

RESOLUTION NO. _____

MUNCIE PARKS AND RECREATION BOARD, MUNCIE, INDIANA

A RESOLUTION TO AMEND PRAIRIE CREEK RULES AND REGULATIONS

WHEREAS, the Muncie Parks and Recreation Board (“Board”) is designated as the park authority for the City of Muncie, Indiana pursuant to I.C. 36-10-5-2;

WHEREAS, the Board has the authority to adopt rules and regulations concerning the laying out, improvement, preservation, ornamentation, and management of parks pursuant to I.C. 36-10-5-2;

WHEREAS, the Board discovered a discrepancy within the existing Prairie Creek Reservoir Rules and Regulations. Specifically, while the current provisions prohibit the subleasing of campsites, they do not extend the same prohibition to the subleasing of docks;

WHEREAS, the Board seeks to modify the Prairie Creek Reservoir Rules and Regulations to expressly forbid the subleasing of both docks and campsites;

NOW, THEREFORE, BE IT ORDAINED BY THE MUNCIE PARKS AND RECREATION BOARD OF MUNCIE, INDIANA AS FOLLOWS:

Section 1. That the Prairie Creek Reservoir Rules and Regulations are amended as follows:

PRAIRIE CREEK RULES AND REGULATIONS

I. GENERAL PARK RULES

The General Park Rules for Prairie Creek Reservoir apply to all individuals on the property the City of Muncie leases from Indiana American Water located at Prairie Creek Reservoir (the “park”). The general park rules are as follows:

1. Park Property:

- a. No person shall write on, cut, mutilate, or deface in any manner any building, fence, bench, masonry, statute, ornament, tree, or utilities within the park.
- b. No person shall pull, pluck, break, or touch any flowers or fruit; cut down, girdle, or break down any sapling, tree, shrub, or plant handle or injure any trees, flowers, shrubs, or plants whatsoever, or limbs, twigs, or leaves thereof; or climb any tree in any public park.

- c. No person other than an employee shall bring into any park any tree, shrub, or plant, or any newly-plucked branch or portion of a tree, shrub, or plant.
 - d. No person shall go upon the grass, lawn, or turn of any park where signs inscribed “keep off the grass” have been posted by the Prairie Creek Staff.
 - e. No person shall paint, post, or otherwise affix any bill, notice, sign, or other paper upon any structure or thing within the parks, or upon any of the gates or any part of the gates enclosing the park.
 - f. No person shall attach a swing to any tree within any park without the express written consent of the Prairie Creek Staff.
 - g. Park opens at 5am
 - h. Park closed at 11pm
2. Transportation:
- a. No person shall ride or drive a bicycle, automobile, golf cart, or ATV upon the grass, footways, or any place other than on the roads; however, a handicapped person as defined in section 77.30 of the Muncie City Code, having first obtained a permit from the Board of Public Works, may be exempt from this exclusion so long as the individual can drive and park without damaging the pathway or grassy areas.
 - b. The speed limit for all authorized vehicles is 10 mph.
 - c. All operators of bicycles, skateboards, rollerblades, automobiles, golf carts, and ATVs shall yield to pedestrians.
 - d. No bike riding, skateboarding, or rollerblading after dark.
 - e. Lease holders are not entitled to parking spaces near their docks. Parking places near docks are not included within a dock lease. Parking is only allowed within designated areas. Vehicles parked outside of these areas not following city and county ordinances are subject to fines and removal.
3. Alcohol & Illegal Substances:
- a. No person shall possess, distribute, or sell any alcoholic beverage or illegal substance into the park. *Muncie City Ordinance Section 95.09.*
 - b. No intoxicated person shall be permitted within the park.
4. Children & Curfew:
- a. All children staying at a campsite at the campgrounds under the age of eighteen (18) must be at their campsite by 11:00 p.m. (“Curfew”).
 - b. All children under the age of eighteen (18) must be accompanied by a parent or guardian when out past curfew.
 - c. Parents and/or legal guardians are responsible for the actions of their children including vandalism, abusive language, behavior, etc.
5. Trash and Dumping:
- a. No dump of outside items on park property or in dumpsters designated for use while on site
 - b. Trash receptacles are emptied on a weekly basis. No outside or large debris is permitted to be dumped in PCR receptacles. Permitted use of the sanitary receptacles is restricted to lease holders only.
 - c. Burning of trash is strictly prohibited.

- d. No person shall place, deposit, or permit to be deposited in any unsanitary manner upon public or private property below the high-water line of the Prairie Creek Reservoir any sewage, garbage, waste materials, or waste paper.

6. Miscellaneous:

- a. No person shall discharge or possess any firearm within the park without express written permission from Prairie Creek Staff **and** the Indiana Department of Natural Resources.
- b. No person shall use profane, obscene, threatening, or abusive language, fight, throw any stone, projectile or missile, behave in any act of molesting, interrupting, hindering, agitating, or arousing from a state of repose or otherwise depriving campers or guest of the peace and quiet to which they are entitled or improper manner, or commit any offense against decency or good morals in the park.
- c. No person shall beg, tell fortunes, or play at any game of chance or with any instrument of gaming in the park. Gambling and playing cards in any form are prohibited in the park.
- d. Public nudity or any type of public sexual activity on park grounds is expressly prohibited.
- e. Prairie Creek Reservoir reserves the right to close the campgrounds, park, reservoir, etc. on a temporary basis if needed, for the health and safety of the public at any time.
- f. Smoking is prohibited within 8 feet of a public building.
- g. All piers and watercraft are strictly off limits to anyone other than the registered owner(s).
- h. Leased campsites are off limits to anyone other than the lessee or their designated guests.
- i. All campers and guest will be responsible for adhering to Prairie Creek's designated quiet hours for the park daily between the hours of 11:00 p.m. and 7:00 a.m. Excessive noise at any hour of the day, especially if it is prolonged will not be tolerated.
- j. Prairie Creek and the City of Muncie assumes no liability for accidents.
- k. Contact the Prairie Creek Office to report any violation of these rules that does not constitute a need for emergency services or assistance from law enforcement.
- l. Fireworks are prohibited at all times; however, the City of Muncie may opt to conduct an annual 4th of July fireworks show at its discretion.
- m. Introduction of security devices including but not limited to trail cameras and personal security cameras cannot extend beyond the current leaseholder's site. Law enforcement can request footage at any time during the season.
- n. Swimming is only permitted at beach or only when authorized by Prairie Creek Staff. Swimmers outside of the designated area are under the jurisdiction of the Indiana Department of Natural Resources and state-specific boating safety requirements are to be followed.
- o. All Federal, State and Local laws and rules apply.
- p. In the event an individual is evicted from a campsite or dock under order from a Delaware Circuit Court, said individual shall not be offered a renewal of any campsite

or dock lease. Any evicted individual may be added to the lottery for open campsite and dock leases after two (2) years from the date of the eviction order referenced above.

- q. Violators of Prairie Creek rules and regulations may be subject to trespass at the discretion of Prairie Creek. Trespassers are strictly prohibited from returning to the park premises.

II. CAMPGROUNDS

General Campground Rules

1. Registration & Fees:

- a. Registration is required by the person renting the campsite. The renter is responsible for the campsite, including all campers and visitors staying at the campsite.
- b. In the event of a cancellation, no refund will be given. Campers will have the option to reschedule their visit. Please see the Prairie Creek Office for cancellations and rescheduling.
- c. All campsite fees must be paid in advance and prior to set up of campsite.
- d. Move in time is 3pm
- e. Move out time is 11am
- f. Campers not moved out by designated time will be subject to removal and/or towing at the campers' expense.

2. Campsites:

- a. One (1) camper/RV per each campsite.
- b. Additional tents on a campsite must be approved in writing by the Prairie Creek front office.
- c. Two (2) tents per campsite in the designated primitive campground.
- d. Eight (8) people is the maximum number of overnight campers per campsite.
- e. Campers under the age of eighteen (18) must be accompanied by an adult.
- f. Trailer parking is not permitted at campsites. Trailers may be parked in the designated parking area with a strict limit of 72 hours. Violators shall be towed at the owner's expense.

3. Reporting & Alterations:

- a. Campers and visitors are to call emergency services in the event of physical violence, illegal substances, discharge of firearms, etc.
- b. No alterations are to be made to the grounds or to the campsite without express written permission from the Prairie Creek Staff and the City of Muncie Parks Board. This includes, but is not limited to, alterations to the service poles, breaker boxes and burial of electrical conduit or wiring, addition of gravel, drainpipes, railroad ties, decks, and outbuildings.

4. Fires:

- a. All campfires must be contained in a fire ring or a fire pit. All campfires must be extinguished immediately after use.
- b. Wooden pallets are strictly forbidden to be used as firewood.

5. Golf Carts & ATVs:

- a. There will be no more than two (2) golf carts/ATVs per campsite.
- b. All golf carts and ATVs must be registered with the Prairie Creek Office.
- c. All golf cart and ATV owners must sign a liability waiver on an annual basis.
- d. Operators of golf carts and ATVs must possess a valid driver's license. There are no exceptions to this rule.

- e. Any golf cart or ATV used on the premises after dark must be equipped with lights.
 - f. All golf cart and ATV operators must follow all speed limits and direction of traffic flow within the park.
 - g. Golf carts and ATVs operated on Prairie Creek Reservoir property must maintain liability insurance.
 - h. All daily campers shall pay \$5.00 per day for each golf cart and ATV used on the park premises.
 - i. Prairie Creek is not responsible for damaged or stolen golf carts and/or ATVs.
 - j. Reckless driving will not be permitted, especially after quite hours.
 - k. No drinking of alcoholic beverages or driving a golf cart or ATV while intoxicated.
 - l. Failure to comply with all golf cart and ATV regulations will result in revoked privileges up to the loss of campsite rental with NO refund.
6. Pets:
- a. Pets are the responsibility of the owner(s).
 - b. Owners are responsible for cleaning up after the pet(s) anywhere within the campgrounds.
 - c. All pets must be on a leash and attended to at all times.
 - d. Fenced dog kennels are not permitted.
 - e. Pets are not permitted in the bathhouse at any time.
 - f. Pets must be up to date on all vaccinations. Owners may be required to present proof of up-to-date vaccinations upon request by Prairie Creek Staff.
 - g. Pets shall be well behaved, child friendly, non-aggressive, and not excessively noisy.
7. Miscellaneous:
- a. Horses and/or horse trailers are only permitted at Indian Hills Campground.
 - b. Indian Hills Campground is designated for horse camping only.
 - c. Campers are responsible for cleaning their campsite and disposing of the trash in the provided receptacles.
 - d. Boat trailers are not permitted to be parked on a campsite. They must be parked in the overflow parking area on the north side of the campground. There is a 72-hour maximum limit on leaving any vehicle in this area. All trailers and vehicles in the overflow must have license plates and be registered with the BMV.
 - e. The registered camper/trailer is the only item that is permitted to be plugged into Prairie Creeks electrical box. "Cheater boxes" or any similar equipment are STRICTLY prohibited. Anything that needs electricity must be plugged into the camper.
 - f. No limit to the amount of grills per campsite; however, any broken or non-functioning grills must be removed from the campsite within seven (7) days.
 - g. It is not permitted to bury electrical or water lines.
 - h. All Prairie Creek lease holders and their guests must comply with the Prairie Creek rules and regulations at all times on the park premises. All lease holders shall be responsible for the conduct of their guests and shall ensure their guests comply with all the Prairie Creek rules and regulations. A written notice of violation of any of the rules and regulations at Prairie Creek shall constitute a default by the lease holder,

and the lease holder shall be subject to eviction in accordance with the terms of their lease.

Seasonal Campgrounds

8. Occupancy and Ownership:

- a. The title holder of the camper/RV must be on the lease for the campsite in order for the camper/RV to park on the campground.
- b. Subleasing of the campsite is strictly prohibited.
- c. Address/Phone number must be current and remain on file with the Prairie Creek Office. Lease holders are responsible for updating the address/phone number on file with the Prairie Creek Office in the event of any changes.
- d. Lease holders shall obtain express written consent of the Prairie Creek Staff **and** Parks Board in order to transfer or exchange the campsite. Transfers may only be made to immediate family members. Said transfer shall only be permitted once per year.
- e. In the event a camper/RV is sold, the campsite does not transfer to the new owner of the camper/RV.
- f. No more than one (1) seasonal campsite per person is permitted.
- g. Sites shall be completely vacated at the end of the lease agreement term. Any items left on the site after the end of the lease agreement term shall be removed at the owner's expense; however, if the owner has a valid storage lease and has paid his/her fee prior to the expiration of the lease agreement, the items may remain on the site.
- h. Any site that does not have a renewal lease shall be available to the public through an "Available Property" lists. Participants are selected from the "Available Property" list for a lease through random selection. Participants that have been evicted from their leased properties are not eligible to be added to the "Available Property" for the current season. Previously evicted tenants may be eligible to apply for a future lease in the subsequent year pending the reason of their eviction.
- i. Winter storage may be offered on an annual basis. Camp office will provide notice of availability by September 15th for the coming winter. Notwithstanding emergency repairs or maintenance.

9. Structures:

- a. No permanent structures may be erected.
- b. No structure thirty (30) inches above the ground level is permitted.
- c. Perimeter Fencing is not permitted.
- d. One (1) seasonal canopy per campsite is permitted. The canopy shall not exceed 10'x20' and shall not infringe upon neighboring campers.
- e. No additions shall infringe on other campers' campsite or views. In the event an addition infringes on another camper's campsite or views, Prairie Creek Staff will give the camper in violation a written notice of violation. The camper in violation has 24 hours to come into compliance with these rules.
- f. Decks are permitted but must be portable. They cannot be inserted into the ground. The max size for a deck is 144 sq. ft. They are not permitted to have roof made of wood or other similar material. The deck must still leave room for parking for a

vehicle and leave the 1-foot parameter around the campsite. It also cannot restrict access to the electrical box or water spigot.

- g. Tents in the seasonal camping area must comply with the terms of the Prairie Creek Reservoir lease of the campsite and state, federal and local laws.

10. General Rules:

- a. There must be at least one (1) foot of walking space around the camper/RV, deck, etc.
- b. No appliances shall be kept outside of the camper/RV.
- c. All campsites will be leased at the discretion of Prairie Creek Reservoir on a seasonal basis.
- d. Lease holders who are evicted from Prairie Creek Reservoir the lease holder's site shall be added to the list Available Properties.
- e. Lease holders shall not utilize the site as their permanent address, voting address, or other place of residence.
- f. Lease holders shall maintain liability, fire, wind and other hazard insurance coverage on their unit and personal property located on the campsite.

11. Miscellaneous

- a. Campsite lease holders shall pay the full rent due for their leased premises by the end of business on March 31st of each year. Rent payments will be accepted from April 1st each year through the end of the business day on April 5th each year. Rent payments made after March 31st each year, but before April 6th each year, shall be subject to a late charge. No rent payments will be accepted after the close of business on April 5th of each year. Failure to pay rent by April 6th of each year shall be considered a lease default, and the campsite shall be entered into the lottery at that time.

Daily Campgrounds

12. General Rules:

- a. Campers and all guests must be respectful to the people and property around them.
- b. Daily campsites are available during the camping season: April 1st through October 31st.
- c. Daily RV campers are limited to a stay not to exceed fourteen (14) days in a thirty (30) day period.
- d. Daily primitive (campsites with no amenities i.e., Electricity, running water.) campers are limited to a stay not to exceed seven (7) days in a thirty (30) day period.
- e. Subleasing of sites, tents, trailers or RVs is strictly prohibited.

III. BOATING & DOCKS

1. General Rules:

- a. All of the state boating laws enacted by the Indiana General Assembly are in full force and effect as to all activities on the Prairie Creek Reservoir.
- b. All motor crafts must have current registration numbers and stickers.
- c. Boat operators must possess a valid driver's license or Indiana Boaters License.
- d. One (1) USCG (U.S. Coast Guard) approved wearable personal flotation device is required for each person on board.
- e. Boats longer than sixteen (16) feet (except canoes and kayaks) must have a USCG approved Type IV "throw able" PFD on board.
- f. The speed limit at Prairie Creek Reservoir is twenty (20) mph as per 312 IAC 5-9-4-b.
- g. The hours between sunset and sunrise, the speed limit is reduced to ten (10) mph. "Idle speed" only within 200 feet of the bank.
- h. There is no limit on motor size/horsepower.
- i. Fishermen born before April 1, 1943 or under the age of eighteen (18) do not need a fishing license. All others must purchase a state fishing license from the Department of Natural Resources. These can be purchased online (www.in.gov/dnr), at most sporting goods stores.
- j. Trot Lines and limb lines are not permitted.
- k. A daily or yearly permit must be purchased for bank fishing or boat launching. These can be purchased during business hours at the Prairie Creek Park Office. After house, use the "self-check-in" on the east side of the Prairie Creek Park Office.
- l. Jet skis are strictly forbidden at Prairie Creek Reservoir.

2. Waste/Pollution:

- a. The operation of any boat or craft on the waters of the reservoir shall be done in a manner as to prohibit throwing, discharging, or depositing any refuse matter of any kind (including trash, garbage, oil, and other liquid pollutants in or about the waters.
- b. The operators of the craft shall not pollute the waters by discharging any material amount of oil or polluting liquid or solid tending to make the water unwholesome or unfit for water supply purposes or injurious to the aquatic life therein.

3. Tubing:

- a. Tubing is allowed SOUTH of Huffman Creek ONLY as per 312 IAC 5-9-4(c)
- b. Tubing requires at least three (3) people: the driver, the spotter, and the person tubing
- c. Wakeboarding/Knee Boarding are permitted in the tubing area, all speed limits for Prairie Creek shall apply at all time.
- d. Water skiing is forbidden at Prairie Creek Reservoir

4. Docks/Piers:

- a. No more than two (2) docks shall be leased in an individual's name.
- b. Subleasing of the dock is strictly prohibited.

- c. Address/Phone number must be current and remain on file with the Prairie Creek Office. Leaseholders are responsible for updating the address/phone number on file with the Prairie Creek Office in the event of any changes.
- d. Leaseholders shall obtain express written consent of the Prairie Creek Staff **and** Parks Board in order to transfer or exchange a dock. Transfers may only be made to immediate family members. Said transfer shall only be permitted once per year.
- e. In the event a boat/watercraft is sold, the dock does not transfer to the new owner of the boat/watercraft.
- f. Docks shall be completely vacated at the end of the lease agreement term. Any items left on the dock after the end of the lease agreement term shall be removed at the owner's expense.
- g. Any dock that does not have a renewal lease shall be available to the public through an "Available Dock" list. Participants are selected from the "Available Dock" list for a lease through random selection. Participants that have been evicted from their leased properties are not eligible to be added to the "Available Dock" list for the current season. Previously evicted tenants may be eligible to apply for a future lease in the subsequent year pending the reason of their eviction.
- h. All docks are privately leased. All others are considered trespassers.
- i. Dock trespassers shall not launch, dock, or moor a watercraft or other floating device on any dock at Prairie Creek. Violators of this provision shall have their watercraft removed from the water and Prairie Creek shall dry dock the watercraft at the owner's expense.
- j. Dock lease holders shall pay the full rent due for their leased premises by the end of business on March 31st of each year. Rent payments will be accepted from April 1st each year through the end of the business day on April 5th of each year. Rent payments made after March 31st each year, but before April 6th of each year, shall be subject to a late charge. No rent payments will be accepted after the close of business on April 5th of each year. Failure to pay rent by April 6th of each year shall be considered a lease default, and the dock shall be entered into the lottery at that time.
- k. All Prairie Creek lease holders and their guests must comply with the Prairie Creek rules and regulations at all times on the park premises. All leaseholders shall be responsible for the conduct of their guests and shall ensure their guests comply with all of the Prairie Creek rules and regulations. A written notice of violation of any of the rules and regulations at Prairie Creek shall constitute a default by the lease holder, and the lease holder shall be subject to eviction in accordance with the terms of their lease.

IV. TRAILS

1. ATV Trails:

- a. The ATV trails are open during daylight hours only. No street licensed vehicles are allowed on the trails (No Jeeps, trucks, etc.).
- b. A permit (daily or yearly) is required to use the trails. The permit can be purchased at the Prairie Creek Park Office.
- c. All ATV trail users are required to sign a Liability Waiver and keep a copy on file with the Prairie Creek Park Office.
- d. All vehicles must have current registration through the Indiana BMV.

2. Equestrian Trails

- a. Place holder for future updates

3. Multi-Use trails

- a. Placeholder for future updates

V. Events

1. General Rules:

- a. All public events are to be approved by the Muncie Parks and Recreation Board.
- b. If interested in holding an event at Prairie Creek, the special use form must be filled out, with the fee paid. If the event is approved by the Muncie Parks and Recreation Board, it will then be brought to the Muncie Park and Recreation board for approval.
- c. Events not sponsored by the park are required to supply the necessary security, bathroom facilities, first aid/first responder staff and food vendors for the amount of participants expected.
- d. Event coordinators are responsible for obtaining all necessary event permits that are required from other local governing agencies.
- e. The event staff are required to leave the park in clean working order and removed all trash from the park. If there is an excess amount of trash, it will be required that dumpsters are provided at the organizer's expense.
- f. Any damage to Prairie Creek property during an event must be repaired at the organizer's expense.
- g. Event insurance is required for all public events.
- h. Prairie Creek reserves the right to deny an event, even if previously approved, if administration feels the event staff has not provided the adequate coverage for any health or safety issue.
- i. Prairie Creek does not have the authorization to close the public roads around the reservoir. If that is necessary for the event, organizers will need to contact the Delaware County Sheriff's Office.
- j. Event fee and any fee for shelters used must be paid at the time of reservation.

Fishing Tournaments

2. General Rules:

- a. All fishing events must be approved by administration and Muncie Park and Recreation Board. All necessary paperwork must be submitted in a timely fashion prior to the event.
- b. It is required that all participants pay a launch fee and be recorded on the form that is issued to the organizer. Any participant with a Prairie Creek annual launch pass may be exempt from that fee.
- c. Please see section PCR VI. for all Prairie Creek Fishing rules.

Triathlons/Athletic Events

3. General Rules:

- d. Special use permits must be submitted and approved by Prairie Creek Staff and the Muncie Park and Recreation Board.
- e. At least 7 days before the event, the event director must be in contact with Prairie Creek Staff and send in writing, the amount of public safety personnel, lifeguards, and/or first responders will be available on the day of the event. If staff feels this

inadequate, Prairie Creek reserves the right to put a hold on the event until all public safety measure are met.

VI. Fishing

1. General Rules:

- a. A person must comply with all federal and state fishing laws and ordinances.
- b. It is not permitted to fish off leased docks.
- c. A state fishing license is required.
- d. A Prairie Creek Bank Permit is required to fish if over the age of 18.
- e. Fishing is not permitted in the beach areas of Prairie Creek.
- f. Fishing is not permitted off the dam or spillway.
- g. Pier fishing is only permitted at the designated fishing pier. Fishing on all other piers is prohibited including the piers at the boat launch area.

NOW, THEREFORE, BE IT RESOLVED that the Prairie Creek Reservoir Rules and Regulations shall be amended.

Passed and signed this _____ day of April, 2024.

	Yeas	Nays	Abstained	Absent
Brad Marshall	_____	_____	_____	_____
Shannon Powers	_____	_____	_____	_____
Mark Ervin	_____	_____	_____	_____
Chandra Parks	_____	_____	_____	_____
James Lutton	_____	_____	_____	_____

President, Muncie Parks and Recreation Board