

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

☐ County ☐ City ☒ Town ☐ Village
(Select one:)

of Guilford

Local Law No. 3 of the year 2023

A local law Town of Guilford Parks
(Insert Title)

Be it enacted by the Guilford Town Board of the
(Name of Legislative Body)

☐ County ☐ City ☒ Town ☐ Village
(Select one:)

of Guilford as follows:

Pages 1-9

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 3 of 2023 of the ~~(County)(City)~~(Town)(Village) of Guilford was duly passed by the Guilford Town Board on Sept. 13 2023, in accordance with the applicable provisions of law.
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (Name of Legislative Body)
(repassed after disapproval) by the _____ and was deemed duly adopted (Elective Chief Executive Officer*)
on _____ 2023, in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (Name of Legislative Body)
(repassed after disapproval) by the _____ on _____ 20____. (Elective Chief Executive Officer*)

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (Name of Legislative Body)
(repassed after disapproval) by the _____ on _____ 20____. Such local (Elective Chief Executive Officer*)
law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law.

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)


I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph _____ above.


Clerk of the county legislative body, City, Town or Village Clerk or
officer designated by local legislative body

Date: 9/18/2023

(Seal)

TOWN OF GUILFORD

LOCAL LAW NO. 3 OF THE YEAR 2023

A LOCAL LAW REGARDING TOWN OF GUILFORD PARKS

Be it enacted by the Town Board of the Town of Guilford as follows:

Section 1: Short Title.

This ordinance shall be known and referred to as the Town of Guilford Park Ordinance.

Section 2: Public Use and Hours.

A. General public

Any group may use certain areas within the public parks in Town of Guilford to the exclusion of others by making application and paying the appropriate fee and being granted a permit by the Guilford Town Clerk or his/her designated representative.

B. Permits

1. Applications for permits for reserved park space shall be made upon forms to be furnished by the Guilford Town Clerk.
2. The Town Clerk or Town Board may, upon written application, grant specific use permits for special uses when, in the opinion of the Board, special consideration is warranted.
3. Application shall be made in advance of the time of the reservation request sufficient to allow at least 24 hours in advance of the event.
4. In the event more applications for reserved space are received than spaces available, such applications shall be considered in the chronological order received.

C. Fees and Charges

1. Fees and charges may be assessed by the Guilford Town Board for the use of any facility, land, area, or program on Town of Guilford Park property.
2. It shall be unlawful for any person to use any facility, land, or area for which a fee or charge has been established by the Town Board without payment of such fee or charge.

D. Hours

No person or vehicle shall remain upon property administered by or under the jurisdiction of the Town Board between posted closing times and sunrise unless authorized by the Town Board.

Section 3: Protection of Property.

A. Destruction of buildings, markers, monuments, and other properties shall be prohibited, and no person shall, on Town of Guilford Park property:

1. Willfully destroy, deface, alter, change, or remove any monument, stone marker, benchmark, stake, post, or blaze, marking, or designate any boundary line, survey line, or reference point.
2. Cut, break, mark upon or otherwise injure any building, equipment, bridge, drain, wall, fountain, lamp post, fence, gate, hedge, or other structure.
3. Deface, destroy, or remove any placard, notice, or sign, whether permanent or temporary, posted or exhibited within or upon park property.
4. Appropriate, excavate, injure, or destroy any historical or prehistorical ruin or any object of antiquity, without permission of the Town Board.
5. Individuals will be held responsible for any damages.

B. Destruction of plant life and natural surroundings shall be prohibited, and no person shall:

1. Cut, remove, or destroy any tree, sampling, seedling, bush or shrub, whether alive or dead, or chip, blaze, box, girdle, trim or otherwise deface or injure any tree or shrub, or break or remove any branch, foliage, flower, or any tree or shrub, or pick, gather, uproot, remove or destroy any flower, plant or grass.
2. Remove or cause to be removed any sod, earth, humus, peat, boulders, gravel, or sand, without written permission of the Town Board.
3. Individuals will be held responsible for any damages.

C. The following rules shall apply to fires on Town of Guilford Park property:

1. No person shall willfully set or cause to be set on fire any tree, woodland, brushland, grassland or meadow within or upon the property of the Town Board.
2. No person shall build any fire upon town property except within the fireplaces, receptacles or open spaces approved and designated by the Town Board for such purpose.
3. No person shall drop, throw, or otherwise scatter lighted matches, burning cigars, cigarettes, tobacco paper or other flammable materials within or upon any property of the town.
4. Fires shall not be left unattended. All fires shall be extinguished upon leaving the immediate vicinity.
5. Individuals will be held responsible for any damages.

Section 4: Regulations Governing Sports, Games, Activities and Other Uses.

No person shall:

- A. Swim, bathe, or wade except at set hours when lifeguards are on duty.
- B. Carry or consume any food or beverage of any kind, nor have in their possession any glass or metal container on any beach or in the water adjacent thereto. Air mattresses, inner tubes, or any other device, inflatable or otherwise, used in aid of swimming, are prohibited.
- C. Swim or enter the water when there are no lifeguards on duty.
- D. Fish from the docks or anywhere within the public beach area.
- E. Allow any pets/dogs to be on the beach or in the water at the lake.

Section 5: Boating.

No person shall bring into, use or navigate any boat, yacht, canoe, raft or other watercraft upon any watercourse, lagoon, lake, pond or slough located within or upon the properties administered by or under the jurisdiction of the Town Board except at such time and places as may be provided or designated for such purpose. All watercraft shall comply with and be used in compliance with NYS law.

Section 6: Traffic and Parking.

A. Parking in Prohibited Areas; Standing for Loading or Unloading in Certain Places

- 1. It shall be unlawful for the operator of a vehicle to stop, stand or park said vehicle in any place marked as a passenger or loading zone, other than for the expeditious loading or unloading of passengers, or for the unloading and delivery or pick up and loading of materials.
- 2. It shall be unlawful for the operator of a vehicle to stop, stand or park such vehicle upon any roadway or in any parking area in such manner as to form an obstruction to traffic thereon.
- 3. It shall be unlawful to park any vehicle in any area which is designated as a prohibited parking area.
- 4. It shall be unlawful to drive or park any motor vehicle in or upon town property which is used for recreational purposes, unless otherwise allowed by these rules.

B. Horses

- 1. It shall be unlawful for any person to ride, lead or cause or suffer a horse to be upon any property administered by or under the jurisdiction of the town except on specifically designated and posted areas or bridle paths or by permit on field trail areas.
- 2. It shall be unlawful for any person to ride a horse in a careless, negligent, or reckless manner so as to create a nuisance or to endanger the life, property, or persons of others on any lands administered by or under the jurisdiction of the Town Board.

3. The driver of any vehicle shall yield the right of way to any person riding a horse on marked bridle paths where such bridle paths cross streets or roadways.

C. Motor-Driven Vehicles

It should be unlawful for any person to:

1. Operate a motor-driven vehicle of any kind or nature except on roads or designated parking areas.
2. Operate a motor-driven vehicle on any park road at a speed exceeding 25 miles per hour or at any speed greater than that posted; provided further, however, that notwithstanding any provision herein, any person driving a vehicle on a park road shall drive at a careful and prudent speed not greater than nor less than is responsible and proper, having due regard to the traffic, surface, and width of the road and of any other condition then existing, and no person shall drive any vehicle upon a park road at a speed greater than will permit him/her to bring said vehicle to a stop within the assured clear distance ahead.
3. Operate any motor-driven sled, toboggan, or snowmobile on any property under the management, supervision, or control of the Town Board except where permitted by posted notice.
4. Operate a motor vehicle upon town property in a speed contest or for the purpose of making a speed record, including that commonly known as a drag race, whether from a standing start or otherwise over a measured or unmeasured distance, the object of which is to better or defeat one or more contestants on the basis of the elapsed time, superior performance or speed. Provided further, however, this section shall not apply to any event for which a permit has been applied for and granted by the Town Board.
5. Operate any vehicle upon town property, including but not limited to, any area designated for the parking of vehicles, in a careless or negligent manner likely to endanger any person or property.
6. Drive any vehicle upon town property while under the influence of intoxicating liquor or narcotic, drug, barbitol, or any derivative of barbitol.
7. Operate any motor vehicle upon town property while his license to so operate has been suspended or revoked by the State of New York.
8. Operate a motor vehicle upon town property without having a valid operator's license, motor vehicle registration certificate and proof of the minimum liability coverage or uninsured motor vehicle fee as required by the State of New York vehicle code in his/her possession.
9. Operate any vehicle upon town property contrary to posted traffic signs, symbols, rules, or regulations or marked roadways.

10. Operate any motor vehicle in any manner upon town property which results in excessive noise or disturbs the peace, quiet or tranquility of the area.
11. Leave, or cause to be left, any vehicle upon property administered by or under the jurisdiction of the Town Board between sunset and 8 a.m., excepting at designated fishing sites, camp areas and other special use areas.
12. Operate or ride on a motorcycle or motor-driven cycle without wearing a crash helmet approved by the Department of State Police.
13. Continuously cruise in any motor-driven vehicle in, through and around campgrounds for the purpose of attracting or distracting persons or visitors using camp sites.

D. Operation of Bicycles

1. Bicycles shall be operated as closely to the right-hand curb or right-hand side of the path, trail or roadway as conditions will permit and not more than two bicycles shall be operated abreast.
2. It shall be unlawful for the operator of any bicycle where upon any path, trail, or roadway, to carry any person upon the handlebar or frame of any bicycle, or for any person to so ride upon such bicycle.
3. Bicycles may be operated upon such paths, trails, or roadways as may be posted allowing such use; provided, however, no such use shall be allowed between sunset and sunrise.

Section 7: Trespass.

A. Livestock

No person shall drive or cause to be driven any horses, cattle, sheep, goats, swine, or other livestock upon or across property administered by or under the jurisdiction of the Town Board, without the written permission of the Town Board or its agent.

B. Peddling and Soliciting

It shall be unlawful for any person to peddle or solicit business of any nature whatsoever, or to distribute handbills, or other advertising matter, to post unauthorized signs on any lands, water, structures, or property administered by or under the jurisdiction of the Town Board, or to use such lands, water, structures or property unless first authorized in writing by the Town Board or its agent.

C. Unlawful Obstruction

No person, firm or corporation shall by force, threats, intimidations, unlawful fencing, enclosing, or by any other means prevent or obstruct any person from entering, leaving or making full use of any property administered by or under the jurisdiction of the Town Board.

D. Hindering Employees

No person shall interfere with or in any manner hinder any employee or agent of the Town Board while performing their official duties.

E. Alcoholic Beverages & Drugs

No person shall have in their possession any intoxicating beverage while in or upon the property administered by or under the jurisdiction of the Town Board in areas determined by the Town Board and designated by posting at the main entrance or other conspicuous place to be areas in which no alcoholic beverages are permitted. No person shall sell, use, or have in his possession any drug or narcotic; the sale, use or possession of which is prohibited by the state law.

F. Personal conduct

1. It shall be unlawful for any person to be under the influence of intoxicants, or to engage in any violent, abusive, loud, boisterous, vulgar, lewd, wanton, obscene or otherwise disorderly conduct, or to disturb or annoy others, while in or on any property administered by or under the jurisdiction of the Town Board.
2. It shall be unlawful to conduct or to participate in any form of gambling, lottery, or game of chance upon park property.

G. Use of loudspeaker

It shall be unlawful to use a loudspeaker, public address system or amplifier within or upon Town property without a written permit issued by the Town Board or its agent.

H. Fireworks

No person shall fire, discharge or have in his or her possession any rocket, firecracker, torpedo, squib, or other fireworks or any substance of an explosive nature within or upon the property of the Town of Guilford unless the Town Board or its authorized agent shall have authorized same by the issuance of a permit therefore.

I. Firearms

No person shall at any time, bring into or upon the Town of Guilford park's properties, nor have in his or her possession, nor discharge, or set off anywhere upon said properties, a revolver, pistol, shotgun, rifle, air gun, water gun or any gun, rifle, firearm or bow or other weapon that discharges projectiles either by air, explosive substance or any other force, provided, however, that this section shall not apply to any deputy sheriff, police officer, peace officer, park ranger, or other duly appointed law enforcement officer while carrying out the duties and responsibilities of his position nor to any person while on or in those areas which may from time to time be designated as hunting areas by the Town Board or while upon designated target ranges or areas.

J. Littering and Pollution of Waters

It shall be unlawful:

1. To discard or deposit refuse of any kind or nature in or upon the property of the Town of Guilford except by placing said refuse in containers provided for such purpose.
2. To throw, cast, lay, drop or discharge into or leave in waters administered by or under the jurisdiction of the Town of Guilford any substance, matter or thing, liquid or solid which may or shall result in the pollution of said waters.

K. Skating and Coasting

1. No person shall use roller skates within or upon Town of Guilford property except at such times and upon such places as may be designated or maintained, therefore.
2. No person shall skate, sled, walk or go upon any ice, or snowshoe, or ski except at such times and upon such places as may be designated or maintained, therefore.
3. No person shall within or upon Town of Guilford property coast with hand sleds, bobs, carts, or other vehicles, on wheels or runners, except at such times and upon such places as may be designated or maintained, therefore.

L. Balloons, Airplanes and Parachutes

No person shall make any ascent in any balloon or airplane or any descent in or from any balloon or airplane or parachute on any lands or waters administered by or under the jurisdiction of the Town Board without first having written permission from the Town Board or its agent.

M. Public Exhibition

No person shall exhibit any machine or show, or any animal, or indulge in any acrobatic exhibitions in or upon any Town of Guilford Park property, nor shall any person carry on any performance or do anything whatsoever which shall cause persons to congregate so as to interfere with the proper use of such property by the general public or to obstruct the passage of vehicles or persons without first having obtained written permission from the Town Board or its agent.

N. Special Permits

No erection, construction, or maintenance shall be made above or below ground, across or beneath Town of Guilford Park property by any person, firm, or corporation without first having obtained written permission from the Town Board authorizing such installation or construction and a permit specifying in detail the work to be done and the conditions to be fulfilled pursuant to the terms of such approval.

O. Emergency powers

Nothing in these rules shall:

1. Prohibit or hinder duly authorized agents of the Town Board or any peace officers from performing their official duties.
2. Prohibit the Town Board or the director from establishing emergency rules required to protect the health, welfare, and safety of park visitors and to protect park property; including, but not limited to, the right of the Town Board to order all persons off commission property, and close all or any portion of said park.

Section 8: Enforcement.

Fines and imprisonment-Any person violating any provision of the foregoing rules shall be deemed guilty of a misdemeanor and upon conviction thereof be fined not more than \$250 for the first offense and not more than \$500 for a second offense and costs of prosecution, or imprisoned in the county jail for a period not exceeding 90 days, or both, for each offense.

Section 9: Definitions.

- A. "Person" or "persons" shall mean individuals, male or female, singular or plural; firms, corporations, or any group or gathering of individuals.
- B. "Rules" shall mean the rules adopted by the Town of Guilford applicable to all property administered by or under the jurisdiction of the Guilford Town Board and all amendments thereto.

Section 10: Saving Clause.

All local laws and ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

Section 11: Remainder.

Except as hereinabove amended, the remainder of the Code of the Town of Guilford shall remain in full force and effect.

Section 12: Separability.

The provisions of this local law are separable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words, or parts of this local law or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this local law would have been adopted if such illegal, invalid, or unconstitutional provision, clause,

sentence, subsection, word or part had not been included therein, and as if such person or circumstance, to which the local law or part thereof is held inapplicable, had been specifically exempt therefrom.

Section 13: Effective Date.

This Local Law shall take effect immediately upon filing with the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.