

Chapter 411

PARKS AND RECREATION

[HISTORY: Adopted by the Town Board of the Town of Buchanan 11-4-1997 as Ch. 58 of the 1997 Code. Amendments noted where applicable.]

GENERAL REFERENCES

Impact fees — See Ch. 330.
Peace and good order — See Ch. 420.
Subdivision of land — See Ch. 460.

ARTICLE I General Provisions

§ 411-1. Supervision.

All parks, play areas and recreation facilities in the Town shall be operated and maintained under the supervision of the Town Administrator/Clerk.

§ 411-2. Operation and maintenance. [Amended 8-17-2010 by Ord. No. 2010-03]

The Town Administrator/Clerk shall see to the operation and maintenance of the Town parks, playgrounds and recreational areas and shall perform his/her duty, subject to the supervision of the Town Board. He/she may, from time to time, delegate the authority vested in him/her to a designee, when such designee has been appointed and approved by the Town Board.

§ 411-3. Employees.

The Town Administrator/Clerk shall have supervision over all employees concerned in the maintenance of such parks, playgrounds and recreational areas, and they shall perform their duties under his/her supervision.

§ 411-4. Enforcement.

The Town Administrator/Clerk, and those to whom authority has been delegated, shall see to the enforcement of all ordinances relating to the parks, and he/she shall enforce all rules and regulations relating to the use of the parks, playgrounds and recreational areas. He/she may request the assistance of the Sheriff's Department and Town Attorney in matters of enforcement.

ARTICLE II Operation and Regulation of Parks, Playgrounds and Recreational Areas

§ 411-5. Operating policy.

- A. Park and playground hours. Parks, playgrounds and other recreational areas shall be open daily to the public during the hours of 7:00 a.m. to 10:00 p.m. on any one day, except that a later closing hour, not to exceed 1:00 a.m., may be granted upon special written permit issued by the Town Board or for athletic activities when the park floodlights are operating. It shall be unlawful for any person or persons (other than Town personnel conducting Town business therein) to occupy or to be present in such park during any hours in which the park is not open to the public. Any section or any part of the park may be declared closed to the public by the Town Administrator/Clerk at any time and for any interval of time, either temporarily or at regular or stated intervals. [Amended 8-17-2010 by Ord. No. 2010-03]
- B. Amusement for gain. No amusement for gain or for which a charge is made can be conducted in a park without the consent of the Town Board, and such amusement must be conducted in accordance with any permit or ordinance pertaining thereto.
- C. Speed of vehicles. It shall be unlawful for any person to operate a motor vehicle in the park, playground or recreational area in excess of 15 miles per hour. [Amended 8-17-2010 by Ord. No. 2010-03]
- D. Sales or advertising. No person in a park shall:
 - (1) Expose or offer for sale any article or thing, nor shall there be stationed any stand, cart or vehicle for the transportation, sale or display of any such article or thing. Exception is made as to any regularly licensed concessionaire acting by and under the authority and regulation of the Town Board.
 - (2) Announce, advertise or call the public attention in any way to any article or service for sale or hire.
 - (3) 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 on any public lands or highways or roads adjacent to a park, playground or recreational area.
- E. Winter program. The Town Administrator/Clerk may conduct or permit a winter ice skating program in or on the area generally used for park purposes. In such event, the Administrator/Clerk may permit the park to be opened during reasonable hours for such purposes.

§ 411-6. Group activities.

- A. Permit required. Whenever any group, association or organization desires to use the park facilities for a particular purpose, such as picnics, parties or theatrical or entertainment performances, a representative of the group, association or organization shall first obtain a permit from the Town Administrator/Clerk for such purposes. The Town Board may adopt an application form to be used by the Town Administrator/Clerk for such situations.
- B. Granting of permit. The Town Administrator/Clerk shall grant the applications, subject to the approval of the Town Board, 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 the group, association or organization meets all other conditions contained in the application. Groups of 50 or larger shall make arrangements for their own dumpster.

§ 411-7. Regulations.

A. Parks and playgrounds generally. Parks and playground shall be regulated as follows:

- (1) Disfiguration and removal. No person shall willfully mark, deface, disfigure, injure, tamper with, or displace or remove any buildings, 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.
- (2) Rest rooms and washrooms. No person shall fail to cooperate in maintaining rest rooms and washrooms in a neat and sanitary condition. No person over the age of five years shall use the rest rooms and washrooms designated for the opposite sex.
- (3) Sanitation. No person shall 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 the waters, or 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 in any waters in or contiguous to any park or left 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.
- (4) Animals. It shall be unlawful for any person to bring or harbor any animals in any park, playground or recreational area. [Amended 8-17-2010 by Ord. No. 2010-03]
- (5) Alcohol beverages. It shall be unlawful for any person to have in his possession, custody or control any alcohol beverage, including beer, of any kind whatsoever, except that the sale and consumption of malt beverages may be allowed upon the prior approval of the Town Board.

B. Use of picnic areas. Picnic areas shall be subject to the following regulations:

- (1) Designated areas. No person 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.

- (2) Nonexclusive use. No person shall use any portion of the picnic areas 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, except that exclusive use of the building may be permitted upon prior approval of the Town Board.
 - (3) Fires and cleanup. No person 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. If no such trash receptacles are available, then refuse and trash shall be carried away from the park area by the picnicker to be properly disposed of elsewhere.
- C. Baseball and softball diamonds. Baseball and softball diamonds shall be regulated as follows:
- (1) Alterations to fields. No permanent equipment shall be moved or altered (pitcher's mound, home plate, fences, etc.) without written consent of a representative of the Town.
 - (2) Furnishing of equipment. Organizations or groups who have requested use of a ball diamond must furnish their own equipment such as bases, pitcher's rubber, bats, balls, gloves, etc.
 - (3) Field restoration. All base holes are to be filled in with suitable material immediately after use of the field.
 - (4) Inclement weather. In the event of rain, the field will be closed if:
 - (a) The infield has any standing water; or
 - (b) The field grounds are muddy or wet enough to leave a footprint of an individual.¹
 - (5) Inspection. Grounds shall be inspected before and after each use by a representative of the Town. Grounds must be restored to their original condition immediately following their use. In case of inclement weather an extension of time must be obtained in writing from a representative of the Town.
 - (6) Schedules. Any conflicts on scheduling, damage, conditions of field, etc., will be reported to the Town Administrator/Clerk.
 - (7) Wet fields. Water on the infield can be dried up by use of sawdust. Materials other than an approved diamond ground mix shall not be used.²

¹. Editor's Note: Original Sec. 58-33(c)(5), Use of lights, which immediately followed this section, was repealed 8-17-2010 by Ord. No. 2010-03.

2. Editor's Note: Original Sec. 58-34, Park fees, which immediately followed this section, was repealed 8-17-2010 by Ord. No. 2010-03.