

CHAPTER 501

PUBLIC GROUNDS ORDINANCE

Town of Yarmouth, Maine

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PUBLIC GROUNDS ORDINANCE

ARTICLE I

A. TITLE

This Ordinance shall be known and may be cited as the Public Grounds Ordinance of the Town of Yarmouth.

ARTICLE II

A. OPERATION OF VEHICLES

No vehicle shall be driven on or over any part of public grounds without specific authorization of the Town Manager except within the traveled portion of public ways or within those portions of public grounds which are specifically designated for vehicular travel.

B. HOOFED ANIMALS

No hoofed animals are allowed on any paved areas of public grounds except as specifically permitted by the Town Council or its duly appointed agent.

C. OBSTRUCTION OF PEDESTRIAN TRAFFIC

Three or more persons shall not stand together, on or in, any street or sidewalk in such manner as to obstruct the free passage therein, for pedestrians attempting to lawfully walk these streets or sidewalks.

D. HOURS OF USE AT ROYAL RIVER PARK

1. The Royal River Park shall be open for use by the general public during daylight and evening hours throughout the year, and it shall be closed to public use from 11:00 P.M. until one hour before sunrise of the immediately following day during which time it shall be unlawful for any person to be within the limits of the Royal River Park or related parking areas, except for special events approved by the Town Council or Community Services Department.
2. Any person who knowingly fails or refuses to leave the Royal River Park or related parking areas during such times when the park is closed to general public use, when requested or directed to leave by any police officer or agent of the Community Services Department shall be guilty of criminal trespass pursuant to Title 17A MRSA §402.

ARTICLE III

A. PENALTY

Whoever violates any of the provisions of this Ordinance to which a particular penalty is not annexed shall be punished by a fine of not less than Twenty-Five

Dollars (\$25.00) nor more than One Thousand Dollars (\$1,000.00) for each violation, to be recovered on complaint, to the use of the Town of Yarmouth.

ARTICLE IV

A. SCHEDULE OF GENERAL AND SPECIAL REGULATIONS ON VARIOUS TOWN PROPERTIES

Except as provided hereinafter, the following rules and regulations apply to all municipal properties of the Town of Yarmouth.

1. No person shall deposit or leave any trash, litter, or refuse except in designated containers or disposal areas.
2. No person shall set, leave, bait, or tend any animal traps, water sets, or snares.
3. No person shall deface, injure, destroy, vandalize, or remove any fences, signs, gates, benches, structures, amenities, buildings or any other public improvements.
4. No person shall place, construct or assemble any fence, tree house, permanent tree stand, building, structure, latrine, lean-to, bridge, culvert, or conduit, without the explicit permission of the Town as provided in Section 4.2 hereinafter.
5. No person shall set, kindle, burn, or allow any fire, without the explicit permission of the Town as provided in Section 4.2 hereinafter.
6. No person may camp or tent on any Town properties after 11:00 p.m. or the authorized evening hours of operation, whichever is earlier, without the explicit permission of the Town as provided in Section 4.2 hereinafter.
7. Except for brushing or maintenance of approved trails systems no person shall cut or remove any trees, limbs, shrubs or bushes nor remove any vegetation, without the explicit permission of the Town as provided in Section 4.2 hereinafter. This shall not be construed to prohibit the gathering of nuts, fruits, ferns, leaves, berries, cones, ornamentation, scientific or educational purposes.
8. No person shall apply any herbicide, fungicide, or pesticide, without the explicit permission of the Town as provided in Section 4.2 hereinafter.
9. Motor vehicles, bicycles, all terrain vehicles and other motorized equipment shall be prohibited from all areas except roadways, parking areas, and tracts specifically established or designated for such use, without the explicit permission of the Town as provided in Section 4.2 hereinafter.
10. The Town Manager, under the direction of the Town Council, or with the advice and consent of the Citizens Advisory Committee or Agency assigned may adopt

or establish additional rules and regulations as are reasonable and necessary to accomplish the following purposes:

- a. To assure healthful, safe, and sanitary conditions on the subject property.
- b. To promote peaceful and considerate public use and enjoyment of Town properties and to minimize any nuisance, disturbance or interference, or safety concerns on adjoining or nearby lands that may be caused by such public use or enjoyment of Town lands.
- c. To protect or enhance the scenic, recreational and environmental values of the property and to prevent erosion, unreasonable disturbance of natural habitat and wildlife, or to prevent pollution.
- d. To allocate the limited use of time and space fairly and equitably among various persons or groups seeking use of the properties.
- e. To provide for efficient care and maintenance of the properties.

B. EXEMPTIONS

All activities listed in this schedule of General and Special Regulations shall not be unlawful if undertaken with the explicit approval of the department, agency, or officer of the Town assigned primary oversight responsibility for the use of the subject property. Approval shall only be granted if the Department, Agency or Officer determines that such requested activity is consistent with the general public purposes for which the property is intended and shall not unreasonably injure or risk injury to the subject property or to the public use and enjoyment thereof.

1. Nothing herein shall prohibit the care, maintenance, control of improvement of Town properties undertaken by any agency, department or officer of the Town or with the authority of the Town.

C. SPECIAL REGULATIONS FOR ROYAL RIVER PARK

1. The Royal River Park shall be open for use by the general public during daylight and evening hours throughout the year, and it shall be closed to public use from 11:00 P.M. until one hour before sunrise of the immediately following day during which time it shall be unlawful for any person to be within the limits of the park or related parking areas, except for special event approved by the Town Council or Community Services Department.
2. No person shall allow animal feces of any animal or pet under their control to be deposited or to remain on any walkway, lawn or pedestrian area.
3. No person shall allow any confetti, streamers, or litter to be tossed, or deposited in the park.

4. No solicitations, sales peddling, or vending of goods, services, or commodities for profit shall be permitted in the park.

D. SPECIAL REGULATIONS FOR PRATTS BROOK PARK

1. Pratt's Brook Park shall be open for use by the general public during daylight and evening hours throughout the year, and it shall be closed to public use from 11:00 P.M. until one hour before sunrise of the immediately following day during which time it shall be unlawful for any person to be within the limits of the park or related parking areas, except for special event approved by the Town Council or Community Services Department.
2. All terrain vehicles (ATV's), motor bikes, mountain bikes, and motor vehicles shall be prohibited at all times except in specially designated areas, for such use, if any.
3. Snowmobiles shall be prohibited from use on all trails and areas except for such trails specifically laid out and authorized as snowmobile trails across the park lands. This shall not be construed to prohibit the use of snowmobiles and/or snow grooming equipment for the maintenance and grooming of ski trails as authorized by the Community Services Department.