

TOWN OF GERMANTOWN
Local Law #3-05
Regulations of the Germantown Park Commission

Introduction

The Germantown Park Commission administers five (5) recreational facilities. These are Palatine Park (including Activities Building, Pavilion, Barbecue Area, and Picnic/Playground Area), Beach/Lake Facility, Cheviot Boating Dock, Dales Bridge Recreation Area, and Half Moon Anchorage Dock/Lasher Memorial Park.

Use of the above five facilities is restricted to residents of the towns of Germantown, Gallatin, Clermont, and Livingston, and the village of Tivoli (except that use of the New York State DEC boat ramp at the Half Moon Anchorage is unrestricted). All residents using these recreational facilities must obtain an annual Park Pass at the Germantown Town Hall, at a cost to be set annually by the Park Commission with final approval by the Germantown Town Board. Non-resident Park Passes may be issued at the discretion of the Park Commission with final approval by the Germantown Town Board.

It is the intent of the Park Commission to encourage residents and their friends to use the recreational facilities under its administration for baseball, softball, and other athletic games, picnics, nature-trail walking and jogging, day camping, Scouting events, boating, swimming, family and community gatherings, and other acceptable recreational activities that promote and enhance the well-being of individuals and groups.

Currently park pass fees are set as follows (effective 5-19-05):

Annual Park Pass (Resident) \$10 per household.

Annual Park Pass (Business) \$10 per business.

Annual Park Pass (Resident-Senior age 55 or older) \$5 per household

Annual Park Pass (Resident-Disabled) \$5 per household.

Two Day Visitor Pass (Non-resident) Date with effective dates \$10 per household

Seasonal/3 month Pass (Non-resident) Date with effective dates \$50 per household

Replacement of lost pass (with name on file after 5-19-05) \$5

Section I. General Regulations

To enhance and promote the safety, well-being, and enjoyment of each individual in the use of these facilities, the following regulations are adopted. Persons violating them will be removed from park buildings, lands, and recreation sites and may be prosecuted to the fullest extent of the law.

(a) Smoking: Smoking is prohibited in any indoor/roofed area and where otherwise denoted.

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- (b) Alcoholic Beverages: Consumption of alcoholic beverages in park buildings or on park lands is prohibited except when a use permit is issued authorizing the consumption of such beverages. If alcoholic beverages are to be sold at a permitted event, the permittee must obtain and present to the Park Commission before the event a 24-hour permit from the New York State Liquor Authority. The person responsible for the use of alcoholic beverages at a permitted event will be identified on the use permit for that event.
- (c) Damage: No person shall damage, destroy, or tamper with any real or personal property on park lands or cut or injure any tree or other plant life on park lands.
- (d) Disorderly Conduct: No person shall do any of the following: disobey the directions of any sign erected by the Park Commission; use abusive or obscene language; throw stones or other objects that may injure others or their property; obstruct vehicular or pedestrian traffic; engage in or encourage harassment, fighting or violent or threatening behavior; make unreasonable noise; create a hazardous condition; without authority disturb any lawful assembly or meeting of persons.
- (e) Written notice must be given to the Germantown Town Board/Germantown Police Department within 24 hours regarding any injury/mishap/damage to persons and/or property while on park lands.
- (f) Firearms and Weapons: Hunting or the unauthorized use of firearms or any weapons on park lands is strictly prohibited.
- (g) All park lands and buildings shall be closed one-half hour after sunset and shall open one-half hour after sunrise. No persons shall enter or remain on such lands or in such building during the period of closure unless an event is being held.
- (h) Nothing shall be left on park lands or in park buildings without official permission. Nothing shall be removed from park lands or park buildings without official permission.
- (i) Operation of Recreational Means of Transportation: The operator of any snowmobile, motorcycle, bikes, horse, or recreational vehicle shall use said means of transportation only in areas designated for such use, and the operators of snowmobiles, motorcycles, and other licensed recreational vehicles shall carry liability insurance in an amount equal to that prescribed by law for such operation on highways and shall carry evidence of same.
- (j) Children under twelve (12) years of age shall not be permitted to enter onto or remain on park lands or in park buildings unless accompanied by a parent or guardian or by a person at least sixteen (16) years of age with permission from the child's parent/guardian.
- (k) In areas where pets are permitted, they must be under the control of their owners at all times. Owner's must clean up their dog's feces and deposit them in appropriate waste containers.
- (l) No person shall operate or park a motor vehicle on any park lands except on roads and in officially designated parking lots or parking areas.

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- (m) All persons using park facilities or lands must clean up the area or areas they have used before leaving the facilities or lands.
- (n) To safeguard the health and well-being of all residents the Germantown Town Board may from time to time add/revise/modify regulations for use of all parks/facilities.

Section II. Use Permits

- (a) To assure to individuals and groups equal opportunity in the use and enjoyment of park buildings, grounds, and recreational facilities, a written permit, issued by the Park Commission and signed by two (2) of its members and by the Town Supervisor, shall be required when a group of twelve (12) or more persons plans to use park lands and facilities.
- (b) Use permits will be issued without payment of a fee to non-profit civic organizations and community groups of the towns of Germantown, Gallatin, Clermont, and Livingston and the village of Tivoli.
- (c) On payment of a fee [see (d) & (e) below], a private group/community group of twelve or more persons may receive a permit to use park facilities. Use of any facility by the Town of Germantown and/or the Germantown Park Commission takes precedence over use by all others; use of facilities by civic and community groups takes precedence over use by private groups; resident/community use takes precedent over non-resident use.
- (d) Upon receiving a use permit, a private resident/community group shall pay a fee to the Park Commission on a sliding scale of \$25 for each 25 persons (1-25 persons = \$25 Minimum; 26 persons and over = \$1.00/person). All fees may be up-dated from time to time by the Germantown Town Board.
- (e) If a private resident/community group event is a profit-making event, the above fee schedule is waived and replaced by a fee of 10% of the event's net profit for use of buildings and grounds and an additional 5% of the net profit for use of the Activities Building kitchen and/or the barbecue area.
- (f) All groups receiving a use permit must obtain and present to the Park Commission, if requested, a certificate of liability insurance that covers the period of time that the group will use park facilities.
- (g) A non-resident group holding a profit making event shall be charged a fee to be set at the discretion of the Park Commission/Town Board
- (h) All fees are payable to the Town of Germantown/Parks and are non-refundable. All fees will be used for the maintenance, repair, and improvement of park facilities and grounds.
- (i) The signature of only one of the three signatories is needed to revoke the use permit because of violations of these Regulations. The Park Commission with approval of the Town Board and/or Town Supervisor may deny future use permits to any group that has committed violations of these Regulations.
- (j) Signage is to be posted in various locations throughout town parks to indicate that possession of a current park pass is required.

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Section III. Specific Regulations Governing the Activities Building, Pavilion, Barbecue Area, Picnic and Playground Areas

- (a) Cleanup: Whether a permitted event is free of payment of a fee or subject to payment of a fee, all litter, refuse, and garbage must be removed from park facilities and grounds or placed in appropriate receptacles by the permittee on the same day as the event. The Germantown Maintenance Department will evaluate cleanup on the next business day after any permitted event. In the case that additional cleanup is necessary, the Maintenance Department will notify the Germantown Town Board. The permittee will be charged for the cleanup at Maintenance Department hourly rates.
- (b) It is recommended that permittees assign persons to oversee vehicle parking, to monitor all areas for papers and other litter that might blow toward the lake, and to periodically check the bathrooms for cleanliness and supplies.
- (c) Damages: All permitted groups will be billed for damages to park facilities and grounds beyond those due to normal deterioration. This charge may be over and above any fee already collected by the Park Commission.
- (d) The seating capacity in both the Activities Building and the Pavilion is 320.
- (e) Activities Building Rules
 - 1) This is a No Smoking building.
 - 2) Do not move or damage the pool tables.
 - 3) For pool balls and cues, ping-pong table, balls, and paddles, and other games equipment, contact a town representative at least 48 hours prior to your event.
 - 4) The Germantown Maintenance Department will set up tables for an event. Please let a town representative know the number of tables needed. Take care in handling and moving tables if that becomes necessary.
 - 5) Tables taken out of the building must be returned inside immediately after use.
 - 6) For large dinner events, have your setup committee meet with a town representative. Call (518) 537-6687 to arrange a time.
 - 7) All ovens, fans and lights in the Activities Building, including bathroom lights, must be turned off before the building is vacated and, in winter, thermostats returned to 55 degrees.
- (f) Pavilion Rules
 - 1) This is a No Smoking pavilion.
 - 2) Everything must be put back where it is normally stored. Tables should be lifted, not dragged, when being moved.
 - 3) Use tape to attach anything to posts or tables. If using staples, remove them before leaving. Do not use nails.
 - 4) Turn pavilion lights off before leaving.

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(g) Barbecue Area Rules

- 1) Do not use gasoline to start fires.
- 2) Before using the barbecue area, discuss the removal of ashes with a town representative. The proper disposal should always be in metal ash cans with lids.

(h) Picnic Area Rules

- 1) Lift, do not drag picnic tables.
- 2) At the end of your event, put tables back where you found them.
- 3) Ashes must be emptied into an appropriate metal container with a lid.

(i) Playground Area Rules

- 1) This is a No Smoking area.
- 2) All children using the playground area must be accompanied by a parent, guardian or designated person as in Section I (i) above.
- 3) No pets are allowed in the Playground Area.

Section IV. Specific Regulations Governing Palatine Swimming Facility

- (a) This is a No Smoking area.
- (b) Swimming is prohibited unless a lifeguard is on duty.
- (c) Consumption of alcoholic beverages in the Beach/Lake Facility is prohibited.
- (d) Pets, containers made of metal or glass, soap, and any vehicles, including but not limited to bicycles, ATVs, and motorcycles, are prohibited.
- (e) Rough or violent play, running, and the throwing of balls, boomerangs, or other objects are prohibited in the Beach/Lake Facility.
- (f) Swimming in the lake outside the bouy-marked areas is prohibited.
- (g) Inner tubes, flippers, underwater breathing devices, rafts, and other flotation devices shall not be used except within the three-foot (3-ft) depth area of the lake.
- (h) Lifeguards may use their discretion in the application of all rules governing the Beach/Lake Facility.
- (i) Entry onto the surface of the lake when frozen is permitted only when the green flag is flying.

Section V. Specific Regulations Governing the Dales Bridge Recreation Area

- (a) No swimming is allowed at the Dales Bridge Facility.
- (b) All garbage and refuse must be removed and the area cleaned up after use.

Section VI. Specific Regulations Governing Cheviot Boating Dock and Half Moon Anchorage Dock/Lasher Memorial Park

- (a) Boats, rafts, canoes, kayaks, or other vessels may not be left on docks or park lands or anchored offshore without permission from the Park Commission.
- (b) No fishing from the boat ramp or floating docks.

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Section VII. Enforcement

1. Public parks and public recreation sites of the Town of Germantown shall be supervised by a commission of three (3) or more members, to be appointed by the Town Board and to be known as the Germantown Park Commission.
2. The members of the Commission shall receive no compensation for their services as such and shall serve at the pleasure of the Town board.
3. Members of the Town Board may serve as members of the Germantown Park commission.
4. The Commission may adopt rules and regulations for the use of the public parks and public recreation sites of the Town of Germantown which shall become effective upon approval by the Town board of the Town of Germantown.
5. Before any rule is approved by the Town Board, the Town board shall hold a public hearing on the proposed rule or rules in the manner and form required by Municipal Home Rule Law of New York, subdivision 9.
6. A person who violates any rule or regulation of the Germantown Park commission, shall be guilty of a violation and shall be punished by a fine of not exceeding Two Hundred Fifty (\$250) Dollars or by imprisonment not exceeding fifteen (15) days, or both.
7. A person who, while on premises of a public park or public recreation site of the Town of Germantown, is directed by a member of the Germantown Town Board, or a police officer, or a constable of the Town of Germantown , or a lifeguard employed by the Town of Germantown Park Commission, or an employee of the Town of Germantown Highway Department, to leave the public park or public recreation site shall forthwith leave such premises and remove himself or herself to not less than 100 feet therefrom. A violation of this section shall constitute a violation and shall be punishable by a fine not exceeding Two Hundred fifty (\$250) Dollars or imprisonment for not exceeding fifteen (15) days, or both.
8. Local Law No. 2 of 1976 entitles "A local law to provide for the administration of public parks and recreation sites" is hereby repealed.
9. This Local Law shall take effect upon its adoption.

Section VIII. Definitions

Resident: Any person owning/renting a domicile/property within the communities specifically contributing to our park funding on a yearly basis for more than three months.

Non-resident: Any person not residing or temporarily residing for a period of 3 months or less.
(within the communities specifically contributing to the funding of our parks on a yearly basis)

Visitor: Any person residing within the communities specifically contributing to the funding of our parks for a period of less than one month.

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Business: A business existing within the communities specifically contributing to the funding of our parks.

Senior: Anyone over the age of 55 years old.

Disabled: Anyone eligible for a NYS disabled parking permit/license