CHAPTER 41: PARKS AND RECREATIONAL AREAS

§ 41.1 Title

This Chapter shall be known and may be cited as the "Parks and Recreational Law of the Town of Camillus, New York".

§ 41.2 Purpose

The purpose of this Chapter is to establish rules and regulations for the use and operation of parks and recreational areas of the Town of Camillus in order to promote the health, safety, morals and general welfare of the inhabitants of the Town of Camillus.

§ 41.3 Scope

This Chapter and all rules and regulations adopted pursuant hereto shall be effective within all parks and recreational areas under the jurisdiction of the Town of Camillus.

§ 41.4 Hours of operation

The parks shall be closed each night between the hours of 9:00 P.M. and 9:00 A.M. of the following morning, and no person shall enter or remain in such parks during such hours unless authorized by the Director of Parks and Recreation.

§ 41.5 Closing of parks

The Director of Parks and Recreation or the Supervisor, when necessary for the public welfare or for the improvement of any parks or recreational area, or any portion thereof, may close any park or recreational area, or any portion thereof, by posting proper signs at the entrance thereto or at the part to be closed.

§ 41.6 Fees

Admission or any other fees which may be charged for the use of parks and recreational areas, or for certain activities, may be established by the Director of Parks and Recreation with the approval of the Town Board.

§ 41.7 Rules and regulations

A. The Director of Parks and Recreation may adopt rules and regulations for the use and conduct of activities in parks and recreational areas under the jurisdiction of the Town of Camillus which shall be posted in a prominent place or within such park or recreational area to which applicable in full or in summary form.

B. The Director of Parks and Recreation is authorized to suspend the privilege of any person to use Town park and recreation facilities for a period not to exceed one (1) year for violation of any

rule or regulation adopted pursuant to Subdivision A of this section, for violation of any other section of this Chapter, or for any violation of the Penal Law of the State of New York which occurs at any Town park or recreation facility [Amd. LL#11, 86; 9/9/86.]

§ 41.8 Prohibited uses and activities

A. Damaging or destroying park property prohibited

No person shall climb any tree; injure, deface, disturb or befoul any part of any park or any buildings, signs equipment or other property found therein; or remove, cut down, injure or destroy any tree, flower, shrub, ornament, fence, bridge, structure or other property within any park or recreational area under the control of the Parks and Recreation Department.

B. Commercial activities

No person, firm or organization shall sell or offer for sale within any park or recreational area any property or privilege unless authorized by the Director of Parks and Recreation.

C. Advertising activities

No person shall post, paint, stamp, affix, display, deliver, distribute or leave about any bill, placard, ticket, handbill, circular or advertisement; display any flag, banner, target or other matter; or operate any musical instrument or cause any noise to be made for advertising purposes, or for the purpose of attracting attention to any exhibition, performance, show or other purpose, without the express written consent of the Director of Parks and Recreation.

D. Prohibited conduct

Any person disobeying an order of park or recreation personnel or the directions of any park sign; using threatening, abusive or insulting language; doing any obscene or indecent act; throwing stones or other missiles, annoying other persons; interfering with, encumbering, obstructing or rendering dangerous any drive, path, walk or public place; doing any act tending to or amounting to a breach of the peace; entering or leaving parks except at established entrance ways or exits; introducing, carrying or firing any firecrackers, torpedoes or fireworks; engaging in, instigating, aiding or encouraging a fight, assaulting any person; throwing or depositing any portion of any foodstuffs, paper, litter or other substance, except in receptacles intended for such use, shall be guilty of a violation of this Chapter.

E. Weapons and missiles

No person other than a policeman or duly authorized personnel shall have or carry, whether concealed or not concealed on his or her person, any firearm, air rifle, BB gun, spring gun or other instrument or weapon in which the propelling force is air or a spring, except under a permit from the Director of Parks and Recreation.

F. Sports and games

No person shall throw, catch, kick or strike any baseball, golf ball, tennis ball, football, basketball, bowling ball, croquet ball, beanbag or other object, nor shall any person engage in any sport, game or competition, except in places designated or maintained therefor.

G. Wildlife

No person shall molest, disturb or annoy any wildlife which may exist in the Town parks or recreational areas.

§ 41.9 Restrictions on certain activities

No person shall engage in the following activities in any parks or recreational area, except at such times and at such places as have been designated and maintained therefor:

A. Coasting
Coasting with hand sleds, bobs, carts or other vehicles on wheels or runners.

B. Skating, etc.
Roller skating, ice skating, skiing , snowshoeing or the towing of persons on skiis, sleds, skates, etc.

C. Toys and models
Toy or model aviation, model boating or model automobiling

D. Picnicking
No refreshments of any kind shall be permitted to be offered for sale in connection with a picnic.

E. Bathing, wading or swimming, and dressing and undressing therefor.
All persons using park bathing areas shall be so covered with a bathing suit as to prevent indecent exposure of the person.

F. Snowmobiles, etc.
Operation of snowmobiles, minibikes, power boats, other motorized recreational vehicles or any mechanically operated vehicles is prohibited unless authorized by the Director of Parks and Recreation.[1]

G. Horseback rides
Horseback riding is prohibited in all parks unless authorized by the Director of Parks and Recreation.

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[1] Snowmobiles prohibited in all parks except Reed-Webster Park. See § 61.22.

H. Fires
Kindling, building, maintaining or using a fire in any place or portable receptacle or grill, except in places provided by the Department therefor and so designated, or under permit. Any fire shall be continuously under the care and direction of a competent person over sixteen (16) years of age from the time it is kindled until it is extinguished.

I. Trash disposal
Depositing, dumping, throwing or placing any earth, rubbish, paper, bottle, bits of crockery, glass or glassware, metallic or other substance, garbage or other refuse matter of any kind in any park or recreational area, except in receptacles which are appropriately marked for such purposes. Only trash produced by the use of the park or recreational facility shall be disposed of in Department receptacles.

§ 41.10 Permits

A permit to do any act, or for any purpose, issued by the Director of Parks and Recreation, shall authorize the same only insofar as it may be performed in strict accordance with the written terms and conditions thereof. No groups may use or monopolize any park facility without first securing a permit from the Director of Parks and Recreation. Any permit authorized hereunder shall be shown upon demand to any peace officer, Parks and Recreation Department employee or member of the Town Board.

§ 41.11 Alcoholic beverages

No person under twenty-one (21) years of age shall bring into, sell, give away, display or drink, or cause, permit or procure to be sold, given away, displayed or drunk, any alcoholic or spirituous liquor or beverages in any park, except such alcoholic beverages as may be specifically permitted by a written valid permit obtained from the Director of Parks and Recreation, and only at the places specifically designated and approved by the Director. (For restrictions generally, see § 65.1 et seq.)

§ 41.12 Vehicles and traffic

A. No person shall operate a vehicle on any park road at a rate of speed in excess of ten (10) miles per hour. No automobile or other vehicle, hauling a second vehicle or trailer, shall be permitted within or upon any of the parks or recreational areas unless authorized by the Director of Parks and Recreation.

B. No person shall operate or drive, or cause to be operated or driven, within any park or recreational area, a motor vehicle or motorcycle for the purpose of testing same. "Testing" is hereby defined to be the operating or driving of a motor vehicle for the purpose of ascertaining its fitness for service or use.

C. No person shall operate a vehicle within any park except on park roads and in public parking lots. It is a violation of this Section to operate a vehicle off the paved area of park roads and public parking lots.

D. The Director of Parks and Recreation shall have the authority to regulate, at any time, traffic patterns or through traffic of vehicles upon and within the parks and recreational areas.

§ 41.20 Violations and penalties

A. A violation of any provision of this Chapter or any rules or regulations adopted hereunder, shall be an offense, and any person guilty of such violation shall be liable to a fine which shall not exceed Two Hundred Fifty Dollars ($250.00), or imprisonment not exceeding fifteen (15) days, or both such fine and imprisonment, or to a penalty not exceeding Five Hundred Dollars ($500.00), to be recovered by the Town of Camillus in a civil action.

HISTORICAL NOTE: Amended spelling LL#13-94

Authority: Town L § 220(4); §130(15).

Cross-reference:

Alcoholic beverages; consumption public. §§ 65.1 - 65.3.

References:

Duty to supervise. While City has duty of general supervision of its playgrounds which it holds it holds open to public, it need not provide specific and immediate supervision of playground facilities. The City cannot be held liable where six year old infant was injured while using "baby swing": which was not defective. Nichter v City of Buffalo, 74 AD2d996(7); 427 NYS2d 101.
Election to determine establishment of parks. Town L § 81(1).
Liability. A municipality owes to those who use its parks a duty of ordinary care against foreseeable danger.

Municipality could properly be held liable where it was established that city was aware of proximity of railroad tracks and pathways in park to tracks, that city did not fence playground or supervise use or take other reasonable precaution to prevent children from going on tracks. Leone v City of Utica, 49 NY2d 807; 426 NYS2d 980; 403 NE2d 964.

Power to acquire land for parks. Town L § 64(8).
Trusts for public parks. Gen Mun L § 140.