

ORDINANCE NO. 3688

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF CUMBERLAND, MARYLAND, ENTITLED "AN ORDINANCE TO REPEAL AND REEENACT WITH AMENDMENTS SECTION 15-54 OF THE CODE OF THE CITY OF CUMBERLAND (2009 EDITION) ENTITLED 'PARKLET CLOSURE' IN ORDER TO SET FORTH MISCELLANEOUS RULES AND REGULATIONS GOVERNING THE USAGE OF AND CONDUCT IN THE PARKS OF THE CITY OF CUMBERLAND."

WHEREAS, the City owns a number of parks, parklets, playgrounds and other outdoor recreational facilities which are open for use by the public;

WHEREAS, rules and regulations are necessary in order to enable the public to safely use and enjoy the said parks, parklets and recreational facilities; and

WHEREAS, the following rules and regulations are being enacted in furtherance of the foregoing purposes.

SECTION 1: BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF CUMBERLAND, MARYLAND, that Section 15-54 of the Code of the City of Cumberland be and is hereby repealed in its entirety and reenacted, Section 15-54 shall read as follows:

Sec. 15-54. Miscellaneous rules and regulations pertaining to city parks and parklets.

The following rules and regulations shall apply to all parks, parklets, playgrounds and other outdoor recreational facilities which are open for use by the public and owned by the City, which are collectively hereinafter referred to as "Parks":

- (a) **Park Closure.** All Parks shall be closed between the hours of 11:00 p.m and 7:00 a.m. Notwithstanding the foregoing, the city administrator shall have the authority to extend the hours of any or all of the Parks for special events.

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- (b) **Tobacco Use.** Unless a particular area in a Park is designated by the Parks and Recreation Board as being an area where tobacco use is permitted, said designation to be indicated by signage, tobacco use, including smoking and the use of smokeless tobacco products, is prohibited.
- (c) **Alcohol.** Alcoholic beverages are prohibited in all Parks.
- (d) **Firearms & Weapons.** No one except law enforcement officers may possess firearms or weapons in any Park.
- (e) **Vehicle Use & Parking.** No vehicles except City-owned vehicles may be driven or parked off of the Park roadways and designated parking areas, except in areas specifically designated for off-road travel.
- (f) **Constitution Park Pavilions.** Pavilions located in Constitution Park are available for use by reservation only. The Parks and Recreation Board shall set the fees for the use of those pavilions.
- (g) **Picnic Table Use.** Picnic tables are available for use on a first come, first serve basis.
- (h) **Movement of Equipment.** Tables, benches and other movable equipment and furnishings may not be moved without the approval of the Parks and Recreation Department.
- (i) **Garbage Disposal.** Refuse, litter, and garbage must be placed in trashcans provided throughout the Parks or removed from the Park grounds and properly disposed of by the persons generating the same.
- (j) **Animals.** Except with respect to enclosed areas where animals are permitted off-leash, animals are not permitted in Parks unless they are leashed. The animals' owners are responsible for picking up, bagging and disposing of their animals' droppings. The feeding or housing of animals in Parks is prohibited, except for the feeding and trapping of animals pursuant to animal control measures and/or programs authorized by the mayor and city council.

- (k) **Bicycles, Skateboards, Rollerblades.** Bicycle use is permitted on roadways only unless off-road trails are designated for such use. Bicycles, skateboards, rollerblades and other wheeled modes of transport, excluding those used to transport disabled persons, are prohibited on tennis courts.
- (l) **Soliciting.** Soliciting is prohibited in the Parks.
- (m) **Fires.** Fires are permitted in grills and established fire rings only. All fires must be extinguished immediately after being used.
- (n) **Camping.** Notwithstanding anything to the contrary herein, overnight camping is prohibited unless a permit is acquired in accordance with the terms set forth in Article IV of this Chapter.
- (o) **Removal of Persons.** Persons violating the rules set forth in this section or the other provisions of this Chapter 15 of the Code or otherwise participating in illegal activities in the Parks may be removed from a Park and/or banned from future use of the Parks.

SECTION 3: AND BE IT FURTHER ORDAINED BY THE MAYOR AND CITY COUNCIL OF CUMBERLAND, MARYLAND, that this Ordinance shall take effect from the date of its passage.

Passed this 26 day of April, 2011.



Brian K. Grim, Mayor

ATTEST:



Marjorie E. Eirich, City Clerk

1st reading - approved March 15, 2011

2nd reading - approved April 12, 2011 with amendment (____)

3rd reading - approved April 26, 2011