

CHAPTER 97: PARKS

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§ 97.01 PURPOSE.

The Village of Franklinville recognizes the importance that parks and recreation areas play in the quality of life of its residents. Control of the use of public parks and recreation areas and park facilities is desirable in order to provide safe and wholesome recreational opportunities and to maximize access to the parks and recreation areas by the general public and others. It is the purpose of this chapter to establish rules and regulations governing the use of public parks and recreation areas owned and/or operated by the village.

(Ord. 1-2011, passed 4-11-2011)

§ 97.02 DEFINITIONS.

For purposes of this chapter the following definitions shall apply unless the context clearly indicates or requires a different meaning.

PARKS. The grounds, buildings therein, water therein and any other property necessary for the operation thereof, and constituting a part thereof, which is now or may hereafter be maintained, operated and controlled by the Village of Franklinville including but not limited to Park Square, Pat McGee Park, Riverside Park, Grandtree and Arboretum Memorial Park.

PERMIT. Any written license issued by or under the authority of the village permitting the performance of a specific act or acts, or the conduct of a particular use, function, program, or activity within a park, parks, portion or facility thereof.

PERSONS. Any individual, firm, partnership, corporation or association of persons; the singular number shall include the plural.

(Ord. 1-2011, passed 4-11-2011)

§ 97.03 RULES AND PROHIBITED ACTIVITIES.

(A) **Vehicles.** It shall be unlawful for any person to operate a vehicle, including a snowmobile or motorcycle within or upon parklands, other than those areas constructed and maintained as road surface, public parking areas or areas designated and signed as motor vehicle, snowmobile, or motorcycle areas, unless such person has been issued an authorization by permit.

(B) **Horses.** It shall be unlawful for any person to allow a horse, under his or her control, to enter or occupy parklands, other than those areas constructed and maintained as road surface, public parking areas, or designated and signed as a horse trail, unless such person has been issued authorization by permit.

(C) **Fires.** Fires of any kind shall not be permitted in any parklands within the village unless done so in an established and designated metal fire pit provided by the village.

(D) **Garbage.** No person shall bring into, or dump, deposit or leave in or on, any park, public property or public facility, any bottles, broken glass, ashes, paper, boxes, can, dirt, rubbish, waste, garbage, refuse or other trash. No such refuse or trash shall be placed in any water, fountain or stream in or contiguous to any park, or left anywhere on the grounds thereof, but shall be placed in proper receptacles where these are provided. Where receptacles are not so provided, all such refuse or waste shall be carried away from the park by the person who is responsible for its presence and shall be properly disposed of elsewhere.

(E) **Dogs.** Dogs shall be permitted in any parkland only if such dog is on a leash and under the care and control of a competent person. It is an offense for any person with a dog under his or her care and control to fail to immediately remove and dispose in a waste container or by other sanitary means, any fecal matter deposited by such dog in any parklands.

(F) *Disorderly conduct.* No person shall engage in loud, boisterous threatening, abusive, insulting or indecent language, or engage in any disorderly conduct or behavior tending to a breach of the public peace, in or on any park, public property or public facility.

(G) *Vandalism.* No person shall destroy, injure, damage, remove or cut live or dead trees, shrubbery, plants or constructed improvements, or attach, fasten or erect wires, ropes, signs or notices in or on any park, public property or public facility.

(H) The use of or being under the influence of any illegal drug or substance in any village park.

(Ord. 1-2011, passed 4-11-2011)

§ 97.04 HOURS OF PUBLIC USE.

(A) Parks and recreation areas are open to the public between the hours of 7:00 a.m. and 9:00 p.m.

(B) It shall be unlawful for any person or persons, other than village personnel conducting village business therein, to occupy or be present in any park or recreation area during any hours in which a park or recreation area is not open to the public unless written permission has been previously obtained from the Board of Trustees.

(Ord. 1-2011, passed 4-11-2011)

§ 97.05 PERMITS.

(A) *Use of village parks may be reserved by application.* The Clerk may issue a permit to secure the use of parklands for a specified time period. Any person or persons issued a permit shall abide by the terms and conditions of the permit.

(B) Upon written application, the village may by resolution, issue a permit for the use of parks which contradict the provisions of this law. Any person or persons issued a permit shall abide by the terms and conditions of the permit.

(Ord. 1-2011, passed 4-11-2011)

§ 97.06 AMENDMENTS.

The Village Board of Trustees may, from time to time, by resolution rather than local law, establish such rules and regulations as it deems advisable governing the use and operation of areas designated as a village park.

(Ord. 1-2011, passed 4-11-2011)

§ 97.99 PENALTY.

(A) A violation of this chapter shall constitute an offense punishable by a fine not to exceed:

(1) A fine not exceeding \$260 for the first violation; and

(2) A fine not exceeding \$750 for second and subsequent violations, except for violations of ordinances regulating traffic and parking.

(3) A separate violation shall be deemed committed upon each day during which a violation occurs or continues.

(B) The Village Police Department, Building Inspector, any employee of the Department of Public Works or any other village employee or official designated by resolution of the Board of Trustees shall enforce all provisions established by this chapter. Any police officer having jurisdiction in the Village of Franklinville may without a warrant, arrest any offender whom he or she may detect is in violation of any of the provisions of the above sections, and take the persons so arrested forthwith before a Magistrate having competent jurisdiction, and he or she shall have at all times a right to enter the premises of any building, structure or enclosure in any village park which may be leased or set aside for the private or exclusive use of any person for the purpose of arresting violators hereof, and may use all necessary means to attain that end.

(Ord. 1-2011, passed 4-11-2011)