

Proposed New language is underlined, deleted language is shown with ~~strikethrough~~.
DRAFT with amendments as of 5-6-24

Town of Richmond
Municipal Park Ordinance
DRAFT As of 4-15-24

An ordinance in relation to the use of all municipal parks located in and belonging to the Town of Richmond, Vermont.

It is hereby ordained by the Richmond Selectboard, pursuant to 24 V.S.A. § 1971, 24 V.S.A. § 2291, 24 V.S.A. § 2202a, and other applicable statutory authority, that the following ordinance is approved and adopted with all previous versions rescinded:

GENERAL

Any person (meaning a person or organization) who utilizes or enters municipal park property shall comply with all provisions of this Ordinance. Municipal parks are identified in Attachment A to this ordinance.

Attachment A – entitled “**Municipal Parks**” map – This map, adopted as part of this Ordinance, depicts and identifies municipal parks, their respective parking areas, and their boundaries and is attached following the text of this Ordinance. Specifically: Brown’s Court Park (off Brown’s Court), Volunteers Green (off Bridge Street), ~~and~~ Overocker Park (off Cochran Road), ~~and~~ Round Church Green (between Round Church Rd. and Bridge St.)

SECTION ONE: PARK PROPERTY: NO PERSON SHALL:

1. Willfully mark, deface, disfigure, displace, or remove any park property.
2. Construct or erect any building or structure of whatever kind, whether permanent or temporary, except with written permission secured in advance from the Richmond Administrative Offices.

SECTION TWO: SANITATION: NO PERSON SHALL:

1. Pollute the natural waters located in the park.
2. Bring in or cause to be brought in or dump trash of any kind.
3. Bring in or cause to be brought in glass containers of any type without written permission secured in advance from the Richmond Administrative Offices.
4. Use anything but the proper receptacles provided for trash. Where receptacles are not provided, all such trash shall be carried away by the person(s) responsible.
5. Urinate or defecate in any place other than a restroom.
6. Fail to properly dispose of feces left by their animals. Feces are to be placed in a plastic bag and put in a trash receptacle or carried away by the person(s) responsible if no trash receptacle is available..

SECTION THREE: TRAFFIC: NO PERSON SHALL:

1. Operate a vehicle at a rate of speed exceeding five (5) miles per hour.
2. Operate a vehicle other than an authorized maintenance vehicle or authorized emergency vehicle on any area except park roads or designated parking areas without written permission secured in advance from the Richmond Administrative Offices.
3. Park a vehicle other than an authorized maintenance vehicle in other than an established or designated parking area without written permission secured in advance from the Richmond Administrative Offices..
4. Operate a vehicle in a manner as to cause the wheels to spin.
5. Fail to yield to pedestrians and bicyclists.

SECTION FOUR: RECREATIONAL ACTIVITIES:**Subsection A: NO PERSON SHALL:**

1. Use or discharge, a firearm of any description.
2. Fail to comply with the Richmond Animal Control Ordinance.

Subsection B: NO PERSON SHALL, WITHOUT WRITTEN PERMISSION SECURED IN ADVANCE FROM THE RICHMOND ADMINISTRATIVE OFFICES:

1. Set up tents, campers, vehicles, or any other temporary shelter for the intention of overnight use.
2. Participate in golf, archery, and/or similar sporting activities that might endanger the public safety.
3. Engage in horseback riding.
4. Hunt, kill, or trap any animal or bird.
5. Operate a snowmobile, ATV, go-cart or any unregistered vehicle
6. Use fireworks or explosives.
7. Have a fire of any kind.

SECTION FIVE: BEHAVIOR: NO PERSON SHALL:

1. Use or sell alcoholic beverages with the exception of two (2) alcoholic beverage vendors, as part of the Richmond Farmers Market which shall be allowed to sell Vermont-produced alcoholic beverages as an agricultural product in accordance with Vermont laws. Consumption of this product is limited to samples only, according to law, and no other consumption shall be allowed on any park property at any time. Containers sold must be unopened and remain unopened while on park premises. The vendor must currently possess all necessary permits and licenses required for legal sales.
2. Use or sell any product containing cannabis at any municipal park at any time.
3. Engage in any disorderly conduct or behavior tending to a breach of peace.

SECTION SIX: MERCHANDISING, ADVERTISING, & SIGNS: NO PERSON SHALL, WITHOUT WRITTEN PERMISSION SECURED IN ADVANCE FROM THE RICHMOND ADMINISTRATIVE OFFICES:

1. Sell or distribute products of any kind.
2. Post signs of any sort. All approved signs shall conform to Richmond Zoning Regulations Section 5.7

SECTION SEVEN: MUNICIPAL PARK OPERATING POLICY:

1. Municipal parks shall be open to the public as follows:
 - a. April 1 through October 31: dawn to dusk
 - b. November 1 through March 31: dawn to 6 p.m., with the exception of the skating rink. When operational, the skating rink hours will be from dawn to 10 p.m.
2. Persons in a municipal park at other times will be considered to be trespassing.
3. Individuals or groups wishing to hold an organized event in a municipal park such as a sporting event, tournament, entertainment, demonstration, farmers market, fundraiser, etc. must obtain written permission secured in advance from the Richmond Administration Offices and pay applicable fees as established by the Selectboard from time to time.
4. The Richmond Administrative Offices may require that any person or organization requesting permission to utilize a municipal park provide, prior to use, a Certificate of Insurance with the "Town of Richmond" named as additional insured. The amount of insurance and length of coverage will be determined by the Administrative Offices. The Administrative Offices may require that prior to permission being granted, the individual or group grant a release from liability, or waiver, to the Town of Richmond for any claims resulting from the activities of the individual or group.
5. Whenever permission is requested for use of a municipal park the Richmond Administrative Offices, must determine that the proposed use would not violate this Ordinance, state or federal statutes, create a public nuisance, or be detrimental to the public health, safety and welfare, in order to grant such

permission therefore additional information from the applicant may be requested to determine compliance..

6. The Richmond Administrative Offices shall establish the priority in which permission shall be granted to a person or organization and the Town Manager shall designate one person to approve applications on behalf of the Administrative Offices

SECTION EIGHT: RESOLUTIONS AND OTHER REQUIREMENTS:

PERSONS SHALL:

1. Abide by any Resolution in place at the time of their event.
2. Abide by other requirement agreed upon during the application process.

SECTION NINE: PENALTIES:

- a. This is a civil ordinance. Any law enforcement officer or Richmond Town Constable is designated as an issuing official who may issue complaints for violations of this Ordinance.
- b. The following civil penalties are hereby imposed for violation of this Ordinance:
 - i) First violation of this Ordinance \$ 50.00
 - ii) Second violation of this Ordinance \$ 100.00
 - iii) Third and subsequent violations of this Ordinance \$ 150.00

The oldest violation will be deleted for purposes of calculating the foregoing penalties and the waiver penalties set forth below if the person completes twelve (12) violation free months.

- c. Each day a violation continues shall constitute a separate violation.
- d. In cases where violations of this Ordinance are brought to the Traffic and Municipal Ordinance Bureau, and where the violation is admitted or not contested, in lieu of the above, the following waiver penalties are imposed:
 - i) First violation of this Ordinance \$ 25.00
 - ii) Second violation of this Ordinance \$ 50.00
 - iii) Third and subsequent violations of this Ordinance \$ 75.00
- e. In addition to any other remedy provided in this Ordinance or available at law or in equity, the Town Selectboard may institute a suit for an injunction to prevent, restrain, or abate violations of this Ordinance.
- f. All penalties received hereunder, except the statutory costs of the court, shall be paid to the Town of Richmond.

SECTION TEN: SEVERABILITY:

If any provision of this Ordinance is declared to be invalid or unenforceable the remaining provisions of this Ordinance shall not be affected.

