

REGULATIONS CONCERNING USE OF TOWN OF OTISCO PARKS

Section 1. REQUIREMENTS CONCERNING USE OF GROUNDS AND FACILITIES.

Each person, firm, organization or corporation using the public parks and grounds shall clean up all debris, extinguish all fires when such fires are permitted, and leave the premises in good order, and the facilities in a neat and sanitary condition.

Section 2. PROHIBITED ACTS.

It shall be unlawful for any person, firm, organization, or corporation using such parks to either perform or permit to be performed any of the following acts:

(a) To wilfully mark, deface, disfigure, injure, tamper with, displace or remove, any building, bridges, tables, benches, fireplaces, railings, paving or paving material, waterlines or other public utilities or parts or appurtenances thereof, signs, notices or placards whether temporary or permanent, monuments, stakes, posts, or other boundary markers, or other structures or equipment, facilities or park property or appurtenances whatsoever, either real or personal.

(b) To throw, discharge, or otherwise place or cause to be placed in the waters of any fountain, pond, lake, stream, bay or other body of water in or adjacent to any park or any tributary, stream, storm sewer, or drain flowing into such waters, any substance, matter or thing, liquid or solid, which will or may result in the pollution of said waters.

(c) To bring in or dump, deposit or leave any bottles, broken glass, ashes, paper, boxes, cans, dirt, rubbish, waste, garbage, or refuse, or other trash. No such refuse or trash shall be placed

anywhere within or contiguous to any park or anywhere on the grounds thereof, but shall be placed in the proper receptacles where these are provided; where receptacles are not so provided, all such rubbish or waste shall be carried away from the park by the person responsible for its presence and properly disposed of elsewhere.

(d) To disturb the peace, or use any profane, obscene or blasphemous language.

(e) To endanger the safety of any person by any conduct or act.

(f) To commit any assault, battery, or engage in fighting.

(g) To prevent any person from using any park, or any of its facilities, or interfere with such use in compliance with this ordinance and the rules applicable to such use.

Section 3. HOURS OF OPERATION.

The park shall be opened daily to the public between the hours of sunrise A.M. and 10:00 P.M., local time, from the 1st day of January to the 31st day of December, in any one year. It shall be unlawful for any person or persons (other than Town personnel conducting Town business therein), to occupy or be present in said park during any hours in which the park is not open to the public.

Any section, or part of the park, may be declared closed to the public by the Town Supervisor or Highway Superintendent, at any time and for any interval of time, either temporarily or at regular or stated intervals.

Section 4. GROUP ACTIVITIES.

Whenever any group, association or organization desires the exclusive use of the pavilion for a particular purpose, such as, picnics, parties, theatrical or entertainment performances, etc, a

representative of said group, association or organization shall first apply for and obtain a pavilion permit from the Town Clerk for such purposes.

The Town Clerk shall grant the application for a pavilion permit if it appears that the group, association or organization will not interfere with the general use of the park by the individual members of the public, and if said group, association or organization meets all other conditions contained in the application. The Town Clerk may require that an indemnity bond be posted to protect the Town from any liability and to protect the Town from property damage.

Section 5. PICNIC AREAS AND USE.

No person in a park shall picnic or lunch in a place other than those designated for that purpose. Attendants shall have the authority to regulate the activities in such areas when necessary to prevent congestion and to secure the maximum use for the comfort and convenience of all. Visitors shall comply with any directions given to achieve this end.

No person in a park except a pavilion permit holder shall use any portion of the picnic area or of any of the buildings or structures therein for the purpose of holding picnics to the exclusion of other persons, nor shall any person use such area and facilities for an unreasonable time if the facilities are crowded.

Section 6. OTHER REGULATIONS.

(a) Special activities. It shall be unlawful to engage in special activities including flying model airplanes, golf practice, ice skating, games, and picnics except at locations specifically designated for such activities by the Town Board.

(b) Automobiles. It shall be unlawful to drive or park any automobiles except on a street, driveway or parking lot in any park; or to park or leave any such vehicle in any place other than on established for public parking.

(c) Animals. It shall be unlawful for any person to bring or harbor dogs or any animal on or in the Tennis or Basketball Courts area.

(d) Sales. It shall be unlawful for any person other than employees and officials of the Town acting on behalf of the Town to vend, sell, peddle or offer for sale any commodity or article within any park.

(e) Signs. It shall be unlawful for anyone to paste, glue, tack, or otherwise post any sign, placard, advertisement, or inscription whatever, nor shall any person erect or cause to be erected any sign whatever on any public lands or highways or roads adjacent to a park. Provided that these provisions shall not apply to any properly authorized government official in pursuit of any official duty.

Section 7. ENFORCEMENT.

The Town Supervisor or Highway Superintendent of the Town of Otisco shall enforce the provisions of this article and any other ordinances relating to the use of said park.

Section 8. COMPLAINT.

1. Any person who observes a violation of this ordinance may file a complaint under oath with a Town Justice, specifying the nature of the violation, the date thereof and the name and address of the violator, if known.

2. Upon receipt by a Town Justice of any such complaint, he shall summon the alleged violator to appear in person before him for a hearing, at which both the complainant and the alleged violator

shall have the opportunity to be represented by counsel and to present evidence. If, after such hearing, the alleged violator is convicted of a violation of this ordinance, he shall be punished as provided in Section 9 of this ordinance.

Section 9. PENALTIES.

1. Upon conviction, a violation of this ordinance shall be deemed an offense and shall be punishable by a fine not exceeding Twenty-five (\$25.00) Dollars for a first offense, and Fifty (\$50.00) Dollars for each subsequent offense.

2. In addition to the fines set forth above, upon a second or subsequent conviction for a violation of this ordinance, the person or persons so convicted may be permanently barred and excluded from the use of any facilities covered by this ordinance by an order of a Town Justice.

Section 10. REPEALER.

This ordinance shall supersede any and all prior ordinances, rules or regulations concerning the use of the Town parks, and upon the effectiveness of this ordinance, they shall be null and void.

Section 11. EFFECTIVE DATE

This ordinance shall take effect immediately.

; and be it further

RESOLVED that the Town Clerk be and she hereby is instructed to cause said resolution to be published in its entirety in the official town newspaper at the first available date, and the Town Clerk shall receive and file a copy of the affidavit of publication.

The question of the adoption of the foregoing resolution was duly put to a roll call vote, which resulted as follows:

FRANCIS C. FITZPATRICK	<u>Francis C. Fitzpatrick</u>	voting <u>Aye</u>
VOLNEY R. KING	<u>Volney R. King</u>	voting <u>Aye</u>
JAMES GAMBLE	<u>James S. Gambell</u>	voting <u>Aye</u>
JAMES CUMMINGS	<u>James L. Cummings</u>	voting <u>Aye</u>
DONALD BAILER	<u>Donald Bailer</u>	voting <u>Aye</u>

The resolution was thereupon declared to be duly adopted.

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I, the undersigned, Clerk of the Town of Otisco, DO HEREBY CERTIFY that the preceding resolution was duly adopted by the Town Board of the Town of Otisco at a regular meeting of said Board duly called and held on April 13, 1981; that the said resolution was entered in the minutes of said meeting; that I have compared the foregoing copy with the original thereof now on file in my office and that the same is a true and correct transcript of said resolution and of the whole thereof.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town of Otisco, the day and year below written.

Dated: April 13, 1981
Otisco, New York

Yolanda J. Usherwood
 YOLANDA USHERWOOD
 Town Clerk of the Town of Otisco,
 in Onondaga County, New York