Preservation of Parks:** No person shall willfully and intentionally remove, destroy, cut down, scar, mutilate, injure, take or gather in any manner any tree, flower, fern, shrub, rock, artifact or other plant or mineral in any park unless authorized by permit or as authorized in performance of Town employee/committee duties. No person shall willfully and intentionally in any manner injure, deface, disturb, destroy, or disfigure any part of any park or any building, sign, equipment or other property found therein.

**(b) Refuse and Rubbish:**

- (i) No person shall deposit in any part of any park any garbage, sewage, refuse, waste, fruit, vegetables, foodstuffs, boxes, tin cans, glass, crockery, paper, or other litter or other waste material or obnoxious material, except in the containers designated for such purpose.
- (ii) No person shall, in the streams, lakes, or other water features of any park, bathe dogs or other animals, wash vehicles or clothing, or throw, cast, lay, drop, or discharge into or leave in the streams, lakes, or other water features of the park or in any storm sewer or drain flowing into said waters, any substance, matter or thing, liquid or solid, which may or will result in the pollution of said waters.

**(d) Traffic and Parking:**

- (i) No person shall drive a vehicle in any park within or upon a safety zone, walking path, bridle path, bicycle trail, jogging trail, fire truck trail, service road or any part of any park not so designated for vehicular traffic, nor in an area or on a road or trail marked for authorized vehicles only.
- (ii) No person shall operate any go-cart or mini bike or moped at any location within any park other than such places, if any, as are specifically designated for such purposes, except that regularly licensed vehicles and operators may have access to streets and roadways within parks to the same extent as public streets, subject to the traffic rules of this Ordinance and State law.
- (iii) No person shall ride a bicycle on other than the right-hand side of a paved vehicular road or bicycle trail designated for that purpose; or fail to keep in single file when two or more bicycles are operating as a group. A bicyclist shall be permitted to wheel or push a bicycle by hand over any paved area reserved for pedestrian use.
- (iv) No person under the age of sixteen (16) years shall operate a bicycle or ride as a passenger on a bicycle or operate a skateboard or rollerblades as may be permitted on park property without wearing a protective helmet, nor shall a parent or guardian allow their child or ward to so operate or ride a bicycle, skateboard or rollerblades without wearing a protective helmet. Such helmets shall meet or exceed the safety standards set by the American



National Standards Institute or the Snell Memorial Foundation.

- (v) No person in a park shall fail to comply with all applicable provisions of the motor vehicle laws of the State and ordinances of the Town in regard to equipment and/or operation.
- (vi) No person shall ride a skateboard on other than the right hand side of a paved vehicular road or bicycle trail designed for that purpose. No person may ride a skateboard within any area designated for skateboard use without wearing a helmet, elbow pads, and knee pads. Such helmets shall meet or exceed the safety standards set by the American National Standards Institute or the Snell Memorial Foundation. The Director shall post at any facility or area designed for skateboard use (including areas that might be known as a "skateboard park") signs affording reasonable notice that any person riding a skateboard in the facility or area must wear a helmet, elbow pads, and knee pads, and that any person failing to do so will be subject to citation under this Ordinance.
- (vii) No person shall fail to obey police officers, Town staff or other persons designated by the Town to enforce this Ordinance regarding traffic direction in a park.
- (viii) No person shall fail to observe and comply with all traffic and park regulatory signs, including but not limited to those indicating speed, direction, caution, stopping or parking.
- (ix) No person shall drive a vehicle in a park in excess of the posted speed limit.

**(e) Camping:** No camp shall be maintained in any park except under permit, and under such conditions, at such places, and for such periods as may be designated for specific events. See GMO Article VII Section 135.

**(f) Sports and Games:**

- (i) No sport or athletic contest shall be allowed except in areas designated and posted for that activity; nor shall a person play rough or comparatively dangerous games such as football, baseball, or golf except in those areas designated for such activity.
- (ii) Bicycle riding, roller blading, roller skating, and skateboarding shall be conducted in a safe manner, in areas and at times which do not create a traffic hazard or a hazard to pedestrians. The Director shall have the authority to temporarily or permanently close sidewalks, footpaths or other areas to bicycle riding, roller blading, roller skating and skateboarding if necessary to prevent creation of a traffic safety hazard or conditions hazardous to pedestrians.

(iii) No person shall use, ride, walk, or drive a horse except to, from, or along a bridle path or other area designated for such use.

(iv) Pets in parks shall be attended and controlled by the owner, shall have all valid and current required vaccinations, and the owner will promptly clean up after and properly dispose of all pet waste.

**(g) Wildlife:** No person within the confines of any park shall hunt, pursue, trap, shoot, injure, kill, harass or molest in any way, any bird or animal. See General Ordinance, Chapter H Article II Section 6.

**(h) Weapons, Explosives, Fires:**

(i) No person except duly authorized local, state or federal law enforcement officers, and duly authorized county employees or officers shall discharge any type of firearm, explosive device, air guns of any description (BB guns, paintball guns, pellet guns etc.), or use any deadly weapon as defined in the North Carolina General Statutes within any park.

(ii) No person shall kindle, build, maintain or use a fire other than in places provided or designated for such purposes. Any fire shall be continuously under care and direction of a competent person over sixteen years of age from the time it is kindled until it is extinguished. No person within the confines of any park shall throw away or discard any lighted match, cigarette, cigar, or other burning object unless entirely extinguished before thrown away or discarded.

**(i) Alcohol:** It shall be unlawful for any person to possess an open container of any alcoholic beverage on property subject to the jurisdiction of this Ordinance.

**(j) Conduct:**

(i) No person in a park shall willfully and intentionally disobey a lawful order of a law enforcement officer, park personnel or volunteers authorized to enforce this Ordinance, nor use abusive, profane or insulting language; nor unreasonably disturb or annoy others; nor be under the influence of intoxicants; nor do any act tending to or amounting to a breach of the peace nor conduct himself in any disorderly manner whatsoever.

(ii) No person shall enter an area posted as "Closed to the Public," nor shall any person use or abet the use of any area in violation of posted notices.

(iii) No person shall lie or sleep in a prone position on tables or benches.

- (iv) No person shall construct or erect any structure, of whatever kind, whether permanent or temporary in character, or run or string any public service utility into, upon or across such park lands.
- (v) No person shall climb, stand or sit upon monuments, planters, vases, fountains, railings, fences, or upon any other property not designated or customarily used for such purposes.
- (vi) No person shall leave a bicycle, scooter, or skateboard lying on the ground or paving, or set against trees, or in any place or position where other persons in the park may trip over or be injured by it.
- (vii) No person shall force entry into any restroom or washroom that is locked or bolted.

**(k) Advertising:**

- (i) No sign, notice or advertisements of any nature shall be erected or posted at any place within any park without the permission in writing from the Town Clerk and in conformance with all applicable zoning regulations.
- (ii) Unless an area is specifically reserved for a person by the Town Clerk, areas such as picnic shelters and ballfields may be used or occupied on a "first come, first served" basis.
- (iii) No person shall refuse to vacate a reserved area, such as a picnic shelter or a ball field, which has been properly reserved by another person.
- (iv) No person shall continue to occupy a reserved area beyond the time limitation of his reservation if there is another person with a valid reservation waiting to use the area.

**Section 3 - Hours and Charges**

Parks are open for use from dawn until dusk, except for special events, which may be permitted in parks at other times. It shall be unlawful for any person to fail to leave a park prior to the posted closing time for that park. No person shall enter an area posted as "Closed to the Public" or where the entrance gates are closed, or enter a park after the posted closing time for that park, to include all attached parking areas to any park.

Any section or part of a park may be declared closed to the public by the Town Manager at any time and for any period of time as the Manager deems in the best interest of the public.

Special events hosted at Parks shall be permitted by filing a request through the Town Clerk's office, denoting the organizer, purpose, hours, requested closure of streets,

additional services requested from the Town, responsible party and contact number, and other information as may be required by the Clerk.

#### **Section 4 - Enforcement**

Duly sworn law enforcement officers with jurisdiction within the Town of Oriental, and the Town Manager shall have the duty and responsibility to enforce this Ordinance and shall be empowered to issue citations when, in their judgment, any provisions of the Ordinance have been violated.

Each such person receiving a citation may, within 72 hours of the time when issued the citation, submit to the violation and pay, as a penalty in full satisfaction of such violation, the sum or sums set out in this Ordinance. Failure of such person to make such payment of said amount within 72 hours shall render such persons subject to punishment for a misdemeanor.

Any violation of this Ordinance shall be a misdemeanor punishable by the Courts by fine up to \$500.00.

Sever-ability: If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unlawful, such decision shall not affect the validity of the remaining provisions of this Ordinance.

### **ARTICLE 5 – PARKS & RECREATION COMMITTEE**

**Mission:** The Oriental Parks and Recreation Advisory Committee will work to preserve, develop, protect, maintain, improve, and enhance its natural resources, parkland, and recreational opportunities for current and future generations.

The Oriental Parks and Recreation Advisory Committee seeks to provide places and recreation opportunities for all people to gather, celebrate, contemplate, and engage in activities that promote health, well-being, community, and the environment.

**Vision Statement:** The Oriental parks and public recreational facilities are premier destinations which welcome and captivate residents and visitors. These facilities and their beauty are part of daily life and shape the character of Oriental. Natural, cultural, artistic, historical, and recreational resources cultivate outstanding experiences, health, enjoyment, fun, and learning for all people. They should be sustainable, well-maintained and safe, and meet the needs of individuals, families, and the community.

The intent of the Oriental Parks and Recreation Advisory Committee to address the needs of the Town's Stakeholders: Residents (full and part time) Local Business, and Visitors. The focus on preserving land continues, with a strong emphasis on connecting people to

the environment. Aware of its value to their lives, residents are proud stewards and supporters of our parks and waterfront.

**We apply the following values to all of our work:**

**Sustainability** Meet current park and recreation needs without sacrificing the ability of future generations to meet their own needs by balancing environmental, economic, and equity concerns.

**Visionary Leadership** Respect the vision and leadership that built the parks and recreation system and recognize the need for ongoing leadership in achieving excellence.

**Safety** Work to support a thriving safe environment and an outstanding recreational experience.

**Responsiveness and Innovation** Anticipate and thoughtfully respond to the diverse needs of the community, continually seeking ways to better deliver park and recreation services.

**Independence and Focus** Independence allows the Oriental Parks and Recreation Advisory Committee to focus on providing and obtaining the resources necessary, with approval from the Town Commissioners, to accomplish its mission and form effective, responsible partnerships.

**Section 1 - Composition**

There is hereby created an Oriental Parks and Recreation Advisory Committee composed of 10 citizens ( full time residents, Oriental business owners, or residents of Pamlico County). Two non-voting Commissioner Liaison(s) from the Oriental Town Board of Commissioners.

**Section 2 - Duties**

The Parks and Recreation Advisory Committee (hereafter named “the Committee”) shall serve as the advisory body for the Town of Oriental. The Committee shall make recommendations on parks and recreation improvements needed to ensure safety and quality of life. The committee shall advise in the acceptance of any grant, gift, bequest or donation, any personal or real property offered or made available for recreational purposes.

**Section 3 - Appointment and Terms**

Each member of the Committee shall be appointed by the Town of Oriental Commissioners. The Chairperson will be appointed to serve for 2 years and will act as

the secretary. Committee members shall serve 5 year terms. The Commissioners' Liaisons shall serve on the Committee concurrent with his/her term of office.

#### **Section 4 - Frequency of Meetings**

Committee meetings will be held once a month. The Chairperson, or the Commissioner's representative, may call a special meeting at any time giving each member, and the local media, at least 24 hour notice. A quorum of the Committee shall be in attendance before action of an official nature can be taken.

#### **Section 5 - Absences**

An appointed member who misses more than three (3) consecutive meetings, loses his/her status as a member of the committee until reappointed or replaced by the Town Commissioners. Absences of which the Committee has received prior notification, or due to sickness, death, or other emergencies of like nature, shall be regarded as approved absences and shall not affect the member's status on the Committee except that the event of a long illness, or other such cause for prolonged absences, the member may be replaced.

#### **Section 6 – Compensation**

Committee members shall serve without monetary compensation. Members shall be reimbursed for travel and subsistence to professional recreation meetings, workshops, or conferences pre-approved by the Commissioners or the Town Manager.

#### **Section 7 – Chairperson**

The Committee Chairperson shall preside at all meetings and sign all documents relative to the action taken by the Committee. The Chairperson shall appoint all subcommittees deemed necessary. When the Chairperson is absent, a temporary Chairperson shall be selected by those members who are present.

**SECTION 2.** This Ordinance shall be effective as of 1 January, 2025.  
Adopted this 14<sup>th</sup> day of January, 2025.

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Sally Belangia, Mayor

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Diane H. Miller, Manager/Clerk