

PARK RULES AND REGULATIONS

SECTION I: That the following rules and regulations are hereby established with respect to the use of the Town Park and its facilities located at 2499 Three Rod Road. Attendants will be on duty at varied times. If you have a problem, please contact the attendant. If there is a major problem, please call the following numbers:

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|-------------|---------------------|
| 1) 310-7907 | Town Supervisor |
| 2) 857-0103 | Deputy Supervisor |
| 3) 949-5440 | Park Superintendent |

- (a) **Hours:** No unauthorized person shall for any reason enter the park prior to 8:00 a. m. or to remain within the park after the time posted at entrance. The park shall be open for the public from Memorial Day until October 1st unless otherwise posted. Security deposit will not be refunded if groups are not out of the park at proper time.
- (b) **Firearms:** No person except law enforcement officers shall take or otherwise transport any firearms, air guns, slingshots, or bows and arrows in the park.
- (c) **Preservation of Property:** No person shall injure, deface, disturb or befoul any part of the park, any of the building, signs, equipment or other property found therein, or remove, injure, peel, cut, or destroy any trees, flowers, shrubs, floral, rocks, or other minerals. No person shall staple or tack any items to tables, benches, or posts.
- (d) **Fires:** No person unless authorized by the Town Board, shall light any fire for any purpose in any part of the park except in a stove, oven, nor shall any lighted matches, cigarettes, cigars, or burning tobacco be deposited or left where a likelihood of fire may exist.
- (e) **Garbage and Refuse:** Park grounds and facilities must be maintained in a clean and sanitary condition. Littering of any kind is strictly prohibited. Garbage and refuse must be deposited in receptacles provided. No glass containers of any type are allowed in the park. Security deposit will not be refunded if shelters and grounds are not in a reasonably clean condition. The Town Board may also revoke future reservation privileges.
- (f) **Dogs:** No owner or person harboring any dog shall permit or allow such dog to run at large in the park, unless such dog be effectively restrained by a leash not exceeding six (6) feet in length and accompanied by its owner or a responsible person able to control the animal. Dog owners must clean up after their dogs.
- (g) **Hunting and Trapping:** No person shall hunt or trap within park boundaries.
- (h) **Fishing:** Fishing shall be permitted provided all laws as established by the State of New York are observed. Catch and release only.
- (i) **Bathing and Swimming:** No person shall bathe or swim in any stream, pool, pond or lake in the park.

- (j) **Gambling:** Gambling, as defined by the penal law of the State of New York, is prohibited in the park.
- (k) **Horse and Riders:** Horses and their riders are prohibited from using the park areas. Horse groups must obtain board approval to use park. No rider shall travel at a gait in excess of a trot while in the park. Horse owners are not allowed: in the shelter or play ground areas.
- (l) **No generators without prior approval from the Town Board.**
- (m) **No boats or canoes or floating devices allowed in pond.**
- (n) **Behavior:** No person shall engage in any conduct, which is disorderly, unruly or offensive to such a degree that the same shall constitute an offense under the penal law of the State of New York. The use of loudspeaker systems in the park is prohibited. Improper use of the tennis courts shall be strictly enforced. No person shall consume alcohol on park property in violation of any law of the State of New York.
- (o) **Speed Limit and Parking:** No person shall drive or cause to be driven along or over any road within the park any motor vehicle, snowmobile or other apparatus at a speed in excess of fifteen (15) miles per hour or in a manner, which endangers the life or limb of any person. No person shall park any vehicle in any place where a sign prohibiting parking has been erected or in any area other than that designated and posted as a parking area. Unlicensed motorcycles and motor bicycles are strictly prohibited within the park boundaries. No ATV, motor scooters, or snowmobiles are allowed in the Town Park.
- (p) **Commercial enterprise.** No person, firm or corporation shall sell, solicit or offer for sale any item, property or privilege within the park, unless authorized by the Town Board.
- (q) **SECTION II:** Shelters may be reserved on a first-come basis by Marilla residents with a request made to the Town Clerk who shall keep a log of all persons requesting the same, upon payment of the prescribed fee (revised 6/3/91) The non-refundable fee for a small shelter shall be Twenty Dollars (\$20.00) and the non-refundable fee for large shelters will be Forty Dollars (\$40.00) with a retainer security deposit of Twenty-five Dollars (\$25.00) refundable on the 7th day following the event (revised 2/4/91). Although the shelters are reserved on a first-come basis, it is Town policy to allow the shelters to be available to be used by all the residents of the Town of Marilla. The Town will therefore limit any individual or group to reserving only two shelters at the same time and reserves the right to limit any individual or group from reserving shelters a disproportionate number of times in order to keep the shelters available to the other residents of the Town of Marilla. Any retainer security deposit refund check that has not been cashed by December 1 in the year in which the reservation was made will automatically revert to the Town Park Account (revised 1/11/93). Community organizations recognized by the Town including churches and fire companies located in the Town of Marilla shall be exempted from the fee for the use of park shelters but shall be required to pay the retainer security deposit of Twenty-five Dollars (\$25.00) (revised 4/1/91). Groups in excess of twenty-five people must notify the Town Clerk of their activity prior to such event.

Gazebo: Marilla residents who would like to exchange their marriage vows or use the Gazebo at the Town Park for wedding pictures may reserve the Gazebo with a security deposit of Twenty-five Dollars (\$25.00). Twenty-five Dollars (\$25.00) refundable on the 7th day following the event. No decorations are allowed to be taped, tacked or nailed at any time, but placed or tied on decorations will be permitted. A reservation is only required if you wish the date and time of your ceremony (adopted 6/6/96).

SECTION III: A violation of any subdivision of Section 1 of this law shall constitute an offense punishable by a fine of not less than one Hundred Dollars (100.00) nor more than Two Hundred Fifty Dollars (250.00) for a first conviction thereof. Any person convicted of a second violation of any subdivision of Section I of this law within a period of five years shall be punished by a fine of not less than Two Hundred Dollars (200.00) or more than Two Hundred Fifty Dollars (250.00).

SECTION IV: In addition to any penalty authorized by Section III of this law, the court shall consider restitution as part of the sentence imposed upon a person convicted of any violation of this law where such offense resulted in the damage, destruction, defacement or injury to any part of the park, or any of the buildings, signs, equipment, trees, flora, rocks, ground covering or other property found therein. The court shall provide the town official having governance over the town park with an opportunity to be heard in accordance with the provisions of this section and may require the defendant to make restitution of the fruits of this offense or reparation for the loss or damage caused thereby. The town official having governance over the town park, shall upon notification of the conviction of person for violation of provision of this law where the sanction of restitution or reparation is available, advise the court at time of sentencing whether the town seeks restitution, the extent of injury or economic loss or damage sustained, and the amount of restitution or reparation sought by the town. The court shall hear and consider the information presented by the official in this regard, and pursuant to the provisions of the criminal procedure law of the State of New York, make a finding as to the fruits of the offense or loss or damage caused by the offense and the court may require restitution or reparation to be made.

SECTION V: The Town Board of the Town of Marilla shall be empowered to modify, alter or establish such additional rules and regulations with respect to the town park as shall from time to time be necessary by the formal resolution of the Town Board adopted by a majority of such board.