

# Proposed Amendment

## Amendment

1. Municipal Parks Regulation

## **Amendment #1**

### *Municipal Park (Goodrich Park) Regulations*

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

Article X

The Selectboard hereby establishes the following regulations for Goodrich Park 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 regulations for Goodrich Park; and ensure consistency with any deed restrictions or other legal requirements for Goodrich Park.

**Amendment:** Adopt the Goodrich Park regulations, as follows:

# Goodrich Park Regulations:

## SECTION 1: MISSION/VISION STATEMENT

The name “Goodrich Park” was specified by the donor, Mrs. Patterson, through the deeds which transferred the properties to the Town. The deeds indicate the Park was intended as a memorial to the donor’s: grandmother, Mary Marvin Goodrich, mother Isabella Goodrich Breckinridge; and uncle, Charles Cross Goodrich.

There are 4 parcels of land which now comprise Goodrich Park. These were acquired in two transactions of two parcels each. The property acquired in 1971 was the riverfront portion of the land, bounded to the east by Ferry Lane South. This was divided into two parcels – a small lot (parcel 2) which contains the Grant House, and the much larger remaining lands (parcel 1). The property acquired in 1972 is located to the east of Ferry Lane South. This was divided into two parcels – a small lot (parcel 1) of approximately ½ acre in area which fronts on Route One, and a much larger lot (parcel 2) of approximately 15 acres which surrounds the first.

Deed restrictions: The 1971 and 1972 deeds specify the following restrictions:

The park shall be perpetually maintained for the enjoyment of the Inhabitants of York and due regard shall be given to the preservation of the natural beauty and wildlife in the park, provided, however:

1. An adequate parking area, comfort station and picnic areas may be constructed in a manner consonant with preservation of the natural ecology of said park, said parking area and comfort station shall not be located any closer than one hundred (100) feet from U.S. Route No. 1 and the high water mark of the York River, and that access to said parking area shall be from Ferry Lane or through the existing roadway located on Parcel No. 2.
2. A small wharf and float may be maintained for access to the park from small boats, which access to said wharf limited to pedestrian travel only.
3. No boat launching ramps shall be built upon any portion of the premises described herein.
4. No signs, other than directional signs relative to said park, shall be permitted on the premises described herein.
5. No person shall be permitted to camp or occupy a mobile home, camper-trailer or vehicle intended for living purposes during the hours between sunset and sunrise.

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6. No snowmobiles shall be permitted with the premises herein described.

## **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 Goodrich Park; ensure consistency with any deed restrictions or other legal requirements; promote safe and responsible use of Goodrich Park, and to protect the natural resources located therein.

## **SECTION 3: PARK BOUNDARIES**

- 3.1 Goodrich Park consists of lands owned by the Town of York (Map & Lot) 0067-0005 as referenced within the Municipal Parks Ordinance adopted November 2, 2021.
- 3.2 Deed Reference: Goodrich Park deeds can be found at the York Country Registry of Deeds: (Book & Page) 1933-335.

## **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 Parks and Recreation Director 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 Parks and Recreation Director is in charge of scheduling of community activities at the park as well as day to day enforcement of park regulations.
- 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.
- D. The Parks and Recreation Department may put up directional and informational signage related to park information and environmental education.

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## **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 or Grant House for committee meetings is permitted with 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).

### **6.3 Alcohol and Drugs**

Consumption or use of alcoholic beverages or drugs are prohibited.

### **6.4 Commercial Use**

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 Goodrich Park.
- B. Recreational UAS operations are not allowed unless authorized by the Parks and Recreation Director or their designee.

### **6.6 Group Activities/Special Events**

Organized groups may be permitted with an approved Special Use Permit or Group Registration application (see Permits).

### **6.11 Metal Detectors**

Metal detectors are prohibited throughout the park.

### **6.12 Motor Vehicles/Parking**

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Parking is provided at Goodrich Park. 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.

### **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 that 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: Park visitors assume all risks, shall be reasonably prepared and equipped, and shall 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**

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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 Goodrich Park 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 Goodrich Park. 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

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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.