

DRAFT # 1 (regulation of vehicles in parks, compliance with signs, park hours)

Chapter 50 - STREETS, SIDEWALKS AND OTHER PUBLIC PLACES

FOOTNOTE(S):

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Charter reference— Capital program, § 4.05

Cross reference— Possession or consumption of alcoholic beverages in public places prohibited, § 6-2; animals, ch. 10; civil emergencies, ch. 18; environment, ch. 26; responsibility for maintenance of parkways, § 26-1; junked, wrecked and abandoned property, § 26-66 et seq.; weeds, overgrown vegetation, debris, § 26-141 et seq.; fishing from streets, bridges, etc., restricted, § 34-6; peddlers and solicitors, ch. 38; traffic and vehicles, ch. 58

Sec. 50-1. - Prohibition of newspaper racks along public streets, on public property, and in residential areas; regulation of placement in nonresidential areas.

- (a) No newspaper rack shall be placed along any public street within a public right-of-way, or upon public property, or in any residential area within the town.
- (b) As to placement of newspaper racks upon nonresidential property with the consent of the private property owner, when and if otherwise allowable under this Code, no newspaper organization shall place any rack within 50 feet of a street corner, nor along any street so as to hinder the orderly flow of traffic, nor on any sidewalk so as to interfere with the orderly flow of pedestrians.
- (c) Any newspaper organization desiring to place a news rack in a nonresidential area under subsection (b) of this section shall first apply to the town clerk for a permit. The application for permit required by the provisions of this section shall state or contain the following:
 - (1) The local and permanent address of the applicant.
 - (2) The local and permanent address and the name of the person or entity, if any, that the applicant represents.
 - (3) The specific location where the applicant intends to place the newspaper rack.
 - (4) The period of time the applicant intends to have the newspaper rack within the town.
- (d) Any applicant for a permit under subsection (c) must also comply with sections 38-88, 38-89 and 38-90
- (e) Any newspaper organization which complies with the permit requirements as outlined in subsections (c) and (d) of this section shall be granted a newspaper rack permit and shall be allowed to place newspaper racks in the town as allowed by subsection (b) of this section.
- (f) The chief of police or his agent is hereby empowered to require the removal from any public right-of-way, public property, or private property, as applicable, of all newspaper racks which are placed in the town in violation of this section. The chief of police or his agent is hereby empowered to remove such newspaper racks when not removed as commanded by the chief of police or his agent to do so.

(Ord. No. 285, § 3-16, 10-5-88)

Cross reference— Handbills and newspapers, § 26-105 et seq.

Sec. 50-2. - Master landscape plan adopted.

The master landscape plan for parks and public areas is adopted in this chapter by reference and is on file in the town clerk's office. Such master landscape plan shall be adhered to by all town parks and maintenance personnel, and parties contracting with or retained by the town to perform work related thereto, and no deviation therefrom or amendment thereto shall be allowed without prior approval of the town commission.

(Ord. No. 314, 1-21-92; Ord. No. 323, 8-19-92; Ord. No. 350, 9-20-94; Ord. No. 358, 6-20-95; Ord. No. 362, 2-20-96; Ord. No. 370, 2-18-97)

Sec. 50-3 – Regulatory Signs and Parks - Prohibited Activities.

(a) Definitions.

(1) Unauthorized Motor Vehicle: Any mechanical device designed to transport persons or property that is powered by a motor or engine - not including special mobility devices, bicycles, or electric powered kids' toys - that is operated without any special event authorization granted by the town manager or his designee. Government and public works vehicles are exempt when performing essential maintenance, utility, and public safety functions.

(2) Person: Any individual, individuals having control, supervision, or influence over children under the age of 18 years, any group of individuals, executive officer/partner of any corporation, company, limited liability company, business, partnership, or association.

(b) It is unlawful for any person to:

(1) Operate or park any unauthorized motor vehicle on/within any designated Town park;

(2) Use, occupy or loiter within any designated Town park between the hours of 11:00 p.m. and 6:00 a.m.;

(3) Fail to comply with any permanent or temporary Town regulatory sign that restricts certain activities on/within any public place or designated Town park.