

Proposed Amendment

Amendment

1. Municipal Parks Regulation

Amendment #1

Municipal Park (Bog Road Recreation Complex) Regulations

Ballot Language: The following language would appear on the ballot:

Article X

The Selectboard hereby establishes the following regulations for Bog Road Recreation Complex per Section 7 of the Municipal Parks Ordinance.

Statement of Fact: The purpose of the Regulations is to clearly establish standards for public use, define the decision-making process and authority to regulate Bog Road Recreation Complex; and ensure consistency with any deed restrictions or other legal requirements for Bog Road Recreation Complex.

Amendment: Adopt the Bog Road Recreation Complex Park regulations, as follows:

Bog Road Recreation Complex REGULATIONS:

SECTION 1: MISSION/VISION STATEMENT

Bog Road Recreation Complex is located at 40 Bog Road, York, ME 03909 within York County. The Recreation Complex was developed in 2001 to support the town's growing recreation and community programs. Amenities include a playground, three multi-sport athletic fields, ~~and~~ a baseball field, two snack bars, bleachers, parks maintenance building, a parking lot [as well as several undeveloped acres that include wetlands and wildlife habitat](#). It supports several town run programs as well as programs run by independent sports organizations. – [The park is available for a wide variety of active and passive forms of recreation.](#)

SECTION 2: PURPOSE AND INTENT

The purpose of the Regulations is to: clearly establish standards for public use; define the decision-making process and authority to regulate the Bog Road Recreation Complex; ensure consistency with any deed restrictions or other legal requirements; promote safe and responsible use of the Bog Road Recreation Complex, and to protect the natural resources located therein.

SECTION 3: PARK BOUNDARIES

- 3.1 Bog Road Recreation Complex consists of lands owned by the Town of York (Map & Lot) 0090-0084-A & 0090-0084-X as referenced within the Municipal Parks Ordinance adopted November 2, 2021.
- 3.2 The Bog Road Recreation Complex deeds can be found at the York County Registry of Deeds: (Book & Page) 10805- 35 and 13605- 281.

SECTION 4: AUTHORITY

These regulations are adopted pursuant to Section 7 of the Municipal Parks Ordinance adopted by the Town of York on November 2, 2021.

SECTION 5: ADMINISTRATIVE FRAMEWORK

5.1 Management

- A. The Parks & Recreation Director or their designee is responsible for oversight of this park.
- B. The Recreation Coordinator and Parks Superintendent or their designee is responsible for day-to-day Park management, operations and encouraging compliance. These duties include but are not limited to:
 - 1. The Parks Superintendent is in charge of care of the grounds, buildings and all maintenance of the park.
 - 2. The Recreation Coordinator schedules all games and activities as well as trains staff and volunteers on appropriate use of the park for recreation purposes.
- C. The Parks & Recreation Board serves as the Town's advisory board that may provide recommendations to the Parks and Recreation Director for use and management of the park.

5.2 Enforcement

The Parks and Recreation Department in collaboration with the Police Department is responsible for enforcement of these regulations.

SECTION 6: PARK STANDARDS AND RESTRICTIONS

6.1 Hours of Operation

- A. The park is open during daylight hours.
- B. After hours use of the park is prohibited without prior approval by the Parks and Recreation Director or their designee.

6.2 Animal Use and Standards (leash, wastes etc.)

- A. Domestic Animals must be leashed, and owners must follow the Town's Animal Control Ordinance.
- B. Owners must carry their own pet waste bags, immediately clean up after pets and properly dispose of waste (see Trash/Carry Out).
- C. Animals are not allowed on the athletic fields.

6.3 Alcohol and Drugs

Consumption or use of alcoholic beverages or drugs are prohibited.

6.4 Commercial Use

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Solicitation, collecting, vending, advertising, and commercial activity are not allowed unless authorized by the Parks and Recreation Director or their designee.

6.5 Drones

- A. Operating Unmanned Aircraft Systems (UAS), to include drones, for commercial use is not permitted on Town of York public parks to include the Bog Road Recreation Complex.
- B. Recreational UAS operations are not allowed unless authorized by the Parks and Recreation Director or their designee.

6.6 Golf

- A. Hitting golf balls is prohibited.

6.7 Group Activities/Special Events

- A. Organized groups may be permitted with an approved Special Use Permit or Group Registration application (see Permits).
- B. After the needs of the Parks and Recreation Department programs have been fulfilled, the remaining field time, shall be allocated to the York School Department and then to recognized independent sports organizations.

6.11 Metal Detectors

Metal detectors are prohibited throughout the park.

6.12 Motor Vehicles/Parking

Parking is provided in the Bog Road Recreation Complex parking lot. All vehicles must stay in the designated parking area.

6.13 Natural and Cultural Resources

All wildlife, plant life, artifacts and any other natural or man-made features are protected and may not be disturbed or removed unless authorized by the Parks and Recreation Director or their designee.

- A. Harassment of wildlife is illegal in Maine; do not approach, follow, or feed wildlife. Releasing or introducing any animal is prohibited.
- B. Please leave rocks, wildflowers, and other plants or natural objects as you find them.
- C. Do not disturb wetlands or vernal pools.

6.14 Noise Levels

Amplified music is not allowed unless authorized by the Parks and Recreation Director or their designee.

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6.16 Vandalism

- A. No person may deface, paint, damage, mutilate, or vandalize any natural or cultural object, or any sign or structure within the park area.
- B. Possession of paint or marking materials, or tampering with, altering, or removing any sign, marker, or structure, is prohibited.
- C. Driving nails or permanently installing any object is prohibited.

6.17 Trash

- A. The park is a “carry in/carry out” park.
- B. Visitors are responsible for carrying out all their refuse for proper disposal.
- C. Special events or concession stands that sell or provide food must provide trash receptacles for patrons and dispose of the trash in the provided dumpster on site.

6.18 Risk

For Recreational Users: The park visitors assume all risks, and shall be reasonably prepared and equipped, take reasonable precautions against endangering themselves or others.

6.19 Trespassing

Any unauthorized use is considered trespassing and is punishable by law.

SECTION 7. PERMITS

A written Special Use Permit issued by the Parks & Recreation Director, or their designee is required for any special request or activity not covered by the Standards and Restrictions (Section 6).

SECTION 8. AUTHORITY TO REGULATE MUNICIPAL PARKS

8.1 Minimum Requirements.

The Selectboard is hereby authorized to enact and amend regulations for the Bog Road Recreation Complex per Section 7 of the Municipal Parks Ordinance.

8.2 Process for Enacting, Amending, or repealing these Regulations.

The Selectboard shall conduct at least one (1) public hearing prior to amending these regulations.

SECTION 9. EFFECTIVE DATE

These regulations shall take effect following the date of adoption or approved amendment by the Selectboard.

SECTION 10. VIOLATION AND PENALTIES

The Town Parks & Recreation Director, the Town designated official for the management of this park, may institute action for any violations. Any person who violates any provision of the Ordinance shall be subject to a civil penalty of \$300.00 for the first offense, \$350.00 for the second offense, and \$400.00 for the third and subsequent offenses.

These rules and regulations have been promulgated for the protection of our patrons and for the facilities and natural resources of the Bog Road Recreation Complex. In addition to any criminal and civil sanctions imposed by law, any person violating these rules or other laws or regulations may be required to immediately leave and may have the privilege of entering the area revoked for a specified period.

SECTION 11. WAIVER/PAYMENT OF FINES

Any person charged with a violation of this section, shall be allowed to waive such violation and tender to the Town of York the fine amount if paid within 20 days of issuance of the summons. If the waiver fine is paid, no appearance before a District Court Judge or other judicial officer shall be required. If the offender pays the waiver fine, the matter will be closed in the York Police Records system and listed as a subsequent offense for future violations. If the offender chooses not to pay the waiver fine, he/she shall appear in court on the specified date to answer for the ordinance violation. If the offender is found to have committed the offense in court, fines, applicable court fees, attorney's fees, and prosecution costs may apply.

SECTION 12. SEVERABILITY

Should any portion of these regulations be held by the courts to be invalid, this shall not affect the validity of remaining portions of these regulations.