

LOCAL LAW NO. 3 OF 2008

AMENDMENT TO ORDINANCE NO. 10

**AN ORDINANCE ESTABLISHING RULES AND REGULATIONS
FOR USE OF THE PARKS IN THE TOWN OF CHARLTON**

SECTION 1. Purpose : The purpose of this ordinance is to protect the public health, safety and welfare of the people of the Town of Charlton and its public parks. The following rules and regulations govern use of Town parks and provide a means of enforcement.

SECTION 2. Definitions:

Park shall mean the Elmer L. Smith Memorial Park, Gideon Hawley Park, Mill Pond Park and any other lands set aside by or on behalf of the Town of Charlton by the Town Board for Park purposes.

Park Purposes shall include protection of environmental values, provision of facilities for recreational activities such as sporting games and contests, athletic activities, picnics, skating and like activities.

Park Committee shall mean the Committee appointed by the Town Board to assist the Town Board in the administration, maintenance, and supervision of Town Parks.

Other terms not specifically defined shall be interpreted in their normal meaning and definition.

SECTION 3. Permitted Activities: Town Parks may be utilized for Park purposes, subject to any restriction set forth herein and any restriction adopted by the Town Board conspicuously posted on the Town Park property or properties.

SECTION 4. Required Permits: (**May be obtained by Town residents only**) on an annual basis.

- A. Permits, obtainable from the Town Clerk or on-line, following required approvals by the Park Committee, must be obtained for any of the following uses:
 1. The use of Park property for an activity conducted by a group of 20 or more persons (adults and children included), excluding spectators.
 2. Advance reservation for any specific area or facility located on Park property.
- B. Permits, obtainable from the Town Clerk or on-line, following required approval by Park Committee and the designated Fire District having jurisdiction:
 1. Any fires not in Park placed fireplaces or grills.
- C. Permits obtainable from the Town Clerk or on-line following recommendation by the Park Committee and approval by the Town Board, will be required for any of the following uses:
 1. Any regularly scheduled activity.
 2. Any use of Park property or facilities between sunset and the following sunrise. No organized activity shall take place after 11:00 P.M., except overnight camping as **authorized** by this paragraph **and the terms and conditions set forth in the Town Clerk issued Permit**.
 3. Concession (see Section 5 G).
 4. Firearms (see Section 5 A).

SECTION 5. Prohibitions:

Except as otherwise noted, the following are **STRICTLY PROHIBITED**:

- A. Firearms – No firearms of any kind, air rifles, or pistols, sling shots, bows and arrows and the like shall be permitted in Town Parks, unless under permit granted by the Town Clerk following approval by the Town Board **AND STRICTLY LIMITED TO** authorized specially organized and supervised event. (see Section 4 C 4)
- B. Golf – No driving of golf balls is permitted in Town Parks.
- C. Motor Vehicles and Bicycles – Except for access roads and designated parking lots, no motor vehicles such as automobiles, trucks, motorcycles, and motorbikes are permitted in Town Parks. Riding of bicycles except on access roads and designated parking areas is prohibited. All motor vehicles and bicycles on access roads and parking lots shall not exceed a speed of 15 MPH.
- D. Misuse, abuse, destruction, or removal of Park equipment.
- E. Littering or defacement of Park property.
- F. Environmental Damage to any Park lands, trees, shrubs, flowers, ferns, moss, rocks, fossils, wildlife, birds or bird nests.
- G. Concession - No selling of any food, equipment or any other items are permitted, unless authorized by permit obtained from the Town Clerk, following the approval of the Town Board. (see Section 4 C 3)
- H. Alcoholic beverages including beer, wine, wine coolers, liquor or other intoxicating beverages, are not permitted in the Town Parks.

SECTION 6. Baseball and Softball: Such games may be played only on ball fields. Games scheduled by permit shall have priority. Pick-up and informal games may be conducted on a first come basis, but shall not conflict with scheduled, permitted games.

SECTION 7. Dogs: All dogs and pets must be kept under the control of their owners. Any nuisance-causing pet may be ordered removed from Park lands by the official in charge of an event, or by any peace officer or dog warden. All owners are responsible for clean up and removal of pet waste.

SECTION 8. Horses: Horses are permitted only on vehicle access roads or designated horse or bridle paths.

SECTION 9. Fires: Fires may be built only in fireplaces and grills. (see Section 4 B) Fuel must be brought in for such fires, unless wood fuel is provided in picnic areas. No wood may be removed from Park trees, for firewood or any other purpose.

SECTION 10. Park Hours: Normal park hours shall be from sunrise to sunset except as permitted by section 4, C2.

SECTION 11. General Conduct: All persons using Town Parks must conduct themselves in a respectable manner and shall not engage in activity that will disturb or infringe upon the rights of others. All persons are expected to obey all Park regulations.

SECTION 12. Enforcement: Violation of any provision of this ordinance shall be an offense. Any violator may be cited by any peace officer or served with notice to appear upon written complaint and shall appear in Town Justice Court at the time and place specified. Each violation of this ordinance is punishable by a fine not to exceed **Five Hundred (\$500) Dollars** or imprisonment for a time not to exceed **Five (5) days**. Violators may be obligated to repair any damage caused to Park property or facilities or to replace any facilities destroyed or removed from Park property.

SECTION 13. Severability: If any portion of this ordinance shall be judged to be invalid or unconstitutional, such judgment shall not affect, impair or invalidate any other portion of this ordinance, but shall be confined in its operation to the portion thereof directly involved in the litigation in which such judgment shall have been rendered.