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#343

Chapter 14 - PARKS AND RECREATION^[1]

ARTICLE III. - RECREATIONAL AREAS USE REGULATIONS

DIVISION 1. - GENERALLY

Sec. 14-31. - Definitions.

For the purposes of this article, the following terms, phrases and words shall have the meaning given in this section:

Commission is the Glastonbury Inland Wetlands and Watercourses Agency/Conservation Commission.

Park is any town-owned land or open space other than those areas designated as a preserve below.

Preserve is either the Cotton Hollow Preserve or the Great Pond Preserve.

Public access easements are areas dedicated for the purpose of providing egress to/from parks and preserves and shall be considered a part of a park or preserve.

Stewardship committee is the Great Pond Stewardship Committee as established by the management agreement for Great Pond Preserve executed by and between the Town of Glastonbury and the Nature Conservancy of Connecticut, Inc., on September 3, 1991.

TNC is the Nature Conservancy of Connecticut, Inc.

Town is the Town of Glastonbury within the State of Connecticut.

Town manager is the chief executive of the town and an "authorized agent" is any town employee appointed by the town manager.

Vehicle is any conveyance, whether wheeled or not, that is motor-powered, animal-drawn. As herein defined, the term "vehicle" does not include wheelchairs or other mobility devices utilized by handicapped individuals.

(Code 1960, § 1750.0(b), (d), (e); Ord. of 3-22-65; Ord. of 5-10-71; Ord. of 5-27-97; Ord. No. 318, 4-13-10)

Cross reference— Rules of construction and definitions generally, § 1-2.

Sec. 14-32. - Damaging, defacing, etc., park property.

- (a) No person shall willfully mark, vandalize, deface, disfigure, place graffiti, injure, tamper with, or displace or move any building, bridges, tables, benches, fireplaces, railings, paving or paving material, water lines, or other public utilities or parts or appurtenances thereof, signs, notices or placards, whether temporary or permanent, monuments, stakes, posts, boundary markers, fences, or other structures or equipment, facilities or park property or appurtenances whatsoever, either real or personal, in either a park or preserve.

- (b) No person shall dig or remove any sand, soil, rock, stones, trees, shrubs, plants, down-timber, or other wood or materials or make any excavation by tool, equipment, or other means or agency, in either a park or preserve.
- (c) No person shall damage, cut, carve, transplant, remove or injure the bark or pick the flowers or seeds of any tree or plant, and no person shall dig in or otherwise injure or impair the natural beauty or usefulness of any area in either a park or preserve.
- (d) No person shall climb any tree or walk, stand or sit upon monuments, railings, fences, or any other property not designated or customarily used for such purposes in either a park or preserve.
- (e) Nothing in this section shall prevent the town manager or his authorized agents from carrying out proper maintenance of a park or preserve, constructing facilities and improvements as authorized by responsible town agencies, or issuing special permission to groups, both public and private, to carry out projects of an educational, historical, conservation or recreational nature.

(Code 1960, § 1751.0; Ord. of 3-22-65; Ord. of 5-27-97)

Sec. 14-33. - Wildlife.

- (a) *Hunting, molesting, etc.* Except as provided in subsection (d) and (e), no person shall hunt, molest, harm, frighten, kill, trap, chase, tease, shoot or throw missiles at any animal, reptile, or bird; nor shall he/she remove, collect, or have in his/her possession the young of any animal, or the eggs, nest or young of any reptile or bird in either a park or preserve; with the exception of authorized persons only who may remove sick, injured or dangerous animals and reduce, eliminate or otherwise control nuisance species.
- (b) *Poisoning.* No person shall give, offer, or attempt to give any animal, bird, or reptile any poison or other known noxious substance in either a park or preserve.
- (c) *Fishing.* Subject to state and local laws and regulations, fishing shall be permitted in either a park or in the Cotton Hollow Preserve only in those waters designated by the town manager or his authorized agent; the use of bait fish, or of nets or seines is expressly prohibited. Fishing is not permitted within the Great Pond Preserve.
- (d) *Use of firearms and weapons.* Except as provided in subsection (e) no person shall hunt, trap, or pursue wildlife at any time in a park or preserve and no person shall use, carry or possess firearms, air-rifles, spring guns, bows and arrows, slings, or any kind of trapping device, or any other weapons potentially inimical to wildlife and dangerous to human safety, with the exception of authorized persons who may hunt and trap to remove sick, injured or dangerous animals and to reduce or eliminate nuisance species.
- (e) Hunting may be permitted on town owned land as designated by the town manager/town council provided the Town of Glastonbury and Department of Environmental Protection have entered into all necessary agreements related to such land pursuant to G.S. § 26-16, or any regulation promulgated thereunder, and the town has entered into an agreement with the sponsoring Sportman's Club for management and administration of the DEP permit required hunting program. The town shall not collect any charge, rent, fee or other commercial service for the use of any such land.

(Code 1960, § 1752.0; Ord. of 3-22-65; Ord. of 5-10-71; Ord. of 5-27-97; Ord. of 9-26-00)

Sec. 14-34. - Picnicking and camping.

- (a) No person shall picnic in an area in a park other than those designated for the purpose, nor shall he fail to obey directions of the town manager or his authorized agent when issued to prevent congestion and secure maximum use of such areas. Picnicking and cookouts are not permitted in a preserve.

- (b) No person shall use any portion of the picnic areas in a park or any buildings or structures therein for the purpose of picnicking to the exclusion of other persons, nor shall any person use such area and facilities for an unreasonable time if facilities are crowded, except as expressly permitted by the town manager or his authorized agent.
- (c) No one shall build or attempt to build a fire in a park or preserve except in fireplaces at designated picnic areas in a park or at such other locations as may be specifically permitted by the town manager or his authorized agent.
- (d) No person shall leave a picnic area in a park before any fire lighted or used is completely extinguished.
- (e) No person shall camp in areas in a park other than those designated for camping and unless a special permit has been obtained from the town manager or his authorized agent, such permits to be issued only to organized youth groups. Camping shall not be permitted in a preserve.

(Code 1960, § 1753.0; Ord. of 3-22-65; Ord. of 5-27-97)

Sec. 14-35. - Sanitation.

- (a) All persons shall use restrooms as provided in a park and shall cooperate in maintaining restrooms in a neat and sanitary condition.
- (b) No person shall throw, discharge, or otherwise place or cause to be placed in any streams, springs, or ponds in a park or preserve, any substance, matter or thing, liquid or solid, which will or may result in the pollution of such waters or present a health risk.
- (c) No person shall dump or deposit bottles, broken glass, ashes, paper, boxes, cans, dirt, rubbish, waste, garbage, refuse, or other trash in a park or preserve.
- (d) No person shall leave any such trash or refuse in a park or preserve that may originate from picnicking or other activities, except in proper receptacles provided for the purpose; where receptacles are not provided, all such refuse or trash shall be carried away from a park or preserve by the person responsible for its presence and properly disposed of elsewhere.
- (e) The use of public drinking water faucets in a park for any washing purposes is prohibited.

(Code 1960, § 1754.0; Ord. of 3-22-65; Ord. of 5-27-97)

Sec. 14-36. - Recreational activities.

- (a) No person shall swim, bathe, or wade in any springs, streams, or ponds in a park or preserve except at such times and in such places as the town manager or his authorized agent may designate by proper signs or notices or as specifically authorized by a special permit issued by the town manager or agent. Any person swimming, wading, or bathing at either times or places not so designated by the town manager or his authorized agent shall do so at his own risk and the town shall not assume any responsibility whatsoever for any such activity which may be carried on.
- (b) No person shall take part in or abet the playing of any game in a park or preserve involving horseshoes, golf, arrows, stones, balls, or other propelled objects except in areas set apart for such activities in a park.
- (c) No person shall ride a horse except on designated bridle paths. No riding of horses into streams or ponds shall be permitted. Except as permitted by the town manager or his authorized agent, no person shall ride, graze, or allow a horse to go unattended.
- (d) No person shall hike or walk in nature study areas or areas where educational and scientific activities or experiments are carried out except along paths and trails laid out and marked accordingly.

- (e) No person shall go onto the ice on any of the ponds except as such areas are designated for skating and ruled safe by the town manager or his authorized agent.
- (f) No person shall interfere with various recreational and educational programs as from time to time may be sponsored by the town.
- (g) No person shall jump or dive into any spring, stream or pond in a park or preserve of the town.

(Code 1960, § 1755.0; Ord. of 3-22-65; Ord. of 5-27-97; Ord. No. 318, 4-13-10)

Sec. 14-37. - Traffic regulations.

- (a) No person shall operate any vehicle anywhere in a park or preserve except along access drives and within parking areas or as expressly permitted by the town manager or his authorized agent.
- (b) No person shall fail to obey all traffic officers or town employees authorized and instructed to direct traffic in a park or preserve or on highways immediately adjacent thereto.
- (c) No person shall operate any vehicle in a park or preserve in excess of fifteen (15) miles per hour.
- (d) No person shall park a vehicle in a park or preserve other than in a designated parking area except as expressly permitted by the town manager or his authorized agent.

(Code 1960, § 1756.0; Ord. Of 3-22-65; Ord. of 5-27-97; Ord. No. 318, 4-13-10)

Sec. 14-38. - Consumption or possession of alcoholic beverages; entering park in intoxicated condition.

No person shall consume or have in his or her possession alcoholic beverages in a park or preserve except in park picnic areas where alcoholic beverages have been expressly permitted by the town manager or his authorized agent, nor shall any person enter or be in a park or preserve under the influence of alcohol or drugs.

(Code 1960, § 1757.1; Ord. of 3-22-65; Ord. of 8-8-78; Ord. of 5-27-97)

Sec. 14-39. - Allowing dogs to run at large prohibited.

No person shall permit dogs or pets to run at large in a park or preserve. Dogs shall be permitted only when leashed or tethered, except in those defined areas specifically designated by the town manager or his authorized agent for dogs to be off leash.

(Code 1960, § 1757.2; Ord. of 3-22-65; Ord. of 5-27-97; Ord. No. 318, 4-13-10)

Sec. 14-40. - Building fires restricted.

No one shall build or attempt to build a fire in a park or preserve except in fireplaces at designated picnic areas in a park or at such other locations as may be specifically permitted by the town manager or his authorized agent.

(Code 1960, § 1757.3; Ord. of 3-22-65; Ord. of 5-27-97)

Sec. 14-41. - Dropping matches, cigarettes, burning material, etc., prohibited.

No person shall drop, throw, or otherwise scatter matches, cigarettes or cigars, or any other burning material within a park or preserve.

(Code 1960, § 1757.4; Ord. of 3-22-65; Ord. of 5-27-97)

Sec. 14-42. - Disorderly conduct.

No person shall use loud, boisterous, threatening, abusive, insulting, or indecent language or engage in any disorderly conduct or breach of the peace in a park or preserve.

(Code 1960, § 1757.5; Ord. of 3-22-65; Ord. of 5-27-97)

Sec. 14-43. - Peddling.

No person shall expose or offer for sale in a park, preserve or on roads fronting a preserve any article or thing, advertise or call attention to any article or service, or post signs of any nature in any location, except as expressly permitted by the town manager or his authorized agent.

(Code 1960, § 1757.6; Ord. of 3-22-65; Ord. of 5-27-97)

Sec. 14-44. - Operating policies.

- (a) No person shall enter or remain in a park or preserve between one-half ($\frac{1}{2}$) hour after sunset and one-half ($\frac{1}{2}$) hour before sunrise except as permitted by the town manager or his authorized agent or as a part of a program approved or sponsored by the town.
- (b) Any section of a park or preserve may be declared closed to the public, either entirely or for particular uses, by the town manager or his authorized agent at any time and for any interval of time, either temporarily or at regular and stated intervals.
- (c) A schedule of fees for admission to a park or preserve, for parking, and/or for use of facilities, and for permits issued in accordance with the provisions of section 14-45 may be adopted by resolution of the town council. The recreation commission, conservation commission or stewardship committee, as appropriate, may recommend a schedule of fees to the town council for admission to or use of a park or preserve.
- (d) The town manager or his authorized agent may eject from a park or preserve any person acting in violation of any provision of this division.
- (e) The town manager or his authorized agent may seize and confiscate any property, thing, or device in a park or preserve which is brought in or used in violation of any provision of this division.
- (f) A town employee may direct individuals to stop any behavior that is disruptive, unsafe, or alarming to others, potentially damaging to town property, or specifically prohibited by posted signs. Failure to comply with an order of the town manager or his authorized agent will be in violation of this section.
- (g) The town reserves the right to prohibit or restrict activities in a park or preserve.
- (h) The playgrounds and area immediately adjacent to the schools are under the control of the board of education during school hours and during school sponsored functions, and are not open for public recreation when school is in session or when in use by the school, unless public use is authorized by specific signage or participation in a town sponsored program, and is limited to the day, time, and location specified for that activity.

(Code 1960, § 1758.0; Ord. of 3-22-65; Ord. of 5-10-71; Ord. of 5-27-97; Ord. No. 318, 4-13-10)

Sec. 14-45. - Permits.

- (a) *Required.* A permit shall be obtained from the town manager or his authorized agent for the following purposes:
 - (1) Reservation of any area or place in a park or preserve for special or private use.
 - (2) Uses of a park or preserve by groups in excess of twenty-five (25) persons.
 - (3) Performance of scientific or educational experiments or activities on a continuing basis.

- (4) Performance of special programs of a recreational educational or conservation nature by private groups.
 - (5) Relief from the regulations of this division where permitted such as parking, building fires in certain locations, operation of vehicles, use of water areas for swimming, wading or bathing, camping activities, use of the park beyond stated hours, sale of refreshments or other items, or fishing events.
- (b) *Application.* No permit shall be issued until an application has been filed with the town manager or his authorized agent stating:
- (1) Name and address of the applicant;
 - (2) Name and address of the person sponsoring the activity, if any;
 - (3) Day or days and hours for which the permit is desired;
 - (4) The area of a park or preserve for which such permit is desired;
 - (5) Estimate of the anticipated attendance or number of persons participating;
 - (6) Any other information required by the town manager or his authorized agent necessary to determine whether a permit should be issued.
- (c) *Findings prerequisite to issuance.* The town manager or his authorized agent shall issue a permit when he finds:
- (1) That the proposed activity or use will not interfere with or detract from the general public enjoyment of a park or preserve;
 - (2) That the proposed activity or use will not entail unusual or extraordinary expense to the town;
 - (3) That the area or facilities desired have not been reserved for other use at the time requested in the application;
 - (4) That the proposed activity or use will not cause damage to a park or preserve or tend to cause potential violations of park or preserve regulations;
 - (5) That the proposed activity or use is not solely for the purpose of advertising or profit-making by a private entity.
- (d) *Appeal from denial.* If the town manager or his authorized agent shall refuse to issue a permit, the applicant may appeal in writing within ten (10) days of the notice of such refusal to the agency selected by the town council to establish park or preserve policy which shall hear such appeal and render a decision within fifteen (15) days from the filing of such appeal.
- (e) *Permittee liable for damages.* The person to whom a permit is issued shall be liable for any loss, damage, or injury sustained by any person whatever by reason of the negligence of the person or persons to whom such permit shall have been issued.
- (f) *To be exhibited upon request.* No person shall fail to produce and exhibit any permit which he claims to have upon request of the town manager or his authorized agent who shall desire to inspect the same for the purpose of enforcing compliance with any ordinance or regulation.
- (g) *Unreasonable interference with permittee prohibited.* No person shall disturb or interfere unreasonably with any person occupying any area, or participating in any activity, under the authority of a permit.
- (h) *Revocation.* The town manager or his authorized agent may revoke a permit upon a finding of violation of any ordinance or regulation, conditions of the permit, or for good cause shown.
- (i) *To become void in certain circumstances.* Any permit shall become void upon official state closing of woodlands, or if in the opinion of the fire marshal the fire hazard warrants such action.

(Code 1960, § 1759.0; Ord. of 3-22-65; Ord. of 5-27-97)

Cross reference— Licenses, permits and miscellaneous business regulations, Ch. 11.

Secs. 14-46—14-53. - Reserved.

DIVISION 2. - COTTON HOLLOW PRESERVE

Sec. 14-54. - Operating policies.

- (a) The Cotton Hollow Preserve is intended to be used and enjoyed by the public for the purpose of observing natural features and wildlife with an overall goal of maintaining the preserve in a natural and undisturbed state. Uses other than walking and related nature activities shall be considered prohibited unless approved by the commission. Notwithstanding the above, the preserve may also be used by the public during the period between and including the third Saturday of April and June 15 of each year for fishing purposes, subject to all applicable state and local regulations.
- (b) Any person swimming, bathing, or wading in any stream in the Cotton Hollow Preserve shall do so at their own risk, and the town shall neither sponsor any swimming activity nor assume any responsibility whatsoever for any such activity which may be carried on. No person shall climb rocks, cliffs and trees or jump into any stream or pond within the preserve.

(Code 1960, § 1773.0; Ord. of 7-26-65; Ord. of 5-27-97; Ord. No. 318, 4-13-10)

Secs. 14-55—14-60. - Reserved.

DIVISION 3. - GREAT POND PRESERVE

Sec. 14-61. - Operating policies.

- (a) The Great Pond Preserve is intended to be used and enjoyed by the public for the purpose of observing natural features and wildlife with an overall goal of maintaining the Great Pond Preserve in a natural and undisturbed state. Specific standards controlling the operation of the Great Pond Preserve shall also be in accordance with the "Management Agreement For Great Pond Preserve" executed on September 3, 1991, as it may be amended from time to time, or a successor agreement between the town and TNC. Uses other than walking and related nature activities shall be considered prohibited unless approved by the stewardship committee which is empowered to allow specific uses and to promulgate rules within the Great Pond Preserve.
- (b) The "Management Agreement For Great Pond Reserve":
 - (1) Sets forth the management goal of conserving the natural and unique values and character of the preserve by protecting the rare and endangered species and by not physically disturbing the preserve's natural settings;
 - (2) Prohibits buildings and other structures, utility lines, motorized vehicles and watercraft, dumping, camping, hunting, trapping, introducing species detrimental to wildlife or natural habitat, and the cutting or removal of vegetation within the preserve;
 - (3) Provides exemptions from the prohibitions for the purpose of carrying out the management goal; and
 - (4) Establishes a stewardship committee for the purpose of overseeing the management of the preserve and assisting in enforcing and carrying out the purposes of the agreement.