

## CHAPTER 37

### PARKS

- Section 37- 1.** Hours and General Use.
- Section 37- 2.** Facility Reservations.
- Section 37- 3.** Hardball Diamond.
- Section 37- 4.** Permission Required for Group Meeting.
- Section 37- 5.** Littering, Posting of Signs Prohibited.
- Section 37- 6.** Vehicle Parking Restricted.
- Section 37- 7.** Alcoholic Beverages Prohibited.
- Section 37- 8.** Traffic Restricted.
- Section 37- 9.** Destruction Prohibited.
- Section 37-10.** Air Guns and Explosives Forbidden.
- Section 37-11.** Disorderly Conduct Prohibited.
- Section 37-12.** Obeying of Officers.
- Section 37-13.** Certain Glass Containers Prohibited.
- Section 37-14.** Violation and Penalty

#### ***SECTION 37-1. HOURS AND GENERAL USE.***

The facilities of the parks owned and maintained by the Village of Arcade shall generally be available without charge to residents and visitors daily from 8:00 a.m. to 10:00 p.m. except when the parks may be closed for winter.

#### ***SECTION 37-2. FACILITY RESERVATIONS.***

- A. No park building or athletic facility shall be reserved at any time without the prior consent of the Village Clerk, except that the Scout building shall be available at all times for scouting activities.
- B. All groups or organizations desiring to reserve such facilities shall obtain and submit an application to the Village Clerk.
- C. Applications must be filed with the Village Clerk at least one (1) day prior to the date for which the use is requested.
- D. All groups or organizations which shall be granted permission to use any of the park facilities will be required to conform to the park rules and regulations and in addition thereto, shall be required to pay fees for the use thereof, which shall be determined in an amount sufficient to cover the cost of lights, cleaning, and maintenance. **The fee(s) shall be established and authorized by the VOA Board of Trustees. Fee(s) for the use of Village facilities shall be collected in accordance with the fee schedule on file with the Village Clerk prior to the issuance of a permit.**
- E. Such reservations shall be limited to one (1) occasion per month to any one family, group, or organization. Local service clubs, athletic teams, scout troops, or groups specified by contract shall be so exempt from this limitation in the use of the facility built by it or be charged a fee therefor.
- F. Schedules for the use of ball diamonds, play grounds, tennis courts, and other athletic facilities shall also be filed with the Village Clerk before such facilities are reserved, and such schedules shall specify the dates and times when such facilities are to be used.

- G. The Village Clerk must require any group or organization using the facilities of the park to procure a policy of liability insurance which will indemnify the Village or the public against any claims or suits for damages sustained by any person, due to the negligence of such groups or persons connected therewith, in the use of park facilities.

1. Exemptions

The insurance liability certificate requirement may be waived for the following group(s):

a. Political Parties

In support of the political process and general public good, the Village will waive the insurance liability requirement for a Town or County level political party registered with the State of New York or the Wyoming County Board of Elections. Such party must have been granted an election ballot line on either the previous or next election within Wyoming County. Such a political party may use the facilities of the Village without the insurance certificate for legitimate Party meetings. The Party Chairperson must submit the Use of Facilities Application and Agreement.

- H. All groups or organizations using the aforesaid park facilities will be required to guarantee in writing repair of damage to Village property sustained as a result of the use of park facilities by such group or organization.

- I. Non-profit or not for profit organizations must include their organization's tax exempt number on the Use of Facilities Application and Agreement.

- J. The Village Clerk may refuse to reserve any such park facility or may cancel the use of any reserved athletic facility, where he/she finds that a persistent violation in the use of the park has resulted therefrom.

**SECTION 37-3. HARDBALL DIAMOND.**

- A. The use of the hardball diamond is open to the general public, except for regularly scheduled games or practice by the Arcade town team, Babe Ruth league, and the Pioneer Central School team.
- B. During the scheduled games, the Arcade town team, Babe Ruth league, and the Pioneer Central School team have permission to charge for admission to the game and the use of bleachers.
- C. During regularly scheduled ball games, the spectators will not be allowed on the playing field or adjacent thereto.

**SECTION 37-4. PERMISSION REQUIRED FOR GROUP MEETINGS.**

No person shall have or give any musical, theatrical, or other entertainment, nor shall any parade, procession, public gathering, or meeting of any kind take place in the park or in any building on the same, nor shall any person solicit fares or beg or publicly solicit subscriptions or make any oration, harangue, demonstration, or address within the limits of the park without prior permission from the Village Clerk. Refer to Section 37.2 of this Chapter for instructions.

**SECTION 37-5. LITTERING, POSTING OF SIGNS PROHIBITED.**

No person shall suffer to remain in or upon any park any goods, merchandise or other articles in the nature of an obstruction to the free use and enjoyment of said parks; nor shall any person place any dirt, papers, garbage, or other rubbish in or upon the same, except in containers furnished for such purpose, nor place any sign, bulletin board, or advertising device of any kind whatsoever in any park or upon any building, fence, tree, or other structure therein.

**SECTION 37-6. VEHICLE PARKING RESTRICTED.**

No vehicle of any kind or description shall be allowed to park or be permitted to stand on any portion of the park areas other than those areas specifically designated for parking.

**SECTION 37-7. ALCOHOLIC BEVERAGES PROHIBITED.**

No wine, beer, alcoholic, or spirituous liquors of any kind shall be sold at any time within the parks, except upon the consent of the Wyoming County Alcoholic Beverage Control Board on a daily permit basis.

**SECTION 37-8. TRAFFIC RESTRICTED.**

Heavy vehicles or heavy laden vehicles except such as may be used in the park service, are prohibited from passing over the driveways in the parks, and no person shall ride or drive any vehicles upon any portion of any park or its driveways in a reckless or careless manner or at a rate of speed exceeding fifteen (15) miles per hour.

**SECTION 37-9. DESTRUCTION PROHIBITED.**

- A. No person shall remove, destroy, break, injure, mutilate, or deface in any way any structure, monument, statue, fountain, wall, fence, railing, vehicle, bench, tree, shrub, plant, flower, trash can, ball diamond, or other property in or belonging to said parks.
- B. No person shall build any fire except in areas or containers designated for such purposes, or except in a charcoal grill container furnished by the visitor and so constructed as not to damage park property or park occupants.

**SECTION 37-10. AIR GUNS AND EXPLOSIVES FORBIDDEN.**

The use of air guns, firearms, fireworks, firecrackers, torpedoes, or explosives of any kind within any park is prohibited, unless special written permit therefor shall be given.

**SECTION 37-11. DISORDERLY CONDUCT PROHIBITED.**

Loud, boisterous, threatening, abusive, insulting, indecent language, disorderly conduct, behavior or any act tending to a breach of the public peace is prohibited.

**SECTION 37-12. OBEYING OF OFFICERS.**

No person shall fail, neglect, or refuse to comply with any reasonable order of a peace officer or Village officer engaged in the discharge of his duty.

**SECTION 37-13. ~~CERTAIN~~ GLASS CONTAINERS PROHIBITED.**

No glass bottles or containers ~~for the carrying or consumption of soda, pop, or any other carbonated beverages, beer, wine, or any other alcoholic beverages,~~ shall be permitted within any portion of any park.

**SECTION 37-14. VIOLATION AND PENALTY.**

Any violation of any of the provisions of this local law shall constitute an offense and shall be fined not more than \$250.00.

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Deleting Section 37-10

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Adopted:

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