

**TOWN OF LANSING, TOMPKINS COUNTY, NEW YORK
LOCAL LAW NUMBER 2 OF 2007**

**RULES AND REGULATIONS FOR CONDUCT
AND OTHER ACTIVITIES IN PARKS
OF THE TOWN OF LANSING**

SECTION 1: TITLE & APPLICATION - This Local Law shall be known as "Local Law Number 2 of 2007". This Local Law hereby repeals any prior Local Law or Ordinance that is inconsistent herewith. This Local Law repeals Local Law #3 of 2004 (Park User Fees). This Local Law applies only within those areas of the Town of Lansing, in Tompkins County, New York, that are outside the incorporated boundaries of the Village of Lansing.

SECTION 2: PURPOSE - The preservation of Town Parks, open areas, recreational fields, Salmon Creek (and other waterways and watercourses), and the shorelines of Cayuga Lake is of paramount importance to the residents of the Town of Lansing. These properties benefit the Town by providing unique ecological characteristics and recreational opportunities. Any damage or destruction to these areas and any improper or dangerous conduct will weaken these benefits and pose a danger to the health, safety and welfare of Town residents. It is imperative to the integrity of these unique areas that they be safeguarded for the benefit of the Town, its residents, and the future residents of the Town and other users.

SECTION 3: CONSTRUCTION AND SCOPE OF RULES - This Local Law shall be construed as follows: (1) any term in the singular includes the plural; and (2) any term in the masculine includes the feminine and neuter; and (3) any rule or regulation relating to any act covers the causing, procuring, aiding or abetting, directly or indirectly, of that act, including allowing a minor child to do that act; and (4) no provision herein shall make unlawful any act necessarily performed by any officer or employee of the Department or the Town in the line of duty or work, or by any Person in the proper and necessary execution of the terms of any agreement with the Department or the Town; and (5) these Rules are in addition to and supplement all municipal, state and federal laws and ordinances; and (6) subject and paragraph headings are for convenience only and shall not be used or construed to define or limit the meaning or application of any text thereunder.

SECTION 4: DEFINITIONS - The terms used in this Local Law shall have the meanings set forth below:

Aircraft. "Aircraft" means any contrivance, now or hereafter invented for navigation of or flight in the air, including balloons, planes, jets, helicopters, gliding devices, parachutes, and ultralight aircrafts.

Authorized Person. "Authorized Person" means any Person holding a Permit or Variance to permit or allow their presence or activity in a Town Park, or any Person who may undertake any action by virtue of (i) employment and/or authorization by the Town, or (ii) being a New York State Police or Peace Officer, or (iii) being an employee or officer of the New York State Department of Environmental Conservation, or (iv) being otherwise authorized or permitted to be present or to act by any law, rule, ordinance, or regulation of the Town, the County of Tompkins, the State of New York, or of the United States.

Authorized Swimming Areas. "Authorized Swimming Areas" are those designated as such by the Department.

Certified. "Certified" means, as to any product or thing, a product or thing that has or bears a safety or performance certification from UL, ETL, NFSI, ANSI, or other similar certification from an OSHA (the Occupational Safety and Health Administration) certified NRTL (Nationally Recognized Testing Laboratory).

Department. "Department" refers to the Town of Lansing Department of Parks & Recreation, and any or all successor agencies.

Demonstration. "Demonstration" means a group activity of 15 or more persons, including, but not limited to, a meeting, assembly, protest, rally, march, or vigil which involves the expression of views or grievances.

Disorderly Behavior. "Disorderly Behavior" means (i) disorderly behavior as defined by the New York State Penal Law, and/or (ii) any of the following behaviors:

(a) to throw stones or other missiles, or interfere with, encumber, obstruct or render dangerous any Park Road, Park facility, driveway, roadway, path, walkway, or area of a Park; or

(b) to climb upon any wall, fence, shelter, cabana or other structure not intended as a climbing apparatus; or

(c) to participate in, instigate, aid, or encourage a contention or fight; or

- (d) to assault or harass any Person; or
- (e) to spit on or in any building, walkway, platform or stairway; or
- (f) to enter or attempt to enter any facility, area, or building that is sealed, locked or otherwise restricted from access; or
- (g) to engage in a course of conduct or commits acts that unreasonably alarm or annoy another Person; or
- (h) to engage in any form of sexual activity, legal or otherwise, in a Park; or
- (i) to engage in a course of conduct or commits acts that endanger the safety of any other Person; or
- (j) to injure, deface, disturb, or defoul any part of a Town Park or any building, structure, sign, equipment or other property found therein, or to remove, cut down, cut, injure or destroy any tree, flower, shrub, ornament, statue, fence, bridge, structure or other property within any Park; or
- (k) to engage in the utterance of any excessive vulgar, alarming, or inciting words as are likely to disturb the peace or cause or incite a riot, fight, or other breach of the peace or law; or
- (l) to fail to remove any refuse, litter, signs, or other personal property or items.

Dumping. "Dumping" refers to the unauthorized disposal of refuse in an amount totaling one cubic foot or more.

Littering. "Littering" refers to the unauthorized disposal of refuse in an amount totaling less than one cubic foot, whether by the failure to place such refuse in an approved receptacle, abandoning such refuse, or otherwise.

Motor Vehicle. "Motor Vehicle" refers to any automobile, truck, motorcycle, moped, boat, or other vehicle propelled by a motor.

Park or Parks. "Park" or "Parks" signifies public parks, beaches, waters and land under water, pools, boardwalks, playgrounds, recreation centers,

athletic fields (and ball fields) and all other property, equipment, buildings and Park Facilities now or hereafter under the jurisdiction, charge, or control of the Town or the Department.

Park Facility. "Park Facility" means any improvement to real property within any Park, including, but not limited to, pavilions, buildings, boat launching, docking, or wharfage facilities, athletic and ball fields, stands, marina, campsites, RV sites, and the like.

Park Road. "Park Road" means any road through or within a Park used for Motor Vehicle traffic.

Park Sign. "Park Sign" means any placard, notice, or sign duly posted by the Town Board or the Department.

Permit. "Permit", unless otherwise specified, means any written authorization issued by or under the authority of the Department for a specified privilege, or event, including the Demonstrations, Special Events, and the performance of a specified act or acts in any Park or on any Park Road.

Person. "Person" means any natural person, corporation, society, organization, company, association, firm, partnership, or other entity.

Police Officer. "Police Officer" refers to any New York State police or peace officer, including any Town Constable.

Review Board. "Review Board" means a panel of three persons, two of which are Town Board members, and the third of which is designated by the Town Board, that hears appeals in relation to Permits and Variances.

Rules. "Rules", unless otherwise specified, refers to any rule or regulation established pursuant to this Local Law.

Sound Reproduction Device. "Sound Reproduction Device" includes, but is not limited to, any radio receiver, phonograph, television receiver, musical instrument, tape recorder, cassette, or disc player, speaker device or system, and any sound amplifier.

Special Event. "Special Event" means a group activity including, but not limited to, a performance, meeting, assembly, contest, exhibit, ceremony, parade, athletic competition, reading, or picnic involving more than 30

people for which the use of Park Facilities is requested or required. Special Event shall not include casual park use by visitors or tourists.

Town. "Town" shall mean the town of Lansing, Tompkins County, New York.

Town Board. "Town Board" shall mean the Town Board of the Town of Lansing, Tompkins County, New York.

Unreasonable Noise. "Unreasonable Noise" means; (i) a level of sound or noise as may or will cause public inconvenience, annoyance or harm; or (ii) any excessive or unusually loud sound that disturbs the peace, comfort or repose of a reasonable Person of normal sensitivity; or (iii) any excessive or unusually loud sound that injures or endangers the health or safety of a reasonable Person of normal sensitivity; or (iv) any excessive or unusually loud sound that causes injury to plant or animal life, or damage to property or business; or (v) the playing or operation of any Sound Reproduction Device, musical instrument, or drum in an unreasonable manner that disturbs any other Person, unless played or operated pursuant to and in compliance with a Permit.

Variance. "Variance" means a written exception or exemption from any one or more requirements of this Local Law.

SECTION 5: PROHIBITED ACTS AND CONDUCT - The following acts, behaviors, and events are prohibited, and the violation hereof shall be and be deemed a violation of this Local Law:

A. GENERAL CODES OF CONDUCT AND BEHAVIOR

(1) No Person shall make use of or gain admittance to, or attempt to use or gain admittance to, any Town Park, or any Park Facilities, for which a charge or fee must be paid unless he shall first pay the applicable charge or fee.

(2) Town Parks may only be used during their open hours. Any Person, other than an Authorized Person, found in any Park after the Park is officially closed to the public shall be considered a trespasser and shall be subject to ticketing or arrest, as applicable in accord with law. "Officially closed" shall mean closed by the terms of an applicable law, rule, resolution, or regulation of the Town, or closed based upon the signage and/or notices posted at the Town Park in question.

- (3) Any Person entering or leaving a Town Park shall use only the ingress and egress Park Roads, pathways, or areas provided or designated for such purposes.
- (4) No overnight parking or housing shall be allowed except for an Authorized Person or pursuant to a Permit or Variance.
- (5) No Person shall disobey (i) a lawful order of a Police or Peace Officer, or Town Constable, or (ii) a lawful directive of the Department, or any agent thereof employed in a supervisory capacity, or (iii) the directions of any Park Sign. Nor shall any Person violate any applicable Local, County, State or Federal law, statute, ordinance, rule or regulation.
- (6) No Person shall engage in Disorderly Behavior.
- (7) No Person shall solicit for hire passengers for any vehicle or Motor Vehicle.
- (8) No Person shall hitchhike in any Park.
- (9) No Person shall obstruct pedestrian or Motor Vehicle traffic.
- (10) No Person shall use any water fountain, drinking fountain, pool, sprinklers, reservoir, lake or any other water contained in or adjacent to any Park for the purpose of washing or cleaning himself or his clothing or other personal belongings, unless the use of such water has been specifically designated for personal hygiene purposes (i.e., bathroom, shower room, wash basins, etc.).
- (11) No Person shall urinate or defecate in any Park, or in or upon any park building, monument, structure, or Park Facility, except in a Park Facility which is specifically designed for such purpose.
- (12) No Person may engage in loitering for illegal purposes in a Park. Any Person in any Park shall be guilty of loitering for illegal purposes who: (i) loiters or remains in a Park for the purpose of engaging, or soliciting another Person to engage, in sexual activity; or (ii) loiters or remains in any Park for the purpose of unlawfully using, possessing, purchasing, distributing, selling or soliciting

marijuana or any other controlled substance, as defined by and in the New York State Penal Law.

(13) No Person may dress, undress, or present in such manner that genitalia are unclothed or exposed.

(14) No Person shall post, display, affix, construct or carry any placard, flag, banner, sign, or model, or display any such item by means of aircraft, kite, balloon or other aerial device, in, on, or above the surface of any Park for any purpose whatsoever without a Permit.

(15) No Person shall make, or cause or allow to be made, Unreasonable Noise.

(16) Any Person bringing a bicycle into any Park shall obey all Park Signs pertaining to the use of bicycles. No bicycle shall be ridden or otherwise operated in vegetated areas, play areas, or upon any playgrounds. No Person shall operate a bicycle in a reckless manner. No Person riding upon any bicycle shall attach himself or his bicycle to the outside of any Motor Vehicle. Bicyclists shall yield the right of way to pedestrians.

B. MOTOR VEHICLES

(1) No buses or commercial trucks with a gross empty weight greater than 2 tons shall enter any Park, unless (i) granted a Permit or Variance, or (ii) for emergency purposes, or (iii) granted permission from the Department.

(2) All laws contained in the New York State Vehicle and Traffic Law shall apply in Town Parks and upon Park Roads. The Town Board and the Department may provide for such additional directives or directions for the control of traffic and Motor Vehicles as are deemed necessary or convenient for the benefit of the Park and/or for the safety of Persons in the Park, including, but not limited to, posting such directives or directions upon Park Signs.

(3) Parking is permitted in designated parking areas only, and only during the hours of operation of such Park. No Person shall use any area of a Park, including designated parking areas, for commercial or illegal purposes, nor for the purpose of performing

non-emergency automotive work, including, but not limited to, vehicle maintenance, repairs, or cleaning.

(4) The maximum speed limit through any Park shall be the lesser of the posted speed limit or 10 miles per hour.

(5) Motor Vehicles may not be operated on any lawns or vegetated surfaces.

(6) No Person shall land a boat of any kind, other than a human-powered boat (such as a kayak, canoe, rowboat or pedal boat that has no motor) on any Park shore except at designated landing areas or marinas, except in the case of an emergency. Boating in any Authorized Swimming Areas is prohibited.

(7) No Motor Vehicle may be operated in, or brought into, any Park unless such Motor Vehicle is properly registered and insured.

C. DUMPING AND LITTERING

(1) No Person shall engage or assist in any Dumping or Littering in any Park. Every Person shall use receptacles provided for the disposal of refuse. No Person shall deposit household or commercial refuse in any Park.

(2) No Person shall throw, drop, allow to fall, discharge into or leave in the waters within or adjacent to any Park any substance, liquid or solid, which (i) may or will result in the pollution of said waters; or (ii) may or will harm any animal or plant.

(3) No Person shall, within or adjacent to any Park, store or leave unattended personal belongings.

D. CONSTRUCTION, EXCAVATION, AND DEFACEMENT

(1) No Person shall erect any structures, stands, platforms, or any other structure, or perform or cause to be performed construction work of any kind, or any work incidental thereto, including the storage of materials, in any Park except pursuant to a Permit.

(2) No Person shall perform, cause, suffer or allow to be performed any excavations within or adjacent to any Park without a Permit.

(3) No Person shall (i) injure, damage, deface, displace, remove, fill in, raze, destroy, or tamper with any Park Road, Park Sign, Park Facility, or Park driveway, roadway, path, bridge, walkway or property, nor (ii) take up, remove, or carry away trees, shrubs, turf or other materials; nor (iii) remove, deface, or destroy any structure, building, or any appurtenances connected with the Park or any other property or equipment, real or personal, owned by the Town. To "deface" includes the placement of graffiti or the obstruction or removal of any Park Sign, sign, or poster lawfully placed within the Park.

(4) No Person shall post, paste, fasten, paint, write, draw, carve, tack or affix any placard, bill, notice, sign, advertisement, or any writing whatsoever upon any structure, tree, stone, fence, thing or enclosure within any Town Park or upon any Park Road without a Permit therefor.

E. USE OF WATERWAYS, STREAMS AND LAKES

(1) No Person shall bathe, wade, or swim in any waters of any Park except (i) at such times and in Authorized Swimming Areas as the Department may designate, or (ii) for the purposes of lawfully hunting or fishing in Parks where hunting or fishing is permitted.

(2) No Person may bring into or use any equipment in any waterway, stream or lake that may cause inconvenience or discomfort to any Person, except such equipment intended for the protection of life. "Equipment" includes, by way of illustration and not limitation, large artificial floats, spears, spear guns, air or gas tanks, or other apparatus used for skin or scuba diving. This provision does not apply to legal implements lawfully employed to fish or hunt in a Park where fishing and/or hunting is permitted.

(3) No Person shall disobey the reasonable direction of a lifeguard; nor shall any Person falsely call for help or assistance, or stand, sit upon, or cling to lifeguard perches, or cling to or go into a lifeguard boat except in an emergency.

F. HUNTING AND FISHING; FIREWORKS AND EXPLOSIVES

(1) Hunting and fishing are prohibited in all Authorized Swimming Areas and in the Marina.

(2) Each Person who shall fish or hunt in any Town Park (where allowed - See Section 7) shall (i) obey all posted guidelines, (ii) obey all requirements of this Local Law, and (iii) comply with all applicable local, State and Federal laws and regulations, including Title 6 of the New York State Environmental Conservation Law, and the regulations issued thereunder.

(3) Each Person shall remove all fishing line fragments, lures, flies, and hooks from land and waters when the same have broken off or become disconnected from any rod, reel, hand line, tippet, or other device used for the capture of fish. The use of traps to catch fish, animals, frogs, or crustaceans in Town Parks is prohibited.

(4) No Person shall have or carry, whether or not concealed upon his person, any pistol or revolver without a lawful carry permit therefor, whether or not loaded with ammunition or blanks. No Person shall bring into a Park, or have in his possession, any rifle, long gun, black powder rifle or gun, shotgun, fowling piece, air gun, spring gun, or other instrument or weapon in which the propelling force is combustible powder or pellets, a spring, or compressed air, unless such item is lawfully possessed and lawfully used and/or discharged in the course of lawful hunting or fishing activities. No Person shall fire or discharge any gun, pistol, firearm, slingshot, bow and arrow, crossbow and arrow or bolt, any rocket, torpedo or other fireworks or weapon of any description, unless (i) such Person is lawfully allowed to possess and discharge such device in the furtherance of any lawful act of hunting or fishing, or (ii) such Person is an Authorized Person lawfully discharging such device.

(5) No Person shall bring into or have in any park or beach any explosives, including any substance, compound, mixture or article having properties of such a character that alone, or in combination or contiguity with other substances or compounds, may react or decompose suddenly and generate sufficient heat, gas or pressure, or any or all of them, to produce rapid flame, combustion, and/or which could cause or administer a destructive blow to surrounding objects, animals, plants or persons, unless such substance,

compound, mixture or article is lawfully possessed and lawfully used and/or discharged in the course of lawful hunting activities.

G. CAMPING

(1) No Person shall squat, tent or camp, or erect or maintain a tent, lean-to, shelter or camp, in any Park without a Permit.

(2) No Person shall squat, tent or camp, or erect or maintain a tent, lean-to, shelter or camp, in any area of the Park not expressly designated for such use by the Department.

(3) All rules as set forth in Schedule B ("Campground Rules") shall be observed by all Persons. The Department may amend Schedule B whenever applicable, and all Persons shall check with the Department to obtain the most recent version of Schedule B issued.

H. FIRES

(1) No Person shall kindle, build, maintain or use a fire within the confines of any Park except (i) in grills provided for that purpose by the Department; (ii) in Certified devices, or (iii) in designated fire pits.

(2) No Person shall remove, relocate, or change the size of any grill or fire pit.

(3) No Person may use any fuel for any fire other than wood or charcoal. No paper, cardboard, or refuse may be burned in any grill, fire pit, or Certified device. Only lighting fluids specifically designed for camp fires or grills may be used to assist in the ignition or maintenance of any fire.

(4) Any Person who starts or kindles any fire shall keep it under his continued care and direction and shall extinguish it before leaving the area of the fire or the Park. Fires may be kindled, started, and maintained only by a Person over the age of 16 years.

(5) No fire shall be built within 10 feet of any Park Facility, tree, or building; nor beneath the branches of any trees or in or near any underbrush.

(6) No Person shall throw away or discard any lighted match, cigar, cigarette, or other lighted, flaming, or object capable of starting any fire. Such objects shall be deposited in suitable receptacles. No Person shall dump, lay or place any hot coals, ashes, or embers in any location other than in Certified devices or grills and fire pits designated by the Department.

I. GAMBLING

(1) Gambling is prohibited in all areas of any Park.

J. GAMES AND TOYS

(1) Engine powered model airplanes, boats, cars and other powered objects may not be used within the boundaries of any Park without a Permit.

(2) No Person may hit or strike golf balls within the boundaries of any Town Park without a Permit.

(3) No Person may use any motorized scooter, go kart, ATV, snowmobile, motor bike, mini bike, or similar device within any Park, unless (i) upon a Park Road, where such device is registered for lawful use on public highways, or (ii) pursuant to a Permit.

(4) No Person shall engage in any athletic game, use any game, device, toy, or sporting good, or conduct himself in such a way, upon land or in water, as to jeopardize his safety or the safety of any Person.

K. ANIMALS

(1) No Person owning or being a custodian or having control of any animal shall cause or permit the animal to enter any Park unless such animal is (i) a domestic animal or pet, or (ii) possessed under a valid permit, (iii) vaccinated against rabies, and proof thereof has been submitted to the Department and the vaccination number has been conspicuously noted upon the site reservation confirmation sheet, and (iv) securely caged, confined, leashed, or tethered in accord with law and in such manner as to prevent such animal from escaping, harming any Person or animal, or harassing, chasing, or worrying any Person or other animal. No leash or tether shall be longer than 10 feet. All leashes and tethers must be

personally held in the hand of the attending person whenever the animal is not upon the campsite registered to such animal's owner.

(2) No Person shall allow any animal's waste or fecal matter to remain in the Park. All animal waste and fecal matter shall be promptly cleaned up and legally disposed of by such Person immediately after so deposited or excreted by such animal.

(3) No Person shall feed any wild or feral animals in any Park, except unconfined birds using natural birdseed only.

(4) No Person may ride a horse or other animal in any Park, unless (i) such Person has a Permit, (ii) such Person is an Authorized Person, or (iii) such horse or other animal is used to pull a carriage or sleigh, and such horse or other animal is equipped with hampers, diapers, or some other similar manure catching device which is effective in preventing manure from being deposited in the Park or on any Park Road.

(5) Trained guide dogs for the blind or hearing dogs for the deaf are expressly exempt from all provisions of this subdivision.

L. AIRCRAFT

(1) No Person shall take off, land, or operate any Aircraft in, upon, or within 1,000 feet of any park, except for genuine emergencies or for a forced landing caused by mechanical or structural failure of the Aircraft.

M. COMMERCIAL ACTIVITIES; SOLICITATION AND SALES

(1) No Person in any Park shall post, paint, affix, distribute, hand out, deliver, place, cast or leave about any bill, billboard, placard, ticket, handbill, circular, or advertisement, or display any flag, banner, transparency, target, sign, placard or any other matter for advertising purposes, or operate any musical instrument or drum or cause any noise to be made for advertising purposes or for the purpose of announcing, attracting attention to, promoting, or calling the public's attention to any exhibition, performance, show, sale of goods or services, except pursuant to a Permit.

(2) No Person shall conduct a private business of any kind, or any part thereof, including, but not limited to, photography for

commercial advertising or publicity purposes, the sale or purchase of photographs, negatives or prints, instructions in any sport or athletic activity or the sale of any item or service, except pursuant to a Permit.

(3) No Person shall use any Park for business or professional purposes involving the sale of any goods or the rendering of any service for a fee, or for the purpose of soliciting alms or contributions, except pursuant to a Permit.

(4) No Person shall engage in any cinematic activity or production for commercial purposes without a Permit.

(5) No Person shall erect, install, set up, assemble or occupy any stand, stall, booth, tent, cart, Motor Vehicle, or other structure in any Park, or sell, vend, purvey, give away, offer for free or provide complimentary goods or fare from any location, except pursuant to a Permit.

(6) No Person shall engage in the non-commercial distribution of products or things without a Permit.

N. ALCOHOL AND CONTROLLED SUBSTANCES

(1) No Person shall bring, possess, distribute, sell, solicit, or consume any alcoholic beverages into any Park without a Permit or a validly issued New York State Liquor License, unless expressly permitted by the rules of that Park (See Section 7).

(2) No Person shall bring, possess, distribute, sell, solicit or consume marijuana or any controlled substance (as defined in the New York State Penal Law) in any Park.

(3) No Person shall be or become intoxicated in any Park, nor be under the influence of alcohol, or any other intoxicant, to the degree that he may endanger or unreasonably annoy himself or any other Person.

O. SPECIAL EVENTS, DEMONSTRATIONS AND POLITICAL ACTIVITIES

(1) No Person shall conduct, hold, sponsor, or participate in any Special Event or Demonstration without a Permit being obtained at

least 72 hours in advance of such event. All Mass Gatherings shall be subject to the Town's Mass Gatherings Local Law (Local Law #3 of 2006).

(2) No Person may conduct, hold, sponsor, or participate in any meetings or assemblies, the performance of any ceremonies, the making of any speeches, the delivery of any addresses or harangues, the exhibition or distribution of any sign, placard, notice, declaration or appeal of any kind or description, conduct any exhibitions, exhibit or perform any dramatic performance or the performance, in whole or in part, of any interlude, tragedy, comedy, opera, ballet, play, farce, dramatic performance, concert, minstrelsy, dancing, entertainment, motion picture, public fair, circus, juggling, ropewalking or any other acrobatics or show of any kind or nature, or run or race any horse or other animal, or, being in or on a vehicle, race with another vehicle, horse, Person or animal, nor conduct any parade, drill, procession, or maneuver, without a Permit therefor being obtained at least 72 hours in advance of any such event.

(3) Political activities imbued with First Amendment privileges shall be permitted at Town Parks, subject to the following requirements: (i) access to Town Parks is lawfully obtained in accord with, and consistent with, existing ordinances, laws, rules and regulations, and where required, a Permit or Variance is obtained; (ii) that with respect to the distribution of political material, each Person shall conduct himself in an orderly manner, shall endeavor to cause no discomfort or inconvenience to any other Person, and shall act reasonably to prevent Littering and Dumping of such materials; and (iii) that the dissemination or distribution of any political materials, flyers or bulletins shall be strictly prohibited within 100 feet of any waterway, creek or shoreline.

SECTION 6: PARK AND PARK FACILITY USER FEES - The fees listed in Schedule A apply to the use of the listed Park Facilities. The fees to be charged for access and use of Parks and Park facilities, and the availability thereof, may change as determined by the Department.

SECTION 7: SPECIAL RULES FOR INDIVIDUAL PARKS:

A. MYERS PARK:

1. No camping and no placement or erection of camping equipment is permitted to the north or east of the line of electric service pedestals in the camp ground area.
2. Alcohol is permitted in Myers Park only upon and in campsites, picnic areas, and pavilions. Alcohol is permitted to be possessed by persons using the park solely for launching vessels where consumption of such alcohol occurs (i) off park grounds, (ii) not within 200' of the shoreline of Cayuga Lake, and (iii) in accord with New York State law. No alcohol may be possessed or consumed at any lakefront area, nor along any beach or shoreline (including the shores of Salmon Creek and its tributaries), nor while in any waters of Salmon Creek and its tributaries, nor in any swimming area.
3. No Person may ride in or upon any boat, personal watercraft, trailer, or other watercraft while such boat, personal watercraft, trailer or other watercraft is being towed by any motor vehicle, whether being launched, loaded, traveling to or from any marina or launch, or otherwise.
4. Fishing is permitted in Myers Park.
5. Hunting is prohibited in Myers Park.

B. SALT POINT PARK:

1. No alcohol may be possessed or consumed in Salt Point Park.
2. During lawful New York State hunting seasons, access to Salt Point Park may be allowed before park hours upon the written permission of the Department.
3. No Person may ride in or upon any boat, personal watercraft, trailer, or other watercraft while such boat, personal watercraft, trailer or other watercraft is being towed by any motor vehicle, whether being launched, loaded, traveling to or from any marina or launch, or otherwise.

4. No motorized boats, watercraft or vessels shall be launched from any marina, launch or shoreline of Salt Point Park.
5. Fishing is permitted in Salt Point Park.
6. Hunting is permitted in Salt Point Park.

C. LUDLOWVILLE PARK:

1. Fishing is permitted in Ludlowville Park.
2. Hunting is prohibited in Ludlowville Park.
3. Alcohol is permitted in Ludlowville Park only upon and in campsites, picnic areas, and pavilions. No alcohol may be possessed or consumed at any waterfront, while in any waterway, nor along any beach or shoreline.

D. ATHLETIC AND BALL FIELDS:

1. Fishing and hunting are prohibited at all athletic and ball fields.
2. Alcohol is permitted at all athletic and ball fields when the athletic and ball fields are being used and are scheduled for use by persons over the age of 18 years. Consumption of alcohol is permitted only in strict accord with New York State law by Persons over the age of 21 years.

SECTION 8: ADDITIONAL POWERS - In addition to any other power, right or privilege of the Town Board or the Department as provided in this Local Law or under New York State Law, the Department and the Town Board shall have the following powers, rights, and privileges:

- A. The Town Board and the Department reserve the right to enact additional rules and regulations with respect to the use of Town Parks, Park Signs, Park Facilities, and Park Roads. Any Permit hereafter issued shall be issued subject to the holder thereof conforming to the rules and regulations then in force and effect. Such amended or additional rules and regulations, to be effective, shall either (i) be incorporated into this Local Law by amendment hereto, or (ii) be posted on a sign or bulletin board within each affected Park, either at the entrance(s) thereof or upon or near any affected Park Road or Park Facility. Any violation of the

requirements of such amended or additional rules and regulations shall be deemed a violation of this Local Law.

B. The Department and/or the Town Board, or their designee(s), shall administer and enforce the provisions of this Local Law, including, but not limited to, the establishment and collection of fees, the preparation of Permit and Variance application forms, the review of Permit and Variance applications, the issuance and revocation of Permits and Variances, and the promulgation and enforcement of procedures to implement the provisions of this Local Law.

C. When the activities, behavior or conduct of any Person is determined to be in violation of this Local Law, or any rules or regulations promulgated under the authority of this Local Law, or when such acts are deemed to be disruptive to the surrounding neighborhood, or when such activities, behavior or conduct adversely affect any other Person, the Department and the Town Board, and/or their designee(s), shall have the authority (i) to cause such activities, behavior or conduct to cease and be terminated, or (ii) to expel the perpetrators of such activities, or (iii) where permitted by law, to arrest and detain such perpetrators, or (iv) to file a complaint against such Person for the violation of this Local Law.

D. The Department shall designate the Authorized Swimming Areas, and all other areas to be used or occupied for picnics, outings, and events.

E. The Department shall regulate the use of Park Facilities and Park Roads in order to prevent congestion and preserve the peace.

F. Whenever a threat to public peace, health or safety exists in any Park resulting from any natural or unnatural cause, explosion, accident, riot, assembly or unlawful assembly, or activity or unlawful activity, or as may arise from any other cause, the Department may close the Park or any part thereof and/or issue temporary rules and regulations, for such duration as the Department deems necessary to ensure the peace, safety and well-being of the public and/or any Persons.

SECTION 9: VARIANCES, PERMITS AND APPEALS - Any Person may apply for a Variance or Permit: any Person denied a Variance or Permit may appeal such denial: any Person granted any Variance or Permit upon conditions that are believed to be unreasonable, arbitrary, or capricious, may appeal the conditions thereof, all pursuant to the provisions set forth below.

A. VARIANCES – A Variance from the requirements or provisions of this Local Law may be granted by the Department for any just cause or reason. Any act or activity prohibited solely by this Local Law shall be lawful if performed in strict compliance with the terms and conditions of such Variance. The Department may, but is not required to, issue a variance where (i) there are significant practical difficulties or unnecessary hardships, not created or caused by the applicant, caused by compliance with the requirements of this Local Law, or (ii) where the peace, safety, beauty and utility of the Parks would be preserved, and not negatively impacted, by the issuance of, and compliance with the terms and conditions of, a Variance. Variances shall be applied for upon forms supplied by the Department. The Department may require a fee for the submission of a Variance application and/or for the issuance of a Variance. Once an application is complete, the Department shall grant, deny, or grant such Variance with conditions within 10 days.

B. PERMITS - When any provision of this Local Law requires a Permit as a condition to the performance of any act or activity, no such act or activity shall be implemented or commenced prior to the receipt of such Permit from the Department. Rules and requirements relating to Permits, and their issuance and revocation are as follows:

(1) Once an application is complete, the Department shall grant, deny, or grant such Permit with conditions within 10 days. A permit may be granted upon such terms and conditions as the Department shall reasonably impose. A Permit shall authorize the permitted acts or activities only insofar as they are performed in strict accordance with the terms and conditions of such Permit. A Permit may be denied for any reason.

(2) Permits shall be applied for on forms prepared and provided by the Department, which forms shall require such information as the Department may deem appropriate for the review and evaluation of the Permit application.

(3) The Department may require a fee for the submission of a Permit application and/or for the issuance of a Permit.

(4) The Department may require an applicant or existing permittee to post a bond or other undertaking in an amount sufficient to ensure full compliance with the terms and conditions of the Permit. The decision of whether to require a bond or other undertaking will be based upon a review of the following factors:

- (i) the location of the event and such location's vulnerability to damage;
- (ii) whether the event or any activities associated with the event present a risk of property damage;
- (iii) the number of people expected to be in attendance;
- (iv) the type of supplies and equipment to be brought onto the site;
- (v) the number of days the applicant or permittee has or will occupy the site;
- (vi) the season in which the event will take place; and
- (vii) any other factor(s) deemed relevant or material by the Department.

(5) The Department may require the applicant or any existing permittee to obtain liability insurance for the event, naming the Department and the Town as an additional insured. The Department may require the production and delivery of Certificate of Insurance evidencing such coverage. The decision on whether to require insurance will be based on the following factors:

- (i) whether the event or any proposed or potential activities present a risk of personal injury or property damage;
- (ii) whether the special event involves the sale of food or beverages, and the types of foods and beverages to be served, consumed, or available;
- (iii) whether the special event involves over 100 participants, or a large number of participants relative to the size of the site;
- (iv) whether the special event involves the use, transportation, or installation of heavy items or equipment, or the installation of a stage or other temporary structure;

(v) any other factor(s) deemed relevant or material by the Department.

(6) No Person shall conduct any activity for which a Permit is required unless (i) such Permit has been issued; (ii) all terms and conditions of such Permit have been or are being complied with; and (iii) the Permit is kept on hand, at the event, so as to be available for inspection by the Department and its designees.

(7) Failure to comply with the terms and conditions of any Permit shall be a violation of this Local Law. If, upon expiration or termination of a Permit, it is determined that any permittee has not complied with the terms and conditions of the Permit, or has violated any law, ordinance, statute or rule, then the following rules shall apply:

(i) Any bond provided as security shall be forfeited and retained by the Town to the extent necessary to remedy or compensate the Town for the losses or damages caused or sustained by such acts, omissions, or violations (including incidental and consequential losses and expenses); and

(ii) The permittee, together with his agents and employees, who violated such terms and conditions of such Permit, or who violated the provisions of any law, ordinance, statute or rule, shall be jointly and severally liable for any additional sum necessary to correct or compensate the Town for such losses and damages; and

(iii) Neither the forfeiture of any security, nor payment or recovery for such losses or damages, shall in any way relieve the permittee, and his agents and employees, from civil or criminal liability arising from the violation of any law, ordinance or rule.

(8) A Permit may be canceled at any time, with or without cause, by the Department, or its duly authorized representative. The issuance of a Permit shall not imply, suggest, guarantee, or ensure that the Department cannot close or shut down a Park, or any Park Road, Park Facility, or other area or facility thereof that becomes hazardous, dangerous, inappropriate, or unsafe for public use, utilization, or operation due to violations of law, inclement

weather, fire, water, construction, or other adverse conditions or behaviors.

C. APPEAL - Any Person aggrieved by the denial of a Permit or Variance, the revocation of any Permit or Variance, or any requirements or limitation imposed by any Permit or Variance, may appeal such denial or revocation to the Review Board in accord with the following procedures and requirements.

(1) Any Person seeking to appeal must file a petition for appeal, the form of which shall be supplied by the Department. Such petition must concisely state the basis of the appeal, and describe the underlying denial, revocation, or condition appealed from. Such petition shall be verified and shall state the ground or grounds upon which the applicant claims that the determination of the Department was erroneous, arbitrary or capricious.

(2) Such petition shall be filed with the Town Clerk within 20 days after notice of (i) denial of the application, or (ii) revocation or suspension of any Permit or Variance, or (iii) the granting of any Permit or Variance with conditions.

(3) Within 20 days of the filing of such appeal with the Town Clerk, the Review Board shall investigate the matter, and may hold one or more public or private hearings on the matter. The Person who filed the appeal is entitled to (i) at least 10 days notice of any hearing, and (ii) be present at all such hearings and meetings. Such notice shall state the name and address of the applicant concerned, the subject matter of the hearing and the date, place and hour designated therefor, by mailing a copy thereof to the applicant concerned at the address shown upon the application of such applicant at least 10 days before such hearing. Upon any hearing, the applicant involved shall be entitled to be represented by legal counsel and to present whatever competent and material testimony or other evidence in his own behalf as may be relevant to the subject matter of the hearing.

(4) At the hearing, the Review Board shall consider the applicant's petition and, in its discretion, may receive new or additional evidence in support or opposition thereof. The Review Board, after such hearing, may affirm the action of the Department, require the Department to grant or reinstate the Variance or Permit, or may take either of such actions subject to the elimination or

addition of such additional requirements as it deems necessary or desirable relative to any such Permit or Variance.

(5) A determination upon the appeal shall be made by the Review Board within 30 days of the filing of any appeal, unless the applicant and the Review Board agree otherwise.

(6) No judicial review may be had or filed until the administrative appeal process outlined in this Local Law has been completed. If the Review Board issues its decision and the applicant is still aggrieved, a review may be had by the applicant pursuant to Article 78 of New York's Civil Practice Law and Rules.

SECTION 10: VIOLATIONS AND PENALTIES - In addition to any other right or remedy allowed by law or in equity, the Town Board may maintain actions or proceedings in the name of the Town in a court of competent jurisdiction to compel compliance with or restrain by injunction the violation of any provision or requirement of this Local Law. Any violation or non-compliance with this Local Law may be restrained or otherwise abated in any manner provided by law. In addition, the following fines and penalties may be imposed for the violation of, or non-compliance with, this Local law:

A. First Violation: Any Person that violates any of the provisions of this Local Law shall be (1) guilty of a criminal offense and subject to a fine of not more than \$250.00 and/or a period of incarceration of not more than 10 days, or (2) subject to a civil penalty of not more than \$250.00 to be recovered by the Town in a civil action. Every such Person shall be deemed guilty of a separate offense for each day that such violation, disobedience, omission, neglect or refusal shall continue. Similarly, a separate civil penalty shall apply and/or be assessable for each day that such violation, disobedience, omission, neglect or refusal shall continue.

B. Second Violation: Any violation that is found to have occurred within 2 years of any prior civil or criminal determination of any other violation of this Local Law shall be deemed a second violation. Any Person that commits or permits any second violation shall be (1) guilty of an unclassified misdemeanor and subject to a fine of not more than \$500.00 and/or a period of incarceration of not more than 90 days, or (2) subject to a civil penalty of not more than \$750.00 to be recovered by the Town in a civil action. Every such Person shall be deemed guilty of a separate unclassified misdemeanor for each day that such violation, disobedience, omission, neglect, or refusal shall continue. Similarly, a separate civil penalty shall

apply and/or be assessable for each day that such violation, disobedience, omission, neglect, or refusal shall continue.

C. Third and Subsequent Violations: Any violation that is found to have occurred within 2 years of any prior civil or criminal determination of any second violation of this Local Law shall be deemed a third or subsequent violation, as applicable. Any Person who commits a third or subsequent violation shall be (1) guilty of an unclassified misdemeanor and subject to a fine not more than \$1,000.00 and a period of incarceration not to exceed 180 days, or (2) subject to a civil penalty of not more than \$2,500.00 to be recovered by the Town of Lansing in a civil action. Every such Person shall be deemed guilty of a separate unclassified misdemeanor for each day that such violation, disobedience, omission, neglect or refusal shall continue. Similarly, a separate civil penalty shall apply and/or be assessable for each day that such violation, disobedience, omission, neglect, or refusal shall continue.

D. Any Person who has been held in violation of this Local Law may also be required to restore the Park, the property or land within or adjacent to the Park (including water and lands under water), Park Facilities, Park Roads, and any other improvements to the Park, to its undisturbed pre-violation condition. The Town may provide notice to such violator to remedy or pay for such restoration, and if such restoration or reimbursement is not made within 20 days of such notice, the Town may commence any one or more civil proceedings in the Town Court, or any other court of competent jurisdiction, to recover its damages and/or the costs of such restoration, including all consequential and incidental losses, costs, expenses, and damages, including reasonable attorneys' and experts' fees.

SECTION 11: EXCULPATION - The Town shall not be responsible for loss of, or damage or theft to cars or boats and their contents, nor loss of, or damage or theft to any private property. Such loss or damage, whether inside of buildings or on the grounds of the Park, shall be the patron's responsibility. In no event shall the Town's liability exceed the sum of \$150.00. Any Person parking, docking, or mooring Motor Vehicles does so at their own risk and without any liability on the part of the Town

SECTION 12: AMENDMENTS - The terms, benefits, and provisions of this Local Law may be amended from time to time, in the discretion of the Town Board. Publication of a notice of public hearing pertaining to the amendment of this Local Law shall be and be deemed sufficient notice to any affected Person of any amendment(s) hereto.

SECTION 13: SEVERABILITY - If the provisions of any article, section, subsection, paragraph, subdivision, or clause of this Local Law shall be adjudged invalid by a court or other tribunal of competent jurisdiction, such order or judgment shall not affect or invalidate the remainder of any article, section, subsection, paragraph, subdivision or clause of this Local Law. Any such invalidity shall be confined in its operation to the clause, sentence, paragraph, section or article thereof directly involved in the controversy in which such judgment shall have been rendered. If any of the requirements of this Local Law, or the application thereof to any Person or circumstances, is held invalid, the said requirements shall remain valid and enforceable as to any other Person or other circumstances.

SECTION 14: EFFECTIVE DATE - This Local Law shall be and become immediately effective upon filing in accord with § 27 of the Municipal Home Rule Law.

SCHEDULE A

A. THE PAVILIONS FEES - (a designation or description of each pavilion and its location can be obtained from the Department):

Pavilion	Size	Capacity	Fee
Pavilion A	40' x 30'	150 persons	\$35.00
Pavilion B	50' x 30'	200 persons	\$55.00
Pavilion C	40' x 34'	150 persons	\$35.00
Pavilion D	48' x 36'	200 persons	\$55.00
Pavilion E	36' x 28'	100 persons	\$35.00
Pavilion F	36' x 28'	100 persons	\$35.00
Pavilion G	36' x 28'	100 persons	\$35.00
Ballfield Pavilion		150 persons	\$35.00

B. PARK & MARINA FEES – All uses are subject to availability. Fees are per the following schedule:

Applicable Use	Resident	Non-Resident
Park Admission (per car)	\$FREE	\$2.00
Launch Fee (per launch)	\$3.00	\$5.00
Launch Fee (per season)*	\$30.00	\$50.00
Dry Dock (per day)	\$3.00	\$5.00
Dry Dock (per season)	\$175.00	\$275.00
Camping (per night)	\$14.00	\$14.00
 *Senior Citizens Discount applies (Age 62+)	 \$20.00	 \$40.00

C. MYERS PARK MARINA – The following schedule sets forth user fees for the Myers Park Marina. “PIF” means if PAID IN FULL, in advance of the season, by January 31, annually. “INS” means installment payments; and the first number references a payment due date of January 31, annually; the second number references a payment due by March 31, annually. All uses are subject to availability. Non-payment by the above dates will result in the forfeiture of boat slip(s). Any slip with electric service leased by a resident of the Town of Lansing must submit an additional \$100.00 by January 31, annually. Any slip with electric service leased by a non-resident must submit an additional \$150.00 by January

31, annually. "Length" refers to the length of your vessel according to its registration or title documentation.

<i>MARINA FEES</i>	Resident		Non-Resident	
	Length	PIF Fee	INS Fee	PIF Fee
Up to 19'	\$399.00	1-\$209.50 2-\$199.50	\$570.00	1-\$295.00 2-\$285.00
20'	\$420.00	1-\$220.00 2-\$210.00	\$600.00	1-\$310.00 2-\$300.00
21'	\$441.00	1-\$230.50 2-\$220.50	\$630.00	1-\$325.00 2-\$315.00
22'	\$462.00	1-\$241.00 2-\$231.00	\$660.00	1-\$340.00 2-\$330.00
23'	\$483.00	1-\$261.50 2-\$241.50	\$690.00	1-\$355.00 2-\$345.00
24'	\$504.00	1-\$262.00 2-\$252.00	\$720.00	1-\$370.00 2-\$360.00
25'	\$525.00	1-\$272.50 2-\$262.50	\$750.00	1-\$385.00 2-\$375.00
26'	\$546.00	1-\$283.00 2-\$273.00	\$780.00	1-\$400.00 2-\$390.00
27'	\$567.00	1-\$293.50 2-\$283.50	\$810.00	1-\$415.00 2-\$405.00
28'	\$588.00	1-\$304.00 2-\$294.00	\$840.00	1-\$430.00 2-\$420.00
29'	\$609.00	1-\$314.50 2-\$304.50	\$870.00	1-\$445.00 2-\$435.00
30'	\$630.00	1-\$325.00 2-\$315.00	\$900.00	1-\$460.00 2-\$450.00