

TOWN OF LEWISBORO CODE ORDINANCE FOR THE PARKS

Public recreational facilities (parks, playgrounds, pool, tennis courts and preserves) are provided for the sole use and enjoyment of residents of the Town of Lewisboro, permit holders and their duly sponsored guests. The use by others is expressly prohibited.

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

RESIDENT

One who owns and/or occupies as a residence, and/or rents as a tenant in possession and occupies as a permanent residence, all or part of a fixed residential structure to which he or she, wherever temporarily located, always intends to return.

RESIDENTIAL FAMILY

The immediate family of a resident, same being a husband or wife; children, residing with a resident, under the age of twenty-five (25) years.

ORGANIZED GROUP/ENTITY

An affiliated team, party (family or company), reunions, scouts, civic organizations, religious organizations, and school functions.

(A) Prohibited Acts:

(1) No person shall consume or ingest any alcoholic beverage in any public place within the Town of Lewisboro. Carrying on the person, holding or possessing any open, unsealed, resealed or partially full bottle, can or container of an alcoholic beverage in a public place as hereinabove defined shall constitute prima facie evidence of a violation of this section.

Exception:

The foregoing prohibition against drinking alcoholic beverages in public places or possessing open, unsealed, resealed or partially empty bottles, can or containers of such alcoholic beverage shall not apply nor be a violation of this chapter in the event of a gathering, function or event sponsored by a local Fire Department, recognized civic organization or recognized religious organization or an event which has been granted special permit by the Town Board of the Town of Lewisboro or its authorized official.

a) The Town Clerk will need a certificate of insurance on file before the event takes place where alcohol will be served.

(2) No person shall sunbathe in the nude in any recreational facilities.

(3) No person shall smoke in the parks

(4) Posting, plastering, or affixing any placards notices or signs except for cooperating agencies and/or Town of Lewisboro Departments/Events

(NEED TO LOOK UP CODE ORDINANCE ON SIGN POSTINGS LENGTH)

(B) Uses Requiring A Permit:

The issue of a permit is at the discretion of the Superintendent of Parks and Recreation and/or their designee and/or Town Board and must follow all guidelines set forth.

(1) The following uses of a park or any area in a park are expressly prohibited unless a permit, available only to Town of Lewisboro and/or Katonah Lewisboro School District residents and employees of businesses located in Lewisboro has been obtained from the Superintendent or authorized agent:

(a) Use by organized athletic groups;

(b) Paid Instructional lessons for town residents is prohibited.

(c) Consumption of or possession with intent to consume alcoholic liquor (which shall include the consumption or possession with intent to consume of alcoholic liquor in a motor vehicle located in a park); At playground and youth sporting events no alcoholic permits will be issued or tolerated.

(d) Merchandising or vending any goods, food, refreshments or merchandise, or stationing or placing any stand, cart or vehicle for transportation, sale or display of any such articles;

(e) Posting, plastering or affixing any placard, notice or sign;

(f) Camping or building fires in a park, except for reasonable cooking fires built in fabricated barbecue grills provided by the Lewisboro Parks and Recreation Department (around pavilion areas) and/or approved areas.

(g) Use of a park for special events (including but not limited to: Library Fair, Sports Tournaments, car shows, flea markets, art shows, concerts, fundraising, etc.);

(h) Use of a park, field or a pavilion by any group of 10 or more persons; including but not limited to the organized groups as defined in beginning of ordinance. provided, however, that with respect to groups wishing to hike on trails designated for that purpose and located in open space areas, permits shall only be required for groups of 25 or more persons;

(i) Use of a park outside of the prescribed operating hours (Dawn to Dusk at all Preserves, Fox Valley, Onatru and Vista Parks – Dawn to no later than 11 p.m. at Town Park).

(2) The issue of a permit is at the discretion of the Superintendent of Parks and Recreation and/or their designee and/or Town Board and must follow all guidelines set forth. The Superintendent or authorized agent shall have the authority to determine the category or categories of use under which an event or activity falls.

(C) Application For Permit.

(1) A person or entity seeking issuance of a permit hereunder shall file an application during normal business hours with the Superintendent or authorized agent accompanied by a fee payable to the Town of Lewisboro, in accordance with the rules and regulations of the Parks and Recreation Department (hereinafter in this section referred to as the "PRD"). The application shall state:

(a) The name and address of the applicant;

(b) The day or days and hours for which the permit is desired to include the entirety of set up and disassembly time;

(c) The park or portion thereof for which such permit is desired;

- (d) The activity for which such permit is desired;
- (e) An estimate of anticipated attendance;
- (f) The age of the participants if such permit is desired for consumption of alcohol or use of a park by an entity/organized and
- (g) Any other information which the Superintendent shall find reasonably necessary to a fair determination as to whether a permit should be issued hereunder.

(2) A person or entity seeking issuance of a permit hereunder shall submit an application to the Superintendent or authorized agent (except as otherwise required below) within the following time allowances:

(a) Organized athletic groups or any other persons or entities seeking a permit to use a park on a regularly scheduled basis shall obtain and submit an application for a permit within 30 days **before event begins/before such permit is desired**. The date for submission of such application may be changed by rules and regulations of the PRD.

The Recreation Department will not respond to any permit until all cooperating agencies have been heard from.

(b) Groups of fewer than 10 seeking a permit for the use set forth in Subsection [B\(1\)\(b\)](#) of this section shall submit an application on or before the date of the event [groups of 10 or more are subject to the rules in Subsection [B\(2\)\(e\)](#)].

(c) Persons seeking a permit for uses set forth in Subsection [B\(1\)\(c\)](#), [\(d\)](#), [\(e\)](#), [\(f\)](#), [\(i\)](#) and [\(j\)](#) of this section shall submit an application on or before the date of the event; provided, however, that if the permit requested is for a group of 10 or more persons, the application shall be submitted in accordance with the rules in Subsection [B\(2\)\(e\)](#) and as established by the Lewisboro Town Board.

(d) Persons seeking a permit for a special event or fundraiser shall submit an application and letter stating the purpose of the event, description of the event and any other pertinent information directly to the Superintendent at least 90 days prior to the event. Such permit shall be issued only upon the express direction of the Superintendent and the Lewisboro Town Board and in accordance with such special provisions as determined by the PRD.

(e) Groups seeking a permit for uses that are not covered by Subsection [C\(2\)\(a\)](#) through [\(d\)](#) are subject to the following rules based on the size of the group:

[1] Groups of 10 to 100 shall submit an application at least three business days prior to the event. Such permit shall be issued only upon the express direction of the Superintendent and in accordance with such provisions as determined by the PRD and/or the Lewisboro Town Board.

[2] Groups of 101 to 500 shall submit an application at least 60 days prior to the event. Such permit shall be issued only upon the express direction of the Superintendent and in accordance with such provisions as determined by the PRD and/or the Lewisboro Town Board.

[3] Groups of 501 or more shall submit an application directly to the Superintendent at least 90 days prior to the event. Such permit shall be issued only upon the express direction of the Superintendent and in accordance with such provisions as determined by the PRD and/or the Lewisboro Town Board.

A. Any person violating any provision of this chapter shall be fined \$100 for each offense. Each violation of a separate section of this chapter shall be considered a separate offense and shall not merge with a violation of any other section of this chapter. Each violation continuing more than one day shall constitute a separate offense for each day said violation continues.