

## Chapter 93. Parks and Recreation

### Section

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#### **§ 93.01 HOURS OF OPERATION.**

(A) Except for unusual and unforeseen emergencies as determined by the Town Board of Commissioners, parks shall be open to the public every day of the year during designated hours. The opening and closing hours for each individual park shall be determined by the Town Board and shall be posted therein for public information. ('72 Code, § 14A-5-1)

(B) Any section of any park may be declared closed to the public by the Town Board at any time and for any interval of time, either temporarily or at regular and stated intervals and either entirely or merely to certain uses, as the Town Board shall find reasonably necessary. ('72 Code, § 14A-5-2) (Ord. 34, passed 12-11-78)

#### **§ 93.02 PROHIBITED USE OF BUILDINGS AND OTHER PROPERTY.**

No person shall:

(A) Willfully mark, deface, disfigure, adulterate, injure, tamper with or displace or remove, any buildings, bridges, tables, benches, fireplaces, railings, swimming pools or wading pools, paving or paving material, water lines or other public utilities or parts of appurtenances thereof, fences, signs, notices or placards whether temporary or permanent, receptacles, monuments, stakes, posts or other boundary markers or other structures, improvements or equipment, facilities or park property or appurtenances whatsoever, either real or personal.

(B) Dig, or remove, any soil, rock or stones, or any trees, shrubs, plants, plantings, grass or make any excavation by tool, equipment, blasting or other means or agency.

(C) Construct or erect any building or structure of whatever kind, whether permanent or temporary in character, or run or string any public service into, upon or across those lands, except on special written permit issued hereunder. ('72 Code, § 14A-1-1) (Ord. 34, passed 12-11-78) Penalty, see § 93.99

#### **§ 93.03 TREES, SHRUBBERY AND LAWNS.**

No person shall:

(A) Damage, cut, carve, transplant or remove any tree or plant, or injure the bark, or pick the flowers or seeds of any tree or plant; attach any rope, wire or other contrivance to any tree or plant, or tie or hitch an animal to any tree or plant.

(B) Climb, stand or sit upon monuments, vases, fountains, railings, fences, gun-carriages, trees or upon any other property not designated or customarily used for those purposes. ('72 Code, § 14A-1-2) (Ord. 34, passed 12-11-78) Penalty, see § 93.99

**§ 93.04 PICNIC OR SHELTER AREAS.**

(A) No person in a park shall leave a picnic area before the fire is completely extinguished and before all trash in the nature of boxes, papers, cans, bottles, garbage and other refuse, is placed in the disposal receptacles where provided. ('72 Code, § 14A-3-1)

(B) No person in a park shall interfere with the use of any picnic shelter, including the connected porches and patios, by the persons occupying the same, or obstruct in any manner the access to and from those shelters. ('72 Code, § 14A-3-2) (Ord. 34, passed 12-11-78) Penalty, see § 93.99

**§ 93.05 DEPOSIT OF GARBAGE OR REFUSE; RESPONSIBILITY FOR DISPOSAL.**

No person in a park shall dump, deposit or leave any bottles, broken glass, ashes, paper, boxes, cans, dirt, rubbish, waste, garbage or refuse, or other trash anywhere on the park grounds; except that matter may be placed in proper receptacles where provided. Where receptacles are not provided, all such rubbish or waste shall be carried away from the park by the person responsible for its presence, and property disposed of elsewhere. ('72 Code, § 14A-2-1) (Ord. 34, passed 12-11-78) Penalty, see § 93.99

**§ 93.06 PROHIBITED CONDUCT WITHIN PARK.**

No person in a park shall:

(A) Bring alcoholic beverages, illegal drugs, beer or wine into a park; or be under the influence of intoxicating liquor, beer, wine or illegal drugs in a park; nor shall anyone consume the same in a public park except where appropriate ABC permits have been issued to an organization in connection with any outdoor festival or event of a national, state or local significance; and additionally, where appropriate park use permit containing a provision concerning the sale and consumption of alcoholic beverages has been approved by the Town Board of Commissioners. ('72 Code, § 14A-4-1)

(B) Solicit alms or contributions for any purpose, whether public or private, in any park, except by express permission given by the Town Board of Commissioners. ('72 Code, § 14A-4-2)

(C) Build or attempt to build a fire in any park except in those areas and under those regulations as may be designated; drop, throw or otherwise scatter lighted matches, burning cigarettes or cigars, tobacco paper or other inflammable material within any park area. ('72 Code, § 14A-4-3)

(D) Enter an area in a park posted as "CLOSED TO THE PUBLIC," nor shall any person use, or abet the use of any area in violation of posted notices. ('72 Code, § 14A-4-4) (Ord. 34, passed 12-11-78; Am. Ord. 757, passed 9-28-92) Penalty, see § 93.99

**§ 93.99 PENALTY.**

Each violation of this chapter or of any regulation, order or ruling promulgated hereunder shall constitute a misdemeanor and be punishable by a fine of not more than \$500 or imprisonment for not more than 30 days or both such fine and imprisonment, and each day a violation continues to exist shall constitute a separate offense. ('72 Code, § 14A-6-1) (Ord. 34, passed 12-11-78)