

Chapter 127

PARKS AND RECREATION

GENERAL REFERENCES

Prohibition and curbing of dogs in certain parks — See Ch. 63, Art. III.

Prohibition of vehicles in Woods Hollow Nature Preserve and Burgess-Kimball Town Park — See Ch. 169, Art. I.

Mass public assemblies — See Ch. 66.

§ 127-1. Statement of intent.

The Town of Milton Recreational Park, administered by the Town Board, encourages and facilitates the use and enjoyment by the public and enhances the well-being of each individual. Parks, however, contain slopes and other natural features which, by their nature, may constitute hazards and present dangers to persons approaching them. To enhance and promote safety, well-being and enjoyment of each individual in the use of the Town park system and to assure each individual equality of opportunity in the use and enjoyment of such system, the rules and regulations set forth herein are hereby established to govern the conduct of the public with respect thereto.

§ 127-2. Permits. [Amended 3-19-1997 by L.L. No. 5-1997]

A written permit issued by the Town office to do any act shall authorize the same only insofar as it may be performed in the strict accordance with the terms and conditions thereof. A fee may be set from time to time by resolution of the Town Board, which fee shall be on file in the Town offices. Any act authorized pursuant to a permit may be performed only by the person named therein, and any such authorization may not be assigned or delegated unless and except as provided in such permit. Any permit may be revoked at the option of the park custodian, Town Board or Enforcement Officer whose action shall be deemed final. In case of such revocation, all moneys paid for or on account thereof shall, at the option of the Town, be forfeited to and retained by the Town office. In any case where the holder of a permit or his agent or employee shall have been found to have violated a term or condition, they shall be jointly and severally liable to the Town of Milton for any damages or loss suffered by it in excess of money forfeited and retained by the office. Neither the forfeiture and the retention of such money by the office nor the recovery or collection of any damages, or both, shall preclude the prosecution of any person for a violation of a rule or regulation of the office or the violation thereof.

§ 127-3. Lost and found property. [Amended 3-19-1997 by L.L. No. 5-1997]

Lost property shall be handled as set forth in Article 7-B of the New York State Personal Property Law.

§ 127-4. Prohibited activities.

The activities and uses enumerated in this section shall be absolutely prohibited on property under the jurisdiction, custody and control of the Town Board.

- A. Littering. No person shall in any manner cause any rubbish, garbage, refuse, organic or inorganic waste, diseased or dead animal or other offensive matter or any abandoned property or material to be placed on or left in or on the property, except in receptacles provided for that purpose.
- B. Injury to property. No person shall make an excavation on or injure, destroy, deface, remove, fill in, tamper with or cut any or real or personal property, tree or other plant life.
- C. Disorderly conduct. No person shall do any of the following:
 - (1) Disobey a lawful order of any officer or employee of the Town or the direction of any sign erected by or at the direction of the Town.
 - (2) Use abusive or obscene language or make an obscene gesture.
 - (3) Throw stones or other objects or missiles which may inflict bodily injury or damage to property.
 - (4) Obstruct vehicular or pedestrian traffic.
 - (5) Climb upon any wall, fence, structure or monument.
 - (6) Engage in or encourage fighting or violent or threatening behavior.
 - (7) Spit upon grounds or other surfaces.
 - (8) Throw away or discard any lighted match, cigar, cigarette, charcoal or other burning object other than in a receptacle provided for that purpose.
 - (9) Make any unreasonable noise.
 - (10) Operate any wheeled vehicle, snowmobile or other equipment in such a manner as to endanger other persons or property or in such a manner so as to create an unreasonable noise or disturbance.
 - (11) Without lawful authority, disturb any lawful assembly or meeting of persons.
 - (12) Congregate with other persons and refuse to comply with a lawful order to disburse.
- D. Property closed to the public. No person shall enter or remain upon any property or within any structure during such hours and seasonal or indefinite periods that such property or structure has been designated as closed by a sign or by an employee of the Town.

- E. Minors. No person having custody or control of a minor shall permit such minor to do any act in violation of a rule or regulation of the Town of Milton. Minors under 10 years of age shall at all times be under the supervision and control of a parent, guardian or responsible custodian. Notwithstanding this or any other subsection of this section, minors under the age of six shall at all times be under the supervision and control of a parent, guardian or responsible custodian.
- F. Gambling. Gambling, lotteries, games of chance and fortune-telling are prohibited.
- G. Implements. No person shall introduce, possess or use any machete or cutting tool other than an ax, hatchet or sheath knife for the purpose of preparing wood for a cooking fire.
- H. All-terrain vehicles. No person shall use or operate an all-terrain vehicle or other similar wheeled or air-cushioned vehicle designed or equipped to operate outside of highways.
- I. Firearms and weapons. No firearms or weapons are permitted other than by a member of a local or state law enforcement agency.

§ 127-5. Restricted activities.

- A. No camping shall be permitted unless authorized by permit issued from the Town of Milton offices.
- B. No person shall wash dishes, clothes or his person at a water fountain or other outlet provided in the Town park.
- C. There shall not be the conducting of any picnic or outing by a group or organization in an excess of 25 persons. Application for permit shall be made to the Town Clerk of the Town of Milton during normal business hours, which application may be in a form prepared by the applicant indicating the reason for the permit, the duration of the permitted use and that insurance has been provided for the Town.

§ 127-6. Regulated activities.

The following activities are prohibited on property under the jurisdiction, custody and control of the Town of Milton, except in areas specifically designated therefor, during such hour or seasonal periods specifically authorized and subject to such conditions as may be contained herein:

- A. The throwing, striking, kicking or catching of any ball horseshoe or other object or the conduct of any game or athletic activity or the use of any device or equipment used in any such game or athletic activity.
- B. The building, kindling, lighting or maintaining of any fire. Fires may be built and maintained only in fireplaces, grills or stoves suitable for cooking purposes, and no fire shall be started or maintained unless under the constant supervision of a responsible person.

- C. The use of alcohol will be prohibited at all times unless regulated by the Town of Milton or specifically authorized by a permit issued to an applicant.

§ 127-7. Use of motor vehicles.¹

No person shall cause or permit a motor vehicle to enter or leave property under the jurisdiction of the Town of Milton except by designated routes. With the exception of emergency vehicles, no person shall cause or permit a motor vehicle to be stopped or parked other than within an authorized parking area provided by and designated by the Town of Milton.

§ 127-8. Penalties for offenses. [Added 3-19-1997 by L.L. No. 5-1997]

Any person, firm or corporation who or which shall violate any of the provisions of this chapter shall be guilty of an offense which shall be punishable by a fine of not more than \$250 or a term of imprisonment not exceeding 15 days, or both. Each day's continued violation shall constitute a separate offense.

1. Editor's Note: See also Ch. 169, Vehicles, Prohibition of, Art. I, Woods Hollow Nature Preserve and Burgess-Kimball Town Park.