

Chapter 143

TOWN PROPERTY AND FACILITIES (F/K/A PARKS AND RECREATION)

- § 143-1. Unlawful acts.
- § 143.1.1. Additional use restrictions.
- § 143.2 Penalties for offenses.
- § 143.3. Enforcement.

[HISTORY: Adopted by the Town Board of the Town of Clarence 8-5-1970. Sections 143-1K and 143-2 amended at time of adoption of Code; see Ch. 1, General Provisions, Art. I. Other amendments noted where applicable.]

GENERAL REFERENCES

- Dogs and other animals See Ch. 83.
- Firearms See Ch. 103.
- Solid waste See Ch. 185.
- Vehicles and traffic See Ch. 213.

§ 143-1. Unlawful acts.

It shall be unlawful for any person to do any of the acts on Town property hereinafter specified:

- A. Hours: For any person to enter a park prior to 7:00 a.m. or remain within a park or on any bikepath after the hour of 11:00 p.m. [Amended 4-16-1980]
- B. Firearms: For any person to take or otherwise transport any firearms, air guns, slingshots or bows and arrows. Responsibly supervised archery events and nuisance permits will be allowed with written permission of the Town Board.
- C. Preservation of property: For any person to injure, deface, disturb or befoul any part of Town property or any of the buildings, signs, equipment, or other property found therein or remove, injure or destroy any animal, tree, flower, shrub, rock or other mineral. Peeling bark or cutting or injuring trees is prohibited.
- D. Fires: For any person to light any fire for any purpose except in a stove, oven or fire circle provided for that purpose. Lighted matches, cigarettes, cigars or burning tobacco must not be deposited or left where they may cause fires.
- E. Garbage and refuse: Grounds must be maintained in a clean and sanitary condition. Littering of any kind is strictly prohibited. Garbage and refuse must be deposited in the receptacles provided.

- F. Pets: Pets are not allowed except on the bikepath and subject to all provisions of the Dogs and Other Animals Local Law. [Amended 2-3-1982]
- G. Hunting and trapping: For any person to hunt or trap game except with Town Board and New York State Department of Environmental Conservation approved nuisance permits.
- H. Bathing, boating and swimming: For any person to bathe, swim, boat, canoe, kayak, tube, or raft in any of the streams or lakes.
- I. Gambling: Gambling is prohibited except where expressly permitted.
- J. Horses and riders: Horses and their riders are prohibited except with Town Board approval.
- K. Liquor, Beer and Drugs: Possession of liquor, beer or illegal drugs in any quantity is prohibited. Public intoxication and disorderly, disruptive, unruly and offensive behavior are prohibited. Keg and canned beer are permitted with a permit only. Glass containers are prohibited. [Amended 7-22-1992 by L.L. No. 1-1992]
- L. Speed limit. [Amended 8-10-1983]
 - (1) No person shall drive or cause to be driven along or over any road or parking area any vehicle at a speed or in a manner which endangers the life or limb of any person, and in no event shall the speed of any vehicle exceed 15 miles per hour, nor shall any person park or cause to be parked any vehicle at any point where a sign prohibiting parking has been erected.
 - (2) Operation of vehicles. The operation and use of any vehicles shall be subject to the rules and regulations as established from time to time by the Town Board.
 - (3) All motor-driven vehicles, including, but not limited to minibikes, golf carts, motor scooters, all-terrain vehicles, snowmobiles and any and all automobiles and motorcycles that are unlicensed and/or unregistered and/or uninsured, are prohibited. Duly registered, licensed and insured motor vehicles and motorcycles are expressly permitted only on established roadways and parking areas subject to Town ordinances and rules and regulations as established by the Town Board as aforementioned.
- M. Commercial enterprises: For any person, firm or corporation to sell or offer for sale any property or privilege whatsoever, unless authorized by the Town Board of Clarence. Town property shall not be used for commercial enterprises unless authorized by the Town Board of Clarence.
- N. Stick hockey: Stick hockey is prohibited except where expressly permitted. [Added 5-8-2002 by L.L. No. 3-2002]

- O. Rollerblade: To rollerblade except on the bikepath or where expressly permitted.
- P. Skateboarding: To skateboard except on the bikepath being used as a means of transportation.
- Q. Bicycles: To ride a bicycle other than on established roadways and parking areas.
- R. Loitering: To loiter or remain on Town property not having any legitimate reason for being there.
- S. Obscene Language: To use obscene, profane or abusive language.
- T. Signs: To post or display any sign, banner, advertisement, or notice of any sort without prior permission of the Town Board.
- U. Parking: To park on the grass unless authorized by a Town employee.
- V. Radio Controlled: To operate radio controlled model planes.
- W. Noise: To cause excessive noise by electronic means or otherwise which disturbs or annoys others.
- X. Feeding of Deer or Other Wildlife: To feed deer or other wildlife on any town property including the bike path.

143-1.1. Additional use restrictions. [Added 4-16-1980]

- A. Use Restrictions: Park use is restricted to residents of the Town of Clarence. For group functions, at least 1/3 of the group must be Town residents. If this requirement cannot be met, a one time use per year per Town resident will be allowed.
- B. Use of Clubhouse, Legion Hall, Nature Center and Pavilions. Applications for use of the Town Park Clubhouse, Legion Hall, Nature Center and Pavilions are available from the Clarence Town Clerk's office. Applications for the Clubhouse, Legion Hall and Nature Center must be approved by the Town Board. Each application lists the rules and regulations for each facility including restrictions and fees if any. The approved application or permit must be in the applicant's possession on the date of the event as proof of reservation.
- C. Occupancy. The occupancy of any town building or pavilion is restricted as set forth in the application form.

§ 143-2. Penalties for offenses. [Amended 7-22-1992 by L.L. No. 1-1992]

Violation of any of the foregoing rules and regulations shall constitute an offense, and a person guilty of such offense shall be punishable by a fine not exceeding \$250 or by imprisonment not exceeding 15 days, or by both such fine and imprisonment.

§ 143-3. Enforcement. [Added 6-20-1984 by L.L. No. 1-1984]

- A. The provisions of this chapter shall be enforced by duly appointed Town security officers, New York State Police, Erie County Sheriffs, New York Department of Environmental Conservation or any other person specifically designated or appointed by resolution of the Town Board. Such persons shall have the right to issue appearance tickets and any other duly authorized procedures, unless otherwise revoked, modified or restricted by the Town Board, for the enforcement of the provisions of this chapter.
- B. It shall be the duty of any person granted the authority to enforce the provisions of this chapter to keep a record of any and all appearance tickets or the like issued hereunder, subject to the direction and control of the Town Board.