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## **Sec. 11-4-50. Park rules and user fees.**

- (a) The Town Administrator may establish written programs, procedures and rules governing the public use of any public park, park facility or open space. By way of example and not limitation, the Town Administrator may establish and administer a procedure for the reservation and scheduling of park, facility and open space use, and issue permits for camping, tents and concessions in public parks, park facilities and open space.
- (b) The Town Administrator is authorized to establish reasonable damage deposits and user fees for the use of any public park, facility or open space; provided that no such deposit or fee shall be effective unless and until such deposit or fee is first presented to and approved by the Board of Trustees by motion or resolution. Damage deposits and user fees shall be reasonably approximate in amount to cover the estimated cost generally or typically associated with the administration, operation, management, care, repair and maintenance of the public parks, park facilities and open space resulting from the use of such property proposed by the user.
- (c) Any administrative programs, procedures, rules, deposits and fees established by the Town Administrator shall be made in writing, presented to and approved by the Board of Trustees, and posted or otherwise made readily available for public inspection at the Town Hall. In no event may any administratively established rule, damage deposit or user fee conflict with a fee or regulation established by this Code.
- (d) It shall be unlawful for any person to violate any procedure or rule issued by the Town Administrator under this Section.
  - (1) The Town Administrator may post rules issued under this Section at the place where they are to be enforced. If the rule is not so posted, it may still be enforced if the person had actual knowledge of the rule, was given a copy of the rule upon applying for or receiving a permit or license, was advised of the rule by a Town employee or peace officer, or was ordered by a peace officer to cease conduct violating the rule.
- (e) Park rules include, but are not limited to:
  - (1) No camping except by permit.
  - (2) No fires of any kind, except in designated camping sites, or in charcoal grills placed by the Town for public use.
  - (3) No fires of any kind, including those allowed by Subsection 11-4-50(f)(2), during a fire ban as enacted by the Town or Sheriff.
  - (4) No outside grills.
  - (5) No alcohol.
  - (6) Dogs must be kept on a leash.
  - (7) Pet owners must clean up after their pet.
  - (8) No trespassing into closed areas of the park.
  - (9) No glass containers.
  - (10) Park in designated spaces only.
  - (11) No smoking including electronic smoking devices.
  - (12) No defacing or removing park property including vegetation.
  - (13) No littering.
  - (14) Dispose of charcoal in designated bins only.

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- (15) Only artificial flies and lures may be used for fishing, and trout must be returned to water immediately.
  - (16) No amplified sound without a permit from the Town.
  - (17) Any other rule posted in the parks.
  - (18) Any rule enacted by the Town Administrator not listed above.
- (f) It shall be unlawful for any person to violate any procedure or rule issued by the Town Administrator under this Section.
  - (g) Any person who violates a park rule may be assessed a penalty by the investigating deputy, with a fine of seventy-five dollars (\$75.00) for a first offense, or one hundred fifty dollars (\$150.00) for a second offense. Third and subsequent offenses are required to appear in court. In any case, the Deputy may determine that the offender must appear in court, and not issue a penalty assessment.
  - (h) In the event that a single incident is both a violation of a park rule, and a violation of a State law or a different section of the Town code, the investigating Deputy shall have the discretion to charge the offender under this section or the appropriate State law or Town ordinance.
- ( Ord. No. 1058, § 2, 4-15-2019 )