

RESOLUTION TC27-197: BE IT RESOLVED AND ORDAINED, That Chapter 15-Parks and Recreation of the Trumbull Municipal Code is hereby repealed and replaced. (Full Ordinance Attached)

Introduced by	Elstein
Council	11-07-19
Referred to Selectman	11-12-19
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Effective	12-09-19

Certified by Clerk Margaret H. Mastromi  
Clerk of the Council

Approved Debi A. Tisow 11/12/19  
First Selectman Date

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## **RESOLUTION TC27-197**

### **ADOPTED**

#### **Chapter 15- Parks and Recreation**

**Preamble** - It is the intent of these ordinances to provide rules and regulations for the healthful maintenance of order, safety and decency in the parks and grounds of the Town of Trumbull, Connecticut. Nothing contained herein shall be deemed to exempt any person from the application of any other Town of Trumbull ordinance, rule or regulation nor shall limit the authority of the Department of Parks and Recreation or the Parks and Recreation Commission to revoke or suspend the privileges of any person found violating such other law, rule or regulation.

#### **15-1 Definitions:**

For the purposes of this chapter, the following terms, phrases and words shall have the meaning given herein:

- (a) The Commission is the Parks and Recreation Commission of the Town.
- (b) The Department is the Department of Parks and Recreation of the Town, and includes employees, volunteers and authorized agents.
- (c) Park Property is a Town owned or maintained property, park, field, parkland, trail, open space, playground, recreation place and/or facility, greenbelts and Rails To Trails devoted to active or passive recreation, or any part within, and/or any other area, place, building or structure including, but not limited to, monuments, statues, fences, walls, railings, trees, bushes, shrubs, flowers and/or any other materials.
- (d) Person shall be defined as any person, group, firm, partnership, association, corporation, company or organization of any kind.
- (e) The Town is the Town of Trumbull, Connecticut.

#### **15-2 Use of Facilities at Own Risk:**

The Town and the Department shall assume no responsibility for lost or stolen property, personal injuries or property damage. All persons using Park Property or other property controlled by the Commission shall do so at their own risk.

#### **15-3 Permits:**

- (a) All permits are issued by the Department
- (b) The permit holder shall have, on their person, a physical or electronic copy of said permit during permitted time. This permit shall be presented upon request from the Department.

#### **15-4 Damage to Park Property:**

- (a) Nothing herein shall prevent the Department from carrying out proper maintenance of a Park Property or constructing facilities and improvements as authorized by the Department.
- (b) No person shall move, remove, cut, write upon, deface, tamper, dig, excavate, or otherwise damage any Park Property.
- (c) No person shall attach any rope, wire or other contrivance to any Park Property.
- (d) No person shall climb, walk, stand or sit upon Park Property not designed or customarily used for such purposes.
- (e) Dumping is prohibited within all Park Properties. Violators may be issued an infraction. "Dumping" means to discard (A) more than one cubic foot in volume of any material at one time; (B) furniture, garbage bags or contents thereof or other similar materials; or (C) material which has been placed at a location with an intent to leave it indefinitely at such location or material which has not been removed from a location within forty-five days.

#### **15-5 Fish and Wildlife:**

- (a) Nothing herein shall prevent the Department from taking measures that the Department deems to be in the interest of wildlife management, research, monitoring or education.
- (b) No person shall, or shall attempt to, remove, collect, frighten, harass, maliciously harm, disturb, injure, hunt, poison, trap, or pursue any wildlife, fish, bird, eggs, nests or habitat, or any animal wildlife within Park Property except for the purpose of wildlife management as authorized by the Commission or the Department.
- (c) Fishing permits are required of persons 16 or over. Persons shall fish only in waters designated and approved by the Commission for this purpose. Persons fishing within Park Property shall abide by all State of Connecticut laws and rules as set forth by the Connecticut General Statutes and rules established by the Connecticut Department of Energy and Environmental Protection.
- (d) Fishing with the use of nets or seines is not permitted within Park Property.

#### **15-6 Pets and Other Animals:**

- (a) Nothing herein shall prevent the Department from prohibiting dogs or other animals from specific Park Property or any part thereof.
- (b) No owner, keeper, or person, having charge of a dog or other animal, shall permit or allow or be responsible for permitting or allowing such dog or animal to run loose or to roam at large at any time upon any Park Property or to injure, chase, harass or otherwise disturb any person or any species of wildlife.

- (c) All pets within Park Property shall be on a leash no longer than six (6) feet in length, and owners will be responsible for cleaning up any and removing all waste from said animal.
- (d) No dogs or other animals shall be allowed on any fields used for sports unless permitted by the Department.
- (e) No unlicensed pet or animal shall be allowed within any Park Property without the expressed written permission from the Department.
- (f) No person shall ride a horse within Park Property, except on trails and areas authorized by the Department. Horses are not allowed in any stream, pond or any other body of water. No person shall allow their horse to go unattended unless authorized by the Department.

**15-7 Camping, Picnicking or Erecting Dwellings; Use of Structures in Parks:**

- (a) No person shall camp, dwell, place or erect on or within Park Property any building, tent, cabin or other temporary or permanent structure without expressed written permission from the Department.
- (b) Individuals or groups without a permit shall not use any portion of the picnic areas, or any building or structure therein for picnicking to the exclusion of others, nor use such areas and facilities for an unreasonable time if facilities are crowded.
- (c) No person or group shall leave a picnic area before completely and properly extinguishing and disposing of any fire used by said person or group.

**15-8 Sanitation:**

- (a) All persons shall use restrooms provided within Park Property only for the purpose for which they are intended and shall cooperate in maintaining restrooms in a neat and sanitary manner.
- (b) No person shall dress or undress in any portion of any Park Property except in buildings or areas designated for such purpose.
- (c) No person shall throw, discharge or otherwise place, or cause to be placed, in any streams, springs, ponds, pools, fountains, aquatic features or any other waters, natural or artificial, any substance, matter or contrivance, liquid or solid, which will or may result in the pollution of said waters.
- (d) No person shall discard or deposit bottles, broken glass, ashes, paper, plastics, boxes, cans, dirt, rubbish, water, garbage, or other trash or refuse in a Park Property.
- (e) No person shall leave any trash or refuse that may originate from picnicking or other activities, except in proper receptacles provided for the purpose. Where receptacles are not provided, all refuse or trash shall be carried away from Park Property by the person responsible for its presence and properly disposed of elsewhere.

### **15-9 Conduct and Behavior:**

- (a) All persons shall comply with any and all signage within Park Property.
- (b) No alcoholic beverages are allowed on or within any Park Property, except with an issued permit by the Department. No one shall be publicly intoxicated at any time.
- (c) No tobacco products or electronic nicotine delivery devices are allowed within 50 feet of any pool, sprinkler pad, playground, or permitted recreational area.
- (d) No person shall take part in or abet the playing of any games of chance or have any instrument of gambling within Park Property.
- (e) No person shall hike or walk in a nature study area or areas where educational and scientific activities or experiments are carried out, except along paths and trails laid out and marked accordingly.
- (f) No person shall use boats or other aquatic vessels on any park waters or waterways, except upon special authority of the Department.
- (g) No person shall go onto the ice on any of the ponds, streams, springs or any other waters, natural or artificial, except as such areas are designated for skating.
- (h) No person shall engage in the use of any motorized or radio controlled toy or vehicle including, but not limited to, planes, drones, boats, and cars, unless permitted by the Department.
- (i) Model rocketry is prohibited within Park Property unless permitted by the Department.
- (j) No person shall interfere with recreational programs authorized by the Department.
- (k) No person shall enter or be in a Park Property with or under the influence of illicit substances.
- (l) No person shall build or attempt to build a fire in fireplaces, at picnic areas, or at such other locations without written permission from the Department.
- (m) No person shall drop, throw or otherwise scatter matches, burning cigarettes or cigars or other burning material within Park Property.
- (n) With the exception of the Department's Honorary/Memorial Programs, no person or group shall make contributions or modifications to any Park Property without approval from all relevant Town entities.
- (o) No person shall use loud, boisterous, threatening, abusive, insulting or indecent language or engage in any disorderly conduct.
- (p) No person shall use any public address system or amplifying equipment without expressed permission from the Department.
- (q) No person shall use any mechanical, magnetic, electrical or other device constructed or designed for the purpose of locating or discovering any lost, abandoned or mislaid articles or goods in, under or upon said areas (also known as metal detecting) without expressed permission from the Department.
- (r) No camping is allowed except by expressed permission from the Department.

- (s) No person shall have, use or operate any aircraft within Park Property, except with expressed permission from the Department. The word "aircraft" includes, but is not limited to, gliders, helicopters, drones, lighter-than-air dirigibles and balloons capable of carrying passengers or cargo.
- (t) All rock climbing by the use of ropes and harnesses is prohibited on or within any Park Property except with the expressed written permission from the Department.
- (u) No person shall pick fruit or nuts except on days and hours established by the Commission. The Commission shall determine the amount that can be harvested by a person annually. No person shall climb or use ladders to pick from fruit or nut trees. Nuts harvested from the trees and ground shall be taken whole.
- (v) No person shall either carry or have any firearms or discharge any firearms, explosives or fireworks on or within Park Property without specific authorization from the Commission.
- (w) Roller skates, roller blades, skate boards, bicycles, scooters and other motorized or non-motorized vehicle are prohibited on all courts.

**15-10 Pools, Swimming Areas and Aquatic Features:**

- (a) No person shall carry or place cans, bottles, glass, coolers, food, gum, candy or beverages within the swimming areas except when approved by the Department.
- (b) Bathing and swimming shall be permitted only in areas designated for that purpose, and only at designated hours. Swimming is prohibited without a lifeguard on duty.
- (c) The use of tubes or other swimming aids is prohibited. Balls, water propelling devices (water guns), masks, snorkels, and fins are also prohibited without expressed permission from the Department.
- (d) Individual or group instruction provided by a private party, either free or for compensation, is prohibited. All lessons and instructional activities must be provided or authorized by the Department.
- (e) No one under twelve (12) years of age is allowed in swimming areas without being accompanied by an adult.
- (f) Appropriate swim attire must be worn at swimming areas. No cut-offs allowed at pools. Those who are not toilet trained must wear a swim diaper while in the water.
- (g) Showering is required before entering the pool.
- (h) The Department may suspend privileges for unacceptable behavior (unsafe conduct, disturbing other participants, etc.).
- (i) No person shall enter or use swimming or bathing areas without displaying such identification as may be required by the Commission and/or the Department.

- (j) No person shall swim, bathe, float or wade in any spring, stream, pond or any other waters, natural or artificial, except at such times and in such places as the Department may designate by proper signs or permits.
- (k) All persons shall follow all published and posted rules for the use of Town swimming areas.
- (l) Any lifeguard duly employed by the Department and on duty shall have the power and duty to enforce the provisions of every applicable ordinance and regulation, under and in accordance with regulations duly issued by the Department.
- (m) No person shall refuse to obey the order of any lifeguard while said lifeguard is on duty.

**15-11 Parking and Traffic:**

- (a) Parking within a Town Park requires a permit issued by the Department.
- (b) No person shall operate a motorized vehicle on any trail, pedestrian walkway, or other area not intended for vehicular use within Park Property without expressed permission from the Department.
- (c) The use of minibikes, snowmobiles, all-terrain vehicles, or any unregistered or unlicensed vehicles is expressly prohibited within all Park Property.
- (d) No person shall fail to obey the directions of any Park Ranger or Town employees authorized and instructed to direct traffic within Park Property.
- (e) No person shall operate any vehicle in Park Property in excess of the posted speed limit or, where not posted, in excess of fifteen (15) miles per hour.
- (f) No person shall wash, clean, paint, maintain or make repairs to any motor vehicle in any Park Property.
- (g) No person shall park a motor vehicle other than in a paved designated parking area without expressed permission from the Department. Curbside or roadside parking within Park Property is prohibited.
- (h) Park Rangers, police officers, and any authorized agents shall have charge and control over all vehicular and pedestrian traffic on the roads, trails or drives within Park Property.
- (i) No vehicle shall drive off the paved portion of any road area designated for vehicular access without expressed written permission from the Department.

**15-12 Advertisements and Solicitation:**

- (a) No public service vehicle, commercial vehicle or any vehicle displaying commercial advertisement shall enter any Park Property except with expressed permission from the Department.

- (b) No person shall solicit or offer for sale any article, service, or advertisement of any nature in any Park Property, except as permitted by the Commission and/or Department.
- (c) No persons shall solicit contributions for any purpose, whether public or private, without specific approval from the Commission and permitted through the Department.
- (d) No person shall attempt to use any visible or audible sign or signal for the purpose of solicitation without written permission of the Department.
- (e) Permission to post notices and/or distributing materials on Park Property may be granted with prior approval by the Department.
- (f) No person or group may post, install, modify or relocate any form of advertisement or sponsorship, be it permanent or semi-permanent, such as banners, flags or signage, anywhere within Park Property without prior approval from the Commission. No modifications of approved materials may be made without permission from the Department.

**15-13 Sports, Games, Athletic Activities and Events:**

- (a) Organized sports, games, athletic activities, or events, on Park Property require a permit shall be conducted in accordance with the Department's field use policies.
- (b) Pick-up sporting events do not require a permit, but to ensure exclusive use of a field or facility, a permit is recommended. Pick-up events may only be conducted on fields open for such activity as deemed by the Department and must also follow field use policies.
- (c) Ball fields and courts have been designated with a specific use in mind. Any use other than the designated activity is prohibited except with expressed permission from the Department.
- (d) The playing or practice of golf within Park Property is prohibited except with expressed permission from the Department.
- (e) Individual or group instruction provided by a private party, either free or for compensation, is prohibited. All lessons and instructional activities must be provided or authorized by the Department.

**15-14 Operating Policies:**

- (a) All Park Property will open at sunrise. Gates will open for vehicular access as soon after opening as practicable. All Park Property will be considered closed 1/2 hour after sundown, with the exception of designated areas where activities authorized by the Department are being held. Vehicles must vacate Park Property before park closing. The Department may close, extend or restrict the hours of any Park Property without notice.

- (b) No persons shall use in any manner whatsoever any Park Property for any purpose in violation of any federal, state, municipal law or Town ordinance, rule or regulation.
- (c) Fees, if any, for the use of Park Property or activities shall be subject to prior approval of the Commission and shall be administered by the Department.
- (d) No person shall enter or use any Park Property without the proper pass or permit in accordance with the Town, Commission, and/or Department regulations.
- (e) Violating the conditions of any regulation set forth herein may result in a fine or penalty.

**15-16 Penalties:**

- (a) The Town, Department, Park Rangers, and Police Officers may enforce all rules, regulations, and ordinances in accordance with C.G.S Sec. 7-148(b)(10)(A):

Make all lawful regulations and ordinances in furtherance of any general powers as enumerated in this section, and prescribe penalties for the violation of the same not to exceed two hundred fifty dollars, unless otherwise specifically provided by the general statutes. Such regulations and ordinances may be enforced by citations issued by designated municipal officers or employees, provided the regulations and ordinances have been designated specifically by the municipality for enforcement by citation in the same manner in which they were adopted and the designated municipal officers or employees issue a written warning providing notice of the specific violation before issuing the citation,,,,; - C.G.S. Sec.7-148 Scope of Municipal Powers.

- (b) Any person violating any of the provisions of this chapter shall be subject to a fine of twenty-five (\$25.00) dollars for each offense, in addition to other remedies. Each violation of a separate section of this ordinance shall be considered a separate offense and shall not merge with a violation of any other section of this ordinance. Each violation continuing more than one day shall constitute a separate offense for each day said violation continues.
- (c) An authorized agent of the Department may eject a person or group from Park Property for cause.
- (d) The Department may suspend all rights, privileges or permits for the use of Park Property, without refund, of any Person violating any of the provisions of this ordinance or regulation who:
  - (1) after notice by an authorized agent does not immediately cease, correct or rectify any such violation, or
  - (2) repeats a violation or violations after notice by an authorized agent of a previous violation, or
  - (3) fails to pay upon demand, charges and fees incurred for the use of Park Property and all expenses incurred by the Town caused by violation of the ordinance.
- (e) The Department may seize and confiscate any property within Park Property that is brought in or used in violation of any provision of any Town ordinance.

(f) The provisions of this section shall not affect or be deemed to limit any other penalty or remedy provided herein or by the provisions of any other applicable law, ordinance or regulation.