



ARTICLE I. PURPOSE

The purpose of this ordinance is to ensure that the parks of the city will be clean, safe and enjoyable places for people to engage in the recreational pursuits of their choice.

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SECTION 16.01. DEFINITIONS

For the purposes of this chapter the following terms shall have the meanings ascribed to them:

DIRECTOR - shall mean the appointed head of the Community Service Department of the city.

EVENT – shall mean any meeting, promotional activity, private party, parade, celebration, or any function not otherwise regulated herein.

PARK – shall mean all recreation facilities and lands in which the City of Winooski holds a legal interest for open space and recreation use, whether such lands are developed or undeveloped. “Park” includes, but is not limited to, playgrounds, open spaces, conservation areas, recreation and bicycle paths, trails, beaches, pathways, as well as public parks. “Park” shall also include property regarding which another person holds a legal interest and at such time provides the city council with written authority to regulate conduct on such property and the council by resolution accepts said authority. Recreation and bicycle paths shall not include roadways identified by the city as “bicycle routes” where a bicycle path or lane is not specifically defined on such roadway.

PERSON - shall mean and include any person, firm, partnership, association, corporation, company or organization of any kind.

SECTION 16.02. AUTHORITY TO ENFORCE CHAPTER

The Director and/or authorized representatives shall, in connection with their duties imposed by law, diligently enforce the provisions of this chapter.

SECTION 16.03. AUTHORITY TO EJECT PERSONS FROM PARKS

The Director and any authorized representative shall have the authority to eject from the park any person acting in violation of this chapter.

SECTION 16.04. HOURS OF OPERATION

Except for unusual and unforeseen emergencies, parks shall be open to the public every day of the year from dawn to dusk unless otherwise approved by the city. The city reserves the right to designate specific operating hours for individual parks as it deems appropriate.

SECTION 16.05. CLOSED AREAS

- A. Any section or part of any park may be declared closed to the public by the Director, or authorized representative, at any time and for any interval of time, either temporarily or at regular and stated intervals (daily or otherwise), and either entirely or merely to certain uses, as the Director shall find reasonably necessary.
- B. No person shall enter an area posted as "Closed to the Public," nor shall any person use or abet the use of any area in violation of posted notices.

SECTION 16.06. ALCOHOLIC BEVERAGES AND TOBACCO PRODUCTS PROHIBITED

- A. It shall be unlawful for any person to possess an open container of alcoholic beverages or consume any alcoholic beverage at any time in a park except where the city has approved an Event Permit allowing such use, as governed in Chapter 26 of the Winooski Municipal Code.

- B. The use of lighted tobacco products and e-cigarettes shall be prohibited in Landry Park, Myers Memorial Pool, and West Allen Park at all times.

SECTION 16.07. HUNTING OR TRAPPING PROHIBITED

It shall be unlawful for any person to hunt, molest, harm, frighten, kill, trap, chase, tease, shoot or throw missiles at any animal, reptile or bird; nor shall they remove or have in their possession the young of any wild animal, or the eggs, nest or young of any reptile or bird unless given written prior approval of the city.

City Ordinance Cross Reference--Discharging firearms within city prohibited.

SECTION 16.08. REMOVAL OF NATURAL RESOURCES PROHIBITED

It shall be unlawful for any person to dig or remove any soil, rock, stone, tree, shrub or plant, down-timber or any other wood or material, or make any excavation by tool, equipment, blasting or other means or agency without prior approval of the city.

SECTION 16.09. DAMAGING NATURAL RESOURCES PROHIBITED

- A. It shall be unlawful for any person to damage, cut, carve, transplant or remove any tree or plant or injure the bark, or pick the flowers or seeds, of any tree or plant, to attach any rope, wire or other contrivance to any tree or plant in a park.
- B. No person shall dig in or otherwise disturb grass areas, or in any other way injure or impair the natural beauty or usefulness of any area.

City Ordinance Cross Reference--Destruction of trees prohibited.

SECTION 16.10. LITTERING

It shall be unlawful for any person to dump, deposit or leave any bottles, glass, ashes, paper, cans, dirt, rubbish, wastes, garbage, refuse or other trash in or on any park property, except in containers provided for such use.

SECTION 16.11. DOGS; "OFF-LEASH AREA"

The city council may designate any city park as an "off-leash area" regulated by rules adopted by the city and under the control of the Director.

SECTION 16.12. HORSEBACK RIDING

- A. Horseback riding shall be prohibited except on designated bridle trails.
- B. Where permitted, horses shall be thoroughly broken and properly restrained, ridden with due care, and shall not be allowed to graze or go unattended, nor shall they be hitched to any rock, tree or shrub.

SECTION 16.13. ERECTION OF STRUCTURES

No person shall construct or erect any building or structure of whatever kind, whether permanent or temporary in character, or run or string any public service utility into, upon or across such lands, except with special written permit issued hereunder.

SECTION 16.13.01 CAMPING

No person shall set up tents, shacks or any other temporary shelter for the purpose of overnight camping, nor shall any person leave in a park after closing hours any movable structure or special vehicle to be used or that could be used for such purpose such as house trailer, camp trailer, camp wagon or the like, except with special written permit issued hereunder.

SECTION 16.14. MOTORIZED VEHICLES

Motorized vehicles of any type are allowed only within the areas provided for public parking, except by written permission from the city. No vehicle shall be parked in any public park between 9:00 PM and 7:00 AM and may be towed away at the owner's expense.

ARTICLE IV. PERMITS

SECTION 16.15. PERMITS REQUIRED

A permit shall be obtained from the city before conducting any event or use of a park facility, for which a permit is required by the city as governed in Chapter 26 of the Winooski Municipal Code.

ARTICLE V. PENALTIES

Unless otherwise stated, any violation of this chapter shall be a civil violation and subject to civil penalties and enforcement as provided for in Chapter 1, Section 1.11 of Winooski City Code.

Statutory Cross-Reference: 24 V.S.A. § 1974a

ADDENDUM TO CHAPTER 16

General Rules for All Areas Designated as Off-Leash Dog Areas:

- (1) A person taking a dog into an off-leash area shall have control of the dog by means of physical restraint (leash, cord, chain, etc.) when entering and leaving the off-leash area.
- (2) A person taking a dog into an off-leash area shall maintain voice, hand or other appropriate control over the dog at all times while the dog is in the off-leash area. Such person shall also have in their possession at all times a means of physical restraint.
- (3) A person taking a dog into an off-leash area may only do so during the times set forth by these rules.
- (4) All dogs present in an off-leash area shall be licensed and vaccinated and shall display valid license and vaccination tags attached to a dog collar.

- (5) A dog present in an off-leash area shall be the responsibility of a person who is present in the area with that dog. A person responsible for a dog in an off-leash area shall not leave the dog unattended in the off-leash area. A person responsible for a dog in an off-leash area shall be legally responsible for its actions.
- (6) A person shall not take a female dog in heat into an off-leash area.
- (7) A person taking a dog into an off-leash area is responsible for removing that dog's feces from the off-leash area. A person taking a dog into an off-leash area shall carry equipment for removing such feces and shall place feces deposited by such animal in an appropriate receptacle.
- (8) A person taking a dog into an off-leash area shall stop that dog from digging holes and shall fill in any hole created by the dog prior to exiting the area.
- (9) A person may not take more than three (3) dogs at a time into an off-leash dog area without special written permission given by city. Professional dog trainers shall not use off-leash dog areas for their commercial activities without special written permission from the city.
- (10) Vicious dogs as defined by Winooski City Code, Chapter 3, Section 3.07 are not allowed in an off-leash area.
- (11) There shall be no eating or smoking in the off-leash area.
- (12) Glass containers shall not be allowed in an off-leash area.
- (13) Any gate to an area shall be closed upon entry and exiting.
- (14) Person in control of a dog in an off-leash area shall not permit the dog to engage in excessive barking, howling, or other noise.
- (15) Persons under the age of thirteen (13) years shall not be allowed in an off-leash area without the accompaniment of someone at least eighteen (18) years of age.