

Chapter 90: VILLAGE PARKS

GENERAL REFERENCES

Littering — See Ch

Village Property and Facilities — See Ch30

ARTICLE I Village Parks

§ 90-01. Legislative intent.

It is the legislative intent of the Village Board of the Village of South Blooming Grove to establish a local law that would properly govern the Village Owned Parks and Parklands that was conveyed to the Village from the Town of Blooming Grove, as a function of New York State Village Law, on January 1, 2008. The Town of Blooming Grove created and governed these parks and parklands for many years prior to the incorporation of the Village and the Village Board wishes to govern these parks and parklands as Village Parks.

§ 90-02. Use of Village Parks during certain hours prohibited; exceptions.

No person shall enter into, remain or be found in Rolling Hills Baseball Park, or any other Village owned parkland, (excluding Merriewold Lake Park) within the Village of South Blooming Grove on foot or by vehicle between the hours of 10:00 p.m. in the evening and 6:00 a.m. the following morning without a special permit issued by the Village.

§ 90-03. Glass receptacles prohibited.

No person shall bring into any Village park or have in his possession while in any Village park any glass bottle or any other receptacle made of glass.

§ 90-04. Hours restricted for use of Village Green; glass prohibited.

- A. No person shall enter onto, remain or be found on the Village Green located at the intersection of Duell Ave and Lee Avenue during the hours of 9:00 p.m. and 6:00 a.m.
- B. No person shall bring onto the Village Green or have in his possession while thereon any glass bottle or any other receptacle made of glass.

§ 90-05. Rolling Hills Baseball Park.

A. Prohibitions.

- (1) No food allowed inside Rolling Hill Baseball park; beverages in plastic containers only.
- (2) Smoking is prohibited.
- (3) No pets.
- (4) No bikes.
- (5) No motorized equipment.
- (6) Consume Alcoholic Beverages.
- (7) Picnicking, including the use of camp stoves for cooking.
- (8) Discharge of fireworks or firearms
- (9) Use or consume, tobacco products or illegal drugs.

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- (10) Use or possess glass containers, bottles, or other breakable glass products.
- (11) Use the park after hours.
- (12) Fail to obey any rule or regulation posted on or near the ballpark.
- (13) Cause the same to be littered by debris, garbage, refuse, bottles, cans or abandoned articles of personal property.
- (14) Un-permitted Selling, peddling or hawking any food, beverages or wares.
- (15) Deface any property or place posters or placards or stickers thereon.
- (16) Engage in fighting or in violent, tumultuous or threatening behavior.
- (17) Make unreasonable noise.
- (18) Use abusive or obscene language or make obscene gestures.
- (19) Obstruct vehicular or pedestrian traffic.
- (20) Congregate with other persons and refuse to comply with a lawful order of law enforcement officers to disperse.
- (21) Create or cause to be created a hazardous or physically offensive condition by any act, which serves no legitimate purpose.
- (22) No Nude Sun bathing

B. General regulations.

- (1) Be aware of changing natural conditions.
- (2) Be aware of other Ball Players around you.
- (3) Play Baseball responsibly.

§ 90-06. Compliance with rules and regulations.

All persons who use said parks shall comply with any and all Park Rules and Regulations of the Village of South Blooming Grove, which are on file in the office of the Village Clerk.

§ 90-07. Penalties for offenses.

Any person committing an offense against any provision of this chapter shall be guilty of a violation punishable by a fine not exceeding \$350 or by imprisonment for a term not exceeding 15 days, or by both such fine and imprisonment. The continuation of an offense against the provisions of this chapter shall constitute, for each day the offense is continued, a separate and distinct offense hereunder.

§ 90-08. Enforcement.

Any on duty police officer, the Building Inspector, Code Enforcement Officer, any other person authorized by resolution of the Village Board, will enforce all provisions of this chapter or. All such enforcement officers shall have the right and authority to issue appearance tickets for the violation of any provision of this section or any prohibition or limitation on usage imposed pursuant to this section.

§ 90-09. Authority.

This chapter is enacted by authority of § 20, Subdivision 5, of the Municipal Home Rule Law and any other law referenced herein as authority herefor.

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§ 90-10. Repeal.

All ordinances, local laws and parts thereof inconsistent with this local law are hereby repealed.

§ 90-11. Effective Date.

This local law shall take effect immediately when it is filed in the Office of the New York State Secretary of State in accordance with section 27 of the Municipal Home Rule Law.

§ 90-12. Supersession of other laws.

This chapter supersedes, and is in derogation of, Chapter 165 of the Code of the Town of Blooming Grove, County of Orange, and State of New York. In addition, it is not intended that this chapter supersede the authority of the County of Orange Department of Health.

ARTICLE II MERRIEWOLD LAKE PARK

§ 90-13. Legislative intent.

It is the legislative intent of the Village Board of the Village of South Blooming Grove to establish a local law that would properly govern the Merriewold Lake that was conveyed to the Village from the Town of Blooming Grove, as a function of New York State Village Law, on January 1, 2008. The Town of Blooming Grove created and governed the Merriewold Lake district under Town Law Section 209-f for many years prior to the incorporation of the Village and the Village Board wishes to govern this lake as a Village Park.

§ 90-14. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

LAKEFRONT LANDS — Any applicable Village owned parcel of Village owned land-giving access to Merriewold Lake, or any other water body with in the Village, acquired by the Village of South Blooming Grove for purposes of affording recreation to its residents.

PERSON — Any person, firm, partnership, corporation, association or legal representative, acting individually or jointly.

RESIDENT OF THE VILLAGE OF SOUTH BLOOMING GROVE — Any person, who maintains or occupies a fixed, permanent and principal home in the Village of South Blooming Grove.

§ 90-15. Applicability.

This chapter shall apply to all the following Village owned parcels of land including the lands beneath the surface of the waters of the respective lakes or water bodies, if any, acquired by the Village of South Blooming Grove for the purpose of affording recreation to its residents.

A one-acre (plus or minus) parcel of land fronting the southeast side of Merriewold Lake designated in a deed to the Village of South Blooming Grove, recorded in the Orange County Clerk's office having the Section Block and Lot of "205-4-43".

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§ 90-16. Persons entitled to use lands.

- A. Only those persons who are residents of the Village of South Blooming Grove shall be entitled to use Village owned lakefront lands.
- B. Any such resident of the Village of South Blooming Grove shall be entitled to have four nonresident guests use lakefront lands, provided that the guests are in the company of a resident.
- C. No one under the age of fourteen (14) years shall be entitled to use lakefront lands unless he or she is in the company of a parent or guardian or adult companion who is himself over the age of 21 years.

§ 90-17. Permitted activities.

The following activities shall be permitted at lakefront lands:

- A. Use of a non-motorized (except electric powered) boat least not to exceed 12 feet in overall length, including the launching and withdrawal of such boats from the lake waters.
- B. Fishing, including ice fishing, when otherwise permitted by law.
- C. Picnicking, excluding the use of camp stoves for cooking.
- D. Any activity permitted by special permit of the Village Board after written application therefor and then only upon such reasonable terms and conditions as the Village Board may impose including posting of financial security and the purchase of appropriate insurance coverage.
- E. Ice-skating. No one under the age of fourteen (14) years shall be entitled to ice skate unless he or she is in the company of a parent or guardian or adult companion who is himself over the age of 21 years.
- F. Swimming, wading or bathing. No one under the age of fourteen (14) years shall be entitled to swimming, wading or bathing unless he or she is in the company of a parent or guardian or adult companion who is himself over the age of 21 years.

§ 90-18. Prohibited activities.

Any activity that is not specifically permitted at lakefront lands by this chapter shall be prohibited. The following is a list of prohibited activities that is not intended to be exclusive. No person shall undertake such use at the Village owned lakefront lands.

- A. Cooking by means of or the maintenance of campfires or bonfires.
- B. Un-permitted overnight camping.
- C. Discharge of fireworks or firearms.
- D. Consumption of any alcoholic beverages.
- E. Picnicking in areas not designated for such use.
- F. Littering.
- G. Un-permitted selling, peddling or hawking any food, beverages or wares.
- H. No Nude Sun-Bathing
- I. No Nude Swimming

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§ 90-19. Parking.

- A. Parking of motor vehicles owned and/or operated by residents of the Village shall be permitted on the Lakeside of Merriewold Lane North, up to / but not to obstruct the intersection with Lake Shore Drive, only and then only in such areas and by such means as the Village Board shall from time to time approve by resolution. No other vehicles shall be permitted to park at the lakefront lands.
- B. The Village Board shall designate and mark an appropriate site at Merriewold Lake for launching and withdrawal of boats from the waters of the lake, which site shall not be used by motor vehicles.

§ 90-20. Manner of personal conduct.

No person using lakefront lands shall:

- A. Cause the same to be littered by debris, garbage, refuse, bottles, cans or abandoned articles of personal property.
- B. Deface any property or place posters or placards or stickers thereon.
- C. Engage in fighting or in violent, tumultuous or threatening behavior.
- D. Make unreasonable noise.
- E. Use abusive or obscene language or make obscene gestures.
- F. Obstruct vehicular or pedestrian traffic.
- G. Congregate with other persons and refuse to comply with a lawful order of law enforcement officers to disperse.
- H. Create or cause to be created a hazardous or physically offensive condition by any act, which serves no legitimate purpose.

§ 90-21. Exceptions.

Nothing contained herein shall act to deprive or limit the right of those owners of land in the Merriewold Lake subdivision on the westerly side of State Route 208 from utilizing the waters of Merriewold Lake for such recreation purposes as they may now be entitled to by virtue of specific rights accorded to them by deed and conveyance from Merriewold Lake Homes, or their successors.

§ 90-22. Hours of Operation.

The park will be open for Village residents Monday through Friday, from 8:30 am to sundown.

§ 90-23. Penalties for offenses.

Any person who violates any provision of this chapter shall be guilty of an offense and, upon conviction thereof, shall be subject to a fine of not more than \$350 or to imprisonment for a term not to exceed 15 days, or both, and each day that a violation continues shall constitute a separate offense.

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§ 90-24. Enforcement.

Enforcement. Any on duty police officer, the Building Inspector, Code Enforcement Officer, any other person authorized by resolution of the Village Board, will enforce all provisions of this chapter or. All such enforcement officers shall have the right and authority to issue appearance tickets for the violation of any provision of this section or any prohibition or limitation on usage imposed pursuant to this section.

§ 90-25. Authority.

This chapter is enacted by authority of § 20, Subdivision 5, of the Municipal Home Rule Law and any other law referenced herein as authority herefor.

§ 90-26. Application.

No statement in this article shall be construed to interfere with any additional requirements that may be imposed by any federal, state or local authority having jurisdiction.

§ 90-27. Repeal.

All ordinances, local laws and parts thereof inconsistent with this local law are hereby repealed.

§ 90-28. Supersession of other laws.

This chapter supersedes, and is in derogation of, Chapter 165 of the Code of the Town of Blooming Grove, County of Orange, and State of New York. In addition, it is not intended that this chapter supersede the authority of the County of Orange Department of Health.

§ 90-29. Effective Date.

This local law shall take effect immediately when it is filed in the Office of the New York State Secretary of State in accordance with section 27 of the Municipal Home Rule Law.