

Local Law No. of 2018, entitled:

“Amendments to Article II of Chapter 214 of the Town Code Extending Certain Prohibited Activities to All Town Owned Property”

BE IT ENACTED BY, the Town Board of the Town of Clinton as follows:

1. Article II of Chapter 214 of the Code of the Town of Clinton (“Town Code”) is hereby amended by repealing the existing title of Article II and replacing it with the following new title which shall read as follows:

Article II. Operation and Use of Parks and Town Owned Property

2. Section 4 of Chapter 214 of the Code of the Town of Clinton (“Town Code”) is hereby amended by repealing the existing Section 4 in its entirety and replacing it with the following new Section 4 which shall read as follows:

§ 214-4 Prohibited activities.

The following activities are prohibited in parks and on Town owned property unless specifically permitted by the Town Board:

- A. Parking a motorized vehicle anywhere other than in designated areas.
- B. Operating a motorized vehicle in excess of 10 miles per hour or in any unsafe manner.
- C. Operating a motorized vehicle anywhere other than on designated roads.
- D. Operating or parking a snowmobile anywhere in a park or on Town owned property.
- E. Horseback riding on other than designated roads.
- F. Possessing or transporting domestic animals, with the exception of Seeing Eye dogs and police canine units.
- G. Skateboarding, roller blading, roller skating, or ice skating, other than on the rink.
- H. Entering or using a park other than during posted hours.
- I. Overnight parking of motorized vehicles, trailers, or campers.

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- J. Sale of alcoholic beverages as defined in the Alcoholic Beverage Control Law of the State of New York.
- K. Possession or use of any explosive or explosive substance, firearms, fireworks, bow and arrow, or any other weapon as such are defined in Penal Law § 265.00, unless authorized by law and the Town Board. This prohibition shall exclude all active duty law enforcement and peace officers, including but not limited to Dutchess County Sheriff's Officers, New York State Police Officers, New York State Environmental Conservation Officers, New York State Corrections Officers, City, Town or Village Police Officers, Game Wardens and Federal Bureau of Investigation (FBI) Agents. This prohibition shall also exclude Town of Clinton Justices as well as Court Officers and Court Constables.
- L. Disturbing the peace and good order by fighting or arguing in loud voices or playing excessively loud music or threatening violence to any person or the property of others.
- M. Begging, hawking, peddling, selling, or soliciting.
- N. Injuring, defacing, destroying, disturbing, or removing any part of the property.
- O. Loitering as defined in Penal Law § 240.45.
- P. Bringing in refuse and garbage, or leaving behind garbage except in proper receptacles.
- Q. Making a fire, except in park-provided grills, or suitable privately owned grills in designated areas, or park-provided fireplaces. Any fire shall be continuously managed and supervised by a competent person at least 18 years of age from the time it is kindled until it is completely extinguished.
- R. No person shall throw away or discard any lighted match, cigar, cigarette, or other burning object in a park or on Town owned property except after completely extinguishing same.
- S. Failing to extinguish, or failing to transfer to a competent person before leaving a park, all fires started or used.

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- T. Practicing golf, except in designated areas during posted park hours.
 - U. Trapping, snaring, and/or hunting.
 - V. Using hot air balloons, helicopters, or other aircraft, unless authorized by the Town Board, Recreation Director or an emergency medical technician in a medical emergency.
 - W. Swimming at a park bathing area without a lifeguard present.
3. If any section, subsection or specific part or provision or standard of this Local Law or the application hereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such section, subsection or specific part or provision or standard shall be deemed a separate, distinct and independent provision and such judgment shall not affect the validity of the remaining portions thereof.
 4. To the extent that any provision of this Chapter is inconsistent with Town Law §§ 263, 274-a, 274-b or any other provision of Article 16 of the Town Law, or of the Public Health Law, or of Real Property Law, the provisions of this chapter are expressly intended to and do hereby supersede any such inconsistent provisions under the Town’s municipal home rule powers, pursuant to Municipal Home Rule Law §10(1)(ii)(d)(3); §10(1)(ii)(a)(14) and §22 to supersede any inconsistent authority.
 5. This Local Law shall take effect immediately upon filing with the Secretary of State.