

PARKS AND RECREATION

272 Attachment 1

Town of Hebron

Park and Open Space Policies

Approved by the Board of Selectmen February 1, 2024

Sec 1 Introduction

The Town of Hebron (hereafter, The Town) takes pride in the high quality of its parks, recreational facilities and open space. The Parks & Recreation Commission (hereafter, The Commission) has therefore directed the staff of the Parks & Recreation Department (hereafter, The Department) to manage the Town's parks, recreational facilities and open space in a fair manner that recognizes proper care and conditioning.

Sec 2 Definitions

Parks: Developed public green areas owned by the Town devoted to the use of active and passive recreational needs. Parks may include defined parking areas, enhanced trails, bridges, roads, buildings, and other permanent structures.

Recreational Facilities: Any areas and structures owned by the Town designed for specific recreational purposes, such as athletic fields, playgrounds, courts and pavilions.

Open Space: Undeveloped conservation areas owned by the Town for passive recreational and farming purposes. This may include but is not limited to land without buildings, roads, driveways, or other permanent structures.

Sec 3 Hours of operation

All parks, recreational facilities and open space shall be open sunrise to sunset unless posted by the Parks & Recreation Director or their authorized agent (hereafter, The Director) subject to the limitations stated. No person shall under any circumstances without written permission enter, remain, or loiter in any park, recreational facility or open space, between closing and opening time as posted by the Director. All parks of the Town will have signs posted regarding hours.

Sec 4 Exclusion from parks, recreational facilities and open space

The Town Manager, the Director as the designee of the Town Manager and any police authority shall have the right to exclude, when necessary, any person from entering a park or recreation facility or open space or any portion of any park, recreation facility or open space to ensure that the area will not become over-crowded, or to ensure the safety of persons both inside and outside the park or recreation facility or open space.

The Town Manager, the Director as the designee of the Town Manager and any police authority shall also have the right cause to have removed or excluded from any park, recreation facility or open space any person whose conduct is detrimental to the safety of others, creates a risk of damage to property or is in violation of these rules or of any federal, state or local statutes, ordinances, or regulations.

In emergency situations, any portion of parks, recreational facilities or open space may be closed to the public until it is deemed safe to reopen.

Sec 5 Supervision of minors

No supervision will be provided by the Department for minors, except in programs sponsored by the Department.

Sec 6 Permits

A permit is required for any person, group, or organization who or which seeks to use any park, recreational facility or open space in a manner which is otherwise prohibited by, disallowed under, or at variance with the specific uses and activities permitted under this ordinance, or to schedule use for a specific group. Applicants must be at least 18 years of age. The Town and its departments shall not be required to obtain a permit, to enter upon parks, recreational facilities or open space for any Town purpose but shall in advance obtain permission to perform its function from the Director. Recreational facility use plans shall be approved annually by the Commission.

The Director may approve or deny a permit upon such conditions as are reasonably necessary to protect public property and safety.

Any permit granted by the Director is granted subject to all other statutes, ordinances, and regulations which are applicable to the use sought, activity to be undertaken, and park, recreation facility or open space to be used.

Any permit obtained under this section shall be retained by the person or group for which the permit was granted and shall be shown to the Town Manager, any member of the Department, or police officer upon request. Failure to have possession of and to show said permit upon such request may subject the person or group to civil removal from the parks, civil or criminal fines or penalties.

Standards of Issuance of permits:

- The proposed activity or use of the park, recreational facility or open space will not unreasonably interfere with or detract from the general public's enjoyment or ecosystem services of the park, recreational facility or open space;
- The proposed activity and use will not unreasonably interfere with or detract from the promotion of public health, welfare, safety and recreation;
- The proposed activity cannot reasonably be expected to incite violence, crime, or disorderly conduct;
- The proposed activity will not require burdensome expense or police operation of the Town unless the Town agrees to provide a police presence at the event and the permittee agrees to reimburse the Town for the cost of police service.

Sec 7 Fees

All fees imposed by the Town for use of parks or recreational facilities shall be paid in full per the terms of the usage Permit.

Fees charged for the use of parks or recreational facilities shall be paid directly to the Department with the Town named as payee. Checks may be accepted at the discretion of the Director. A returned check charge may be imposed for all checks which are returned from the payor's bank unpaid. The fee schedule will be annually reviewed by the Commission and approved by the Director.

Sec 8 No liability for stolen property, property damage, personal injury

As a condition for use of parks, recreational facilities or open space, persons or groups using any park, recreational facility or open space agree to hold the Town harmless, assume all responsibility for lost or stolen property, personal injuries, or property damage, and by entry onto the park, recreational facility or open space agree that the use of the park, recreational facility or open space is at their own risk.

Sec 9 Use in accordance with law

Any persons or group using parks, recreational facilities or open space shall do so in accordance with all applicable state statutes and regulations, and Town ordinances and regulations, and posted rules.

Sec 10 Vehicles, motor vehicles, parking

Motor vehicles are permitted in parks, recreational facilities and open space only in designated parking areas.

Vehicles shall be parked so as not to unduly restrict the parking of other vehicles or to obstruct the passage of other vehicles, including emergency vehicles or operators, into and out of the designated area.

The following vehicles are permitted access to all park areas

- (1) Authorized emergency vehicles, including but not limited to fire department, police and ambulance, and other emergency vehicles.
- (2) Town vehicles.
- (3) Vehicles engaged in department-approved maintenance.
- (4) Vehicles engaged in activities related to the enforcement of this section.
- (5) Other vehicles authorized by the Director.

Sec 11 Speed Limit

The speed limit within all parks and recreational facilities will be posted, but not more than 15 mph.

Sec 12 Domestic Animals

Unless expressly prohibited at a particular park, recreational facility or open space, or portion thereof, domestic animals are allowed provided that they are leashed and restrained at all times except in designated areas. Owners shall clean up and dispose of animal waste in an approved receptacle.

Sec 13 Flying model aircraft, drones

The use of any flying model aircraft or drones shall be allowed only with permission of the Director.

Sec 14 Bicycles

Bicycles may be ridden in designated areas in parks, recreational facilities and open space, provided that such use is in accordance with all applicable state statutes and general town ordinances regulating the use of bicycles, including but not limited to the requirements pertaining to working brakes and operator helmets. Bicycle riders must stay on the designated trails and ride in a manner respectful of the property and of other trail users.

The Director may close bike paths due to environmental or erosion concerns, where the continuation of such activities may cause harm to the ground.

Bicycles with motors of any kind are specifically prohibited, except for electric bicycles as allowed per applicable state statutes.

Sec 15 Horseback riding

Horses or other animals may be ridden in designated areas in parks, recreational facilities and open space, provided that such use is in accordance with all applicable state statutes and general town ordinances. Riders must stay on the designated trails and ride in a manner respectful of the property and of other trail users.

Sec 16 Trail Use

Trail use activities such as hiking, cross-country skiing and snowshoeing are permitted in parks, recreational facilities and open space. Trail users must stay on the designated trails where appropriate and act in a manner respectful of the property and of other trail users.

Sec 17 Skateboarding, roller skating, rollerblading

Skateboarding, roller skating, and rollerblading are permitted only where posted.

Sec 18 Fishing

Fishing is permitted only where posted.

Sec 19 Ice Skating

Ice skating is permitted only at locations and times where it is posted that skating is permitted.

Sec 20 Farming

Farming may be permitted on Open Space designated areas with written approval from the Director. The use of regulated herbicides and pesticides in farming operations on Open Space must be in accordance with all applicable state statutes and general town ordinances and only with approval from the Director.

Sec 21 Prohibited uses and activities

The following uses and activities shall be and are hereby prohibited in parks, recreational facilities and open space:

- *Damage to property.* No persons shall damage, deface, displace, remove, destroy or tamper with any property of the Town or under the control of the Town including but not limited to buildings, gates, fences, security devices, seats, shelters, landscaping, monuments, signs, notices, inscriptions, tables, benches, structures, roads, paths, sidewalks, trails, or equipment.
- *Maintaining Natural Conditions:* No person shall deface, remove, destroy, or otherwise injure in any manner whatsoever any structure, waterway, trails, rock, artifact, tree, flower, or any other plant life; nor disturb or molest any wildlife. No persons shall add or release any plants, animals, mulch or soil without written approval from the Director.
- *Littering.* No rubbish or debris shall be brought into a park, recreational facility or open space for disposal. Any rubbish or debris which results from the usual and normal use of a park or recreational facility shall be disposed of only in receptacles provided in the park or recreation facility for such purpose or removed from the park, recreational facility or open space and properly disposed of. Disposing, throwing, leaving, dropping, or discharging any rubbish or debris in any other place upon the premises of a park, recreational facility or open space is prohibited.

- *Rubbish, garbage, sewage and noxious material.* No person shall bring into, leave behind or dump any material of any kind into the open space. No person shall throw, discharge into, cast, drop or leave in any river, brook, stream, pond, lake, or drain any substance, matter or thing, either liquid or solid, into any river, brook, stream, pond or lake on or adjoining a park, recreational facility or open space.
- *Advertising.* No persons, companies, or other entities shall distribute or display any flag, banner, sign or any other matter for advertising or promotional purposes, nor attempt to attract attention for advertising purposes by use of any musical instruments or any sound device without the approval of the Director. The foregoing provision shall not be deemed to prohibit entering a park, recreational facility or open space by means of motor vehicles displaying company logos, identification or other similar information.
- *Soliciting.* No person shall solicit for any purpose whatsoever.
- Functions involving an entrance fee, raffle, fund raising activities that are not related to a non-profit organization are prohibited.
- *Swimming.* Swimming is prohibited.
- *Golf.* The playing or practicing of golf, or the driving or hitting of golf balls, is prohibited.
- *Camping.* No person shall camp overnight, unless approved by permit.
- *Fireworks.* No person shall bring in or have possession of fireworks.
- *Fires.* No person shall kindle, build or maintain a fire except at approved locations.
- *Excavation.* No person shall dig or remove earth materials except in areas designated by the Director or otherwise authorized by permit.
- *Metal Detectors.* The use of metal detectors is prohibited, unless permitted by the Director.
- *Hunting, trapping and disturbing wildlife.* No persons shall hunt, trap or otherwise disturb any animal or bird; nor shall any person remove, collect or have in his possession the young of any wild animal or the egg or nest of any bird unless permitted by the Director.
- *Snow vehicles, motorbikes and all-terrain vehicles.* Motorized snow vehicles, motorbikes, all-terrain vehicles or any other means of motorized transport are not permitted.

Sec 22 Alcoholic beverages/drugs/smoking

- No alcoholic beverages, cannabis or controlled substances of any kind may be possessed or consumed by any person within a park, recreational facility or open space.
- No person shall be present in any park or recreational facility under the influence of alcohol or any controlled substance or combination thereof to the extent that the person's ability to use the facilities is impaired to a substantial degree or to the extent that the person's condition impairs the health, safety, or enjoyment of the park or recreational facility by any other person or group.
- Smoking or vaping of any kind is prohibited in any park, recreational facility or open space.

Sec 23 Firearms

- No person shall use, carry or possess or have air- or gas-powered guns, crossbows or bows, or other missile-throwing devices at any Town recreational facilities.
- Only persons with a valid handgun permit shall be allowed to carry at Town parks and open space as allowed by their permit in accordance with all applicable state statutes and general town ordinances regulating handguns.

Sec 24 Director’s ability to grant permission

The Director may approve exceptions to these rules by granting permission for such an exception under such conditions as they deem appropriate. All such approvals shall be in writing setting forth the reason therefore.

Sec 25 Power to enforce chapter

The town’s police department shall have the power and authority to enforce all sections contained in this ordinance.

Sec 26 Violations and penalties

Any person who violates any of the above rules and regulations shall be subject to eviction from the premises and subject to fines, penalties, cost and damages specified in (272-3 in the code ordinances) and any other legal remedies available under law.