

Cuba Village Local Law No 6 of the year 2000

A local law establishing rules and regulations for parks in the Village of Cuba Village.
Be it enacted by the Board of Trustees of the Village of Cuba Village as follows:

Chapter 138 Rules and Regulations for Parks

Section 138-1. Purpose.

It is the intent, purpose and scope of this Section of the Code to ensure the preservation of outdoor public park lands, outdoor recreation facilities and other playground areas within the Village of Cuba Village for the perpetual enjoyment of the residents of the Village of Cuba Village, to regulate activities within these areas consistent with enjoyment of natural settings and park facilities, and to prevent any nuisances of the Village of Cuba Village in the use of such public park lands, outdoor recreation facilities and playground areas or in the enjoyment of private property adjacent to such areas.

Section 138-2. Discrimination.

No person shall on the grounds of race, color, national origin, religion, age, sex or handicap, be excluded from participation or be subjected to discrimination in any park facility, program or activity.

Section 138-3 Hours of Use.

- A. Village parks shall be open to the public every day of the year from dawn until dusk, unless otherwise posted.
- B. Notwithstanding paragraph A, above Willow Bank Park will be open from dawn until 11:00 P.M. during the winter sledding season.

Section 138-4. Permits for Special Events and Group Use.

- A. Permits for special events and group use in Village parks, including baseball fields, pavilions, and picnic areas shall be obtained by application to the Village Clerk.
- B. The application shall set forth the following information:
 - (1) The name, address and telephone number of the applicant.
 - (2) The proposed activity or use will not unreasonably interfere with the promotion of public health, welfare, safety and recreation.
 - (3) The day(s) and hours for which the park is desired.
 - (4) Variances required from Park Rules and Regulations.
 - (5) Any further information which the Village Clerk shall find reasonably necessary to make a fair determination as to whether the permit should be issued.
- C. The Village Clerk shall issue a permit if it is determined that:
 - (1) The proposed activity or use will not unreasonably interfere with or detract from the general public enjoyment of the Village Park.
 - (2) The proposed activity or use will not unreasonably interfere with the promotion of public health, welfare, safety and recreation.
 - (3) The proposed activity or use is not reasonably anticipated to incite violence, crime, or disorderly conduct.
 - (4) The proposed activity will not entail unusual, extraordinary, or burdensome expense, or, police operation.
 - (5) The facilities desired have not been reserved for other use on the day and at the hour requested in the application.
 - (6) The application does not request a variance which would require approval of the Board of Trustees including, but not limited to, waiver of the "Open Container Law."
- D. Keys to Village park facilities including, but not limited to, restrooms, shall be available during regular business hours of the Village Clerk on the business day immediately preceding the day for which the permit is issued. Any such keys shall be returned to the Village Clerk during regular business hours on the first

business day immediately after the day for which the permit was issued.

- E. No permits for use of the baseball field located at Chamberlain Park shall be issued during the Little League baseball and softball seasons.
- F. The Village Clerk shall make a report to the Board of Trustees at its monthly meeting regarding permits issued for the previous month.

Section 138-5. Alcoholic Beverages.

- A. No person under the influence of intoxicating substances shall be permitted within a Village park.
- B. No person shall possess or consume any alcoholic beverage within a Village park without first obtaining written permission from the Board of Trustees
- C. Chapter 73 of the Cuba Village Code commonly known as the "Open Container Law" shall apply in all Village parks.

Section 138-6. Motor Vehicles and Parking.

- A. No person shall drive or park any vehicle in a Village park except parking areas and such other areas as may on occasion be specifically designated by the Board of Trustees.
- B. Notwithstanding paragraph A, above, during Little League games at Chamberlain Park, vehicles may park around the perimeter of the baseball field, excepting center field, provided, however, such parking shall be perpendicular to the baseball field with not less than one car width between each parked vehicle.
- C. No person shall wash, repair, or service any motor vehicle within a Village park.
- D. No person shall leave their vehicle standing or parked at night in established parking areas or elsewhere in a Village park. No motor vehicles shall be in a Village park from one-half (1/2) hour after closing until 9:00 A.M. Except as authorized by the Board of Trustees.

Section 138-7. Camping.

- A. No person shall set up a tent, shack, or any other temporary shelter for the purpose of overnight camping unless specifically authorized by the Board of Trustees.
- B. No person shall leave any removable structure or special vehicle to be used or that could be used for camping, including, but not limited to, house trailer, camp trailer, camp wagon, or the like, in a Village park from one-half (1/2) hour after closing until 9:00 A.M. Except as authorized by the Board of Trustees.

Section 138-8. Refuse.

No person leave or deposit refuse, garbage, or litter in any Village park except in the proper receptacles. When no receptacles are provided, all such garbage, refuse, and litter shall be carried away from the park by the person responsible for its presence and properly disposed of elsewhere.

Section 138-9. Damage to Village Park Facilities.

- A. No person shall mark, deface, disfigure, injure, tamper with, displace or remove any park property including trees, buildings, tables, benches, fireplaces, fences, railings, signs, notices, playground equipment, or other park structures and facilities.
- B. Any damage to Village park facilities shall be immediately reported to the Village Clerk. The person(s) or organization(s) responsible for such damage shall be liable to the Village for all costs necessary to repair such damage.

Section 138-10. Commercial Use.

Village parks shall not be used for commercial purposes.

Section 138-11. Breach of Peace.

No person shall engage in any conduct or behavior which creates a public inconvenience, annoyance or alarm.

Section 138-12. Fireman's Park.

- A. This chapter shall not apply to the park and recreation facilities known as "Fireman's Park".
- B. Rules and regulations for the use and enjoyment of Fireman's Park shall be established by the Cuba Fire Department, subject to review and approval of the Board of Trustees.

Section 138-13. Penalties for Offenses.

Any person committing an offense against any provision of this chapter shall, upon conviction, be guilty of a violation pursuant to the Penal Law of the State of New York, punishable by a fine not exceeding Two Hundred Fifty Dollars (\$250.00) or by imprisonment for a term not exceeding fifteen (15) days, or by both fine and imprisonment. The continuation of an offense shall constitute a separate and distinct violation for each day the offense is continued.