

ORDINANCE REGULATING PARKS IN THE TOWN OF PLAINVILLE

BE IT ORDAINED by the Town Council of the Town of Plainville in meeting duly assembled that, pursuant to the Charter of the Town of Plainville, the Ordinance regulating parks is amended and adopted as follows:

SECTION 1. PUBLIC PARKS. This Ordinance shall apply to Norton Park, Paderewski Park, Governor Trumbull Park, Veterans Memorial Park, Northwest Park, Tomasso Nature Park, Hamlin Pond and the land of the Town of Plainville adjacent thereto unless otherwise specified herein.

SECTION 2. HOURS OF OPERATION. All parks are open from 6:00 a.m. to 10:00 p.m. from April 1 through Labor Day, and from 6:00 a.m. to 9:00 p.m. from Labor Day to April 1. All are closed to the public other than during these hours, and persons found within the parks when closed shall be subject to arrest as provided by Section 11.3 of this ordinance.

SECTION 3. MOTOR VEHICLES AND BICYCLES.

3.1 All motor vehicles of any kind, including automobiles, trucks, motorcycles and scooters, may be driven or parked only in areas established and designated and shall be in accordance with the posted directions for such purpose, or upon instruction of any authorized attendant, except Town of Plainville vehicles in service to the Town.

3.2 No commercial or industrial vehicle may be operated or parked in any park, except in service to the Town.

3.3 No motor vehicle may be operated within any park at speeds in excess of 15 miles per hour.

3.4 Parking for the purpose of cleaning any motor vehicle is prohibited.

3.5 "Go-carts", "mini-bikes", "all terrain vehicles" and "snowmobiles" are prohibited from all parks.

3.6 The riding of bicycles and the operation of motor vehicles of any kind, including automobiles, trucks, motorcycles and scooters are prohibited on baseball diamonds, tennis courts, pool areas, walking tracks, walking trails, and picnic areas.

3.7 No motor vehicle of any kind shall be double-parked on any roadway or driveway unless directed to do so by an authorized attendant, nor shall any motor vehicle of any kind be parked to block any roadway or driveway.

SECTION 4. SWIMMING. Swimming shall be permitted only in those areas designated for that purpose, and only at such times as a lifeguard is on duty.

SECTION 5. BOATING. Boats shall be permitted on Paderewski Park Pond and Hamlin Pond, at the risk of the users, under the following conditions:

5.1 Rowboats and sailboats may not exceed fourteen (14) feet in length, and canoes may not exceed sixteen (16) feet in length.

5.2 A sailboat may be used only on Paderewski Park Pond. A sailboat must provide level flotation in the event that it is filled with water.

5.3 The use of any motor of any kind is prohibited except that on Hamlin Pond and Paderewski Park Pond, an electric outboard trolling motor may be used on a boat.

5.4 Boats may be launched only from areas designated for such purpose.

5.5 A maximum of three (3) persons shall be permitted in a boat at anyone time.

5.6 Each person must wear at all times when in a boat a life-preserving device of a type approved by the Coast Guard.

5.7 Children below the age of sixteen (16) shall not be permitted into boats unless accompanied by an adult.

5.8 A maximum of fifteen (15) boats shall be permitted on Paderewski Park Pond at anyone time, and a maximum of twenty-five (25) boats shall be permitted on Hamlin Pond at anyone time.

5.9 Racing, or any other hazardous and/or dangerous conduct in a boat, or by the user of any boat, is expressly prohibited.

SECTION 6. FISHING. Fishing shall be permitted in Paderewski Park Pond and in Hamlin Pond, from the shore or from a boat, within the provisions of Sections 2, 6 and 11 of this ordinance, and within the Statutes and Regulations of the State of Connecticut pertaining to fishing.

SECTION 7. WATERFOWL. No person shall feed waterfowl or aquatic life in any of the Town's parks. Waterfowl is defined as aquatic birds such as Canada geese, ducks, swans and other like birds. Aquatic life is defined as fish, turtles, frogs and other like water breeding vertebrates. Feeding is defined as providing edible substance to waterfowl or aquatic life which may be consumed by them. Feeding shall include, but not be limited to, hand-feeding of waterfowl, placement of food on the ground or in the water for consumption by waterfowl or aquatic life.

SECTION 8. TOWN PROPERTY AND FACILITIES. The following shall be expressly prohibited in all parks:

8.1 To willfully mark, deface, injure, tamper with or displace or remove any buildings, pools, bridges, tables, benches, fireplaces, railings, fences, paving, water lines 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.

8.2 To willfully damage, cut, carve, transplant or remove any tree or plant or injure the bark of any tree; nor shall any person pick the flowers or seeds of any plant in any area which is designated as being prohibited to such action, nor shall any person dig in or otherwise disturb lawn areas or walk upon planted areas which are designated as being prohibited to foot travel.

8.3 To sell any article of any kind without a permit.

8.4 To light, kindle or use any fire, except in facilities provided therefore by the Town of Plainville.

8.5 To injure, hunt, trap, snare, harass, torment or disturb any animal, or any bird, and to disturb any bird's nest or eggs, within said park.

8.6 To discharge any fireworks or firearms within the parks without proper permit.

8.7 To bring in or dump, deposit, leave or place any dirt, rubbish, waste, garbage, refuse or other trash anywhere on the grounds of any park or in any waters in or contiguous to any park.

8.8 To fail to place in proper receptacles where these are provided any refuse, waste or trash generated while using the park. Where receptacles are not provided, all such refuse or trash shall be carried away from the park by the person responsible for its presence and properly disposed of elsewhere.

8.9 To loiter in bathhouse or restroom facilities.

8.10 To play or practice golf.

8.11 To use, consume, dispense, sell, drink or have in one's possession beer, wine, liquors or other alcoholic beverages.

8.12 To be under the influence of intoxicating liquor or drugs.

8.13 To ride or walk any horse or pony and to use a horse or pony to pull cart, carriage or other vehicle.

8.14 To have any pet which is not under control or in violation of any Statutes or Ordinances.

8.15 To picnic or lunch in a place other than those designated for that purpose and in accordance with such rules and regulations as may be established. To leave a picnic area before a fire for which he is responsible is completely extinguished and before all trash and refuse for which he is responsible is disposed of properly as provided in section 8.8 of this article.

8.16 To use, operate, run or control fuel or self-powered model aircraft, boats, rockets and vehicles.

SECTION 9. EXCEPTIONS. The Town Manager or his designated agent is authorized to waive the provisions of this Ordinance provided the waiver shall be in writing.

SECTION 10. LIABILITY AND PENALTY.

10.1 The Town of Plainville shall not be liable for the loss of property or the damage to property of persons using the facilities of said parks.

10.2 Failure to abide by the rules and regulations of this Ordinance, or rules established under Section 11 of this Ordinance, shall subject the violator to immediate removal from said park.

10.3 Any person who shall violate any provision of this Ordinance, or who shall aid, assist or encourage the violation thereof, shall be fined not more than \$50.00 for each offense. The violation of any section of this Ordinance shall be considered a separate offense.

Notwithstanding the above, whenever a police officer shall find a violation of Section 3 of this Ordinance, he shall serve upon the owner or operator of such vehicle, or place upon such vehicle, a notice directing the owner or operator thereof to appear at the Police Department prior to a time specified in said notice. If any person receiving said notice shall appear as directed, and shall pay a fine of \$10.00, such payment shall bar further prosecution for violation of Section 3 of this ordinance.

10.4 In accordance with the provisions of Section 52-572 of the General Statutes of the State of Connecticut, the parents or guardians of any minor child which willfully or maliciously causes damage to any property or appointments within said parks shall be liable for such damage.

SECTION 11. DIRECTOR OF RECREATION AND PARKS. In accordance with the Charter of the Town of Plainville, Chapter VI, Section 5, the Director of Recreation and Parks, with the approval of the Advisory Recreation and Park Board, may from time to time establish further rules for the use of said parks and the facilities therein, which rules shall be consistent with the Ordinances of the Town and the Statutes of the State, and which rules shall have the force of law.

Adopted by Town Council August 4, 1969. Amended Sept.
20,1971, Oct. 18, 1971

June 21, 1976, June 19, 1978, April 6, 1981 April 4, 1988, Oct.
16, 1989, Feb. 21, 1995,

Feb. 3, 1997, Dec. 15,1997, May 20, 2002