

**Chapter 61**

**PARKS AND PLAYGROUNDS**

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**[HISTORY: Adopted by the Town Commissioners of the Town of Perryville 9-8-1976 as Ord. No. 1-76. Sections 61-1A, B and D, 61-7, 61-8D, 61-11, 61-15 and 61-20 amended at time of adoption of Code; see Chapter 1, General Provisions, Art. I. Other amendments noted where applicable.]**

GENERAL REFERENCES

Alcoholic beverages – See Chapter 26.

Dogs and other animals – See Chapter 40.

Garbage, rubbish and refuse – See Chapter 50.

Soil erosion and sediment control – See Chapter 71.

**§ 61-1. Permits.**

- A. Permits for exclusive use of any park facility may be issued at the discretion of the Town Administrator. **[Amended 12-6-1983 by Res. No. 83-1]**
- B. Application for a permit to reserve a pavilion or other facilities within Town park property shall be made in writing to the Town Administrator or his or her designee. At the time said application is made, a permit fee as established by Resolution of the Mayor and Commissioners shall be paid to the Town. Unless exempted by Resolution of the Mayor and Commissioners, applications for a permit submitted by a sponsored group shall be required to provide a certificate of liability insurance to the Town of Perryville at the time of the application in an amount equal to at least one million dollars (\$1,000,000.) liability coverage per claim each for personal and bodily injury and property damage. The Town retains the right to deny any application based upon past adverse experiences by the Town with the applicant or the group the applicant represents, or past park use violations by the applicant or the group the applicant represents. Permit fees generated shall be used for cleanup and maintenance of the park and shall be deposited in a separate park maintenance fund. **[Amended 12-6-1983 by Res. No. 83-1; 2-6-1990 by Ord. 90-2; 5-3-2005 by Ord. No. 2005-3; 2/7/17 by Ord. No. 2017-04 and Res. 2017-01; 2/7/17]**

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Permit Fees will be refunded upon receiving the cancellation request in writing within two weeks prior to the event. The Park and Pavilions will be inspected after use and the applicant shall be liable for any damage has been found to have been done to the Park and Pavilions.

- C. No permit shall be issued to anyone under the age of eighteen (18) years.
- D. The holder of a group permit issued by the Town Administrator shall be financially responsible for the destruction of park property by any person or persons covered by the permit. **[Amended 12-6-1983 by Res. No. 83-1]**
- E. All permits shall be displayed upon the request of town officials or law enforcement agencies with enforcement duties within Cecil County, Maryland.

### **§ 61-2. Property destruction.**

No person shall deface, alter, injure or disturb any monuments, boundary line, physical structure, land, installation notices or signs.

### **§ 61-3. Fires.**

No person shall build or cause to be built any fire except within designated areas nor leave any fire unless attended by a responsible person.

### **§ 61-4. Wildlife.**

No person shall pursue, catch, molest or kill any wildlife or disturb the nest, den or burrow thereof.

### **§ 61-5. Pets.**

All pets shall be properly licensed and under leash control at all times.

### **§ 61-6. Swimming.**

Positively no swimming or wading.

### **§ 61-7. Camping.<sup>1</sup>**

Organized groups may camp only by special permit and in such areas as may be designated for such purpose by the Town Administrator.

**§ 61-8. Motor-driven vehicles.**

- A. No vehicle shall block or partially block any fire trail or road.
- B. No person shall operate any type of minibike, trail bike, all-terrain vehicle, snowmobile or other vehicle that cannot be registered for operation on the public highways.
- C. Ignition keys positively must be removed from vehicles.
- D. No person shall operate any vehicle of a class eligible for registration for operation on public highways, except upon roadways or within areas otherwise designated by the Town Administrator for use of said vehicles.<sup>1</sup>
- E. Speed limits on roads shall be fifteen (15) miles per hour and, on parking lots, five (5) miles per hour.

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<sup>1</sup> Editor's Note: Amended at time of adoption of Code; see Chapter 1, General Provisions, Art. I.

**§ 61-9. Trespassing.**

No person shall remain upon park property after a lawful command by any law enforcement officer or by Town officials or their authorized representative.

**§ 61-10. Peddling and soliciting.<sup>2</sup>**

No person shall peddle, solicit business of any nature whatever, collect any funds for any service or charity, distribute handbills or other advertising matter or post any signs on any parklands, waters or structures, unless authorized by the Town Administrator in writing.

**§ 61-11. Noise.<sup>2</sup>**

No person shall use a loudspeaker, public-address system or amplifier within or upon park property without a permit issued by the Town Administrator.

**§ 61-12. Firearms.**

No person shall have in his possession any firearm while upon park property. This section shall not apply to any person authorized by law to carry firearms in the discharge of his official duties.

**§ 61-13. Disposal of refuse.**

All litter shall be discarded in the container provided for such purpose. Only refuse that is a result of use within park property shall be discarded in the container provided.

**§ 61-14. Cycling and skating.**

Cycling is permitted on roads and parking lots only. Positively no skating or skateboarding shall be permitted.

**§ 61.15. Performances and exhibitions.<sup>2</sup>**

No person shall indulge in any exhibitions or carry on any performance which interferes with the proper use of the park by the general public without first having a permit from the Town Administrator.

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<sup>2</sup> Editor's Note: Amended at time of adoption of Code; see Chapter 1, General Provisions, Art. I.

**§ 61-16. Supervision of children.**

Children under six (6) years old must be accompanied by proper supervision.

**§ 61-17. Alcoholic beverages. [Added 7-12-1990 by Ord. No. 90-7<sup>3</sup>] [Repealed and reenacted with amendments 61-17 Parks and Playgrounds of the Code of the Town of Perryville by Emergency Ord. 2015-11 adopted and effective 05-05-15.] [Repealed and reenacted with amendments 61-17 Parks and Playgrounds of the Code of the Town of Perryville by Ord. 2016-11, 12-6-16.]**

The possession or consumption of alcoholic beverages, including but not limited to beer, wine and all forms of liquor, shall be prohibited within the confines or boundary of any public park or playground owned by or within the corporate limits of the Town of Perryville, except as may be authorized by the Mayor and Commissioners in accordance with Section 26-2.A.1. of this code.

**§ 61-18. Hours of use. [Added 7-12-1990 by Ord. No. 90-7]**

Unless otherwise permitted by a resolution of a majority of the Mayor and Commissioners of the Town of Perryville, no person shall be on the premises of any

public park or playground owned by or within the corporate limits of the Town of Perryville between dusk and 7:30 a.m., so that usage of said parks and playgrounds shall only be permitted from 7:30 a.m. until official sunset as posted or promulgated, subject, however, to the provision that little league games being conducted at the park may be continued until completion, but all participants and spectators shall vacate the park within fifteen (15) minutes of the completion of the game.

**§ 61-19. Additional regulations. [Added 7-12-1990 by Ord. No. 90-7]**

The Mayor and Commissioners of the Town of Perryville shall have the power, by passage of a resolution approved by a majority of said Board, to approve or adopt other regulations concerning usage of public parks and playgrounds within the municipal limits of the Town of Perryville or owned by the Town of Perryville. A violation of any such resolution shall be considered a violation of this chapter of the Code.

**§ 61-20. Violations and penalties. [Amended 12-6-1983 by Res. No. 83-1, amended 3-5-2009 by Res. No. 2009-4]**

Any violation of any provision of Chapter 61 shall be a municipal infraction or civil offense punishable by a civil penalty of One Hundred Dollars (\$100.00) for each offense.

<sup>3</sup> Editor's Note: This ordinance also provided for the renumbering of former § 61-17, Violations and penalties, as § 61-20.

**§ 61-21. Scheduling of ballfields at Perryville Community Park. [Added 5-7-1991 by Ord. No. 91-1]**

- A. Applications shall be filed with the Town Administrator for all league usage of ballfields at the Perryville Community Park no later than March 1 of each year. Evidence of league bylaws, charter, articles of incorporation, names of governing officials and certificate of insurance shall be included with the written application, as well as the number of teams county-wide. New leagues shall provide satisfactory evidence of the proposed number of teams county-wide. There shall be a minimum of six (6) teams to be considered a league.
- B. Usage of the ballfields shall be based on the following formula which takes into consideration the Perryville proportion of the county-wide need, based on the number of teams.

(1) Example:

League	Number of Teams	%	Number of Slots*
A	100	56 x 9	5 (5.04)
B	50	27 x 9	2 (2.43)
C	<u>30</u>	<u>17 x 9</u>	<u>2 (1.53)</u>
	180	100	9

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Notes:

\*0.5 or greater shall be rounded to the next highest number; each league is to receive no less than one (1) slot.

- (2) Number of available time slots for fields: nine (9).
  - (a) Monday through Friday: five (5): 5:00 p.m. to closing.
  - (b) Saturday: two (2): 1:00 p.m. to 5:00 p.m.; 5:00 p.m. to closing.
  - (c) Sunday: two (2): 1:00 p.m. to 5:00 p.m.; 5:00 p.m. to closing.
  - (d) Saturday; Sunday: open to 1:00 p.m. and reserved for others.
- C. The Council shall allow schedule modifications based upon mutual negotiations between the leagues involved. Such modifications shall be subject to approval by the Council.
- D. The schedule shall be maintained and administered at the Town Hall by the Administrator.
- E. Each league shall be entitled to install a movable storage building for the purpose of storing its equipment, and the structure and location will be reviewed and approved by the Town. The Town shall not be responsible for the structure or the contents in the building.
- F. Each entity will be responsible for its proportional share of maintenance work on the applicable playing fields. The Town assumes no responsibility for maintaining fields to any league standards. No alterations to the existing physical characteristics of the ballfields will be allowed (i.e., altering of mound locations, base path lengths, etc.).
- G. All leagues shall provide their own equipment (bases, bats, balls, etc.).
- H. The Town reserves the right to refuse use of the premises to any party that does not abide by these rules.
- I. Care of baseball and softball fields.
  - (1) No cars, trucks or bikes of any kind are to be on grounds for the purpose of dragging the infield.
  - (2) At the conclusion of all practices and games, the following field management procedures must be done:
    - (a) All holes on the mound and batter's boxes must be filled in and leveled.
    - (b) All holes and depressions around each base must be filled in and leveled.

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- (c) Any rough, torn up areas in the infield must be smoothed and leveled.
- (3) Parking for spectators, players, coaches, etc., is limited to established parking areas. There will be no parking on the grass.
- (4) At the conclusion of all practices and games, each manager and team is responsible for cleaning out the dugouts and bleachers area.

**§ 61-22. Town Boat Ramp. [Amended 2-3-2009 by Ord. No. 2009-2, 7-6-2010 by Ord. No. 2010-2, 10-4-2016 by Ord. No. 2016-16, 12-20-16 by Ord. 2016-22, 12-5-23 by Ord. 2023-19]**

- A. It shall be unlawful to use any Town boat ramp, improved parking or public grounds surrounding or adjacent to the boat ramp in violation of this section.
- B. No one shall launch or remove a boat from any Town boat ramp or park a boat trailer on Town property without first obtaining a permit from the Town. No single vehicles are permitted to park in spaces designated specifically for vehicles with boat trailers.
- C. Cost of Permit. Anyone who is a resident of the State of Maryland and who owns a boat with a valid registration in the State of Maryland or who has rented/leased a boat registered in the State of Maryland under an authorized rental contract may obtain a seasonal permit, which is good for one year, at a cost established by resolution of the Mayor and Commissioners. Proof of residency (i.e., driver's license, tax bill, etc.), for a seasonal permit, proof of boat registration, and/or authorized rental contract shall be required. Persons residing outside of the State of Maryland or whose boat is not registered in the State of Maryland or who rented/leased a boat not registered in the State of Maryland under an authorized out-of-state rental contract may obtain upon availability a seasonal permit which is good for a calendar year. The Mayor and Commissioners, by resolution, shall establish the procedure for issuance of seasonal permits. The number and cost of non-resident seasonal permits shall be established by resolution of the Mayor and Commissioners. Non-resident permits may only be issued with proof of a valid boat registration. The Mayor and Commissioners may increase or decrease the aforesaid permit fees by resolution with the approval of the Department of Natural Resources.
- D. It shall be unlawful to use a Town boat ramp for any purpose between the hours of 11:00 p.m. and 4:00 a.m. These hours may be changed by the Mayor and Commissioners by resolution.
- E. The following acts are strictly prohibited:
  - (1) Loitering on any Town property;



- (2) Littering on any Town property;
  - (3) Blocking any boat ramp, parking area or access;
  - (4) Blocking vehicles or trailers so that they cannot be moved or leave the premises.
  - (5) Camping, sleeping, starting a fire, placing a camper or parking any vehicle or trailer during non-operating hours as defined above in Section D.
  - (6) Fishing or swimming in violation of any posted “No Fishing” or “No Swimming” sign.
  - (7) Leaving or abandoning any vehicle, boat, trailer or other personal property on the premises.
- F. All permits issued pursuant to this Section shall be prominently displayed. Seasonal permits shall be located on the driver’s side of the tongue of the trailer one foot from the vehicle hitch device.
- G. Any violation of subsection B herein shall be an infraction subject to a fine of One Hundred Dollars (\$100.00). Each day that this subsection shall be violated shall be considered a separate offense. Any violation of any other subsection herein shall be an infraction and subject to a fine of Twenty-Five Dollars (\$25.00) for each offense with each day that the violation continues being considered a separate offense. The penalties provided herein shall be in lieu of the penalties set forth in Section 61-20 for violations of other sections of Chapter 61.

**§ 61-23. Kayak and Canoe Launch. [Amended 2-3-2009 by Ord. No. 2009-3]**

It shall be unlawful to launch any motorized watercraft at any kayak and canoe launch owned by the Town and which is part of the Town’s Parks and Recreation system.

**§ 61-24. Lower Ferry Pier and Transient Dock. [Added 6-5-12 by Ord. 2012-4 amended 10- 3-17 by Ord. 2017-12]**

- A. Except as provided in subsections (B) and (C), this section applies to the use of the entire lower ferry pier and transient dock. As used in this section, “pier” includes the entire bridge, pier and floating transient dock structure and facility.
- B. The following restrictions and regulations apply to the pier:
- (1) The pier may be used only between sunrise and 11:00 p.m., seven days a

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week during the April 1 through October 31 boating season. No overnight use is permitted. The town may further limit days and times for the use of the pier as needed for public safety because of inclement weather or other conditions that require that use of the pier be limited.

- (2) A person may not fish, dive or otherwise enter the water from the pier.
- (3) A person may not consume or possess an open container of alcoholic beverages on the pier.
- (4) A person may not throw or cast trash or debris from the pier into the water.
- (5) A person may not throw or leave trash and debris on the pier.
- (6) A person may not use a charcoal or gas grill or other open fire on the pier.
- (7) A person must act in a courteous manner and comply with all applicable laws when on the pier.
- (8) A person may not moor or tie up a boat or other vessel to the pier except in transient slips available for that purpose or except pursuant to a slip use license as authorized by paragraph 10 of this subsection.
- (9) A person shall use the pier at his or her own risk.
- (10) The Town may grant exclusive licenses for the use of up to eight slips on the pier by boats up to 30 feet in length as provided in this paragraph (10), except that not more than one slip use license may be issued to the same person. The Town Administrator, for reasons of boating safety or other good cause, may decrease the number of slips available for licensing for any boating season. Upon recommendation of the Town Administrator, the Mayor and Commissioners, by Resolution, may increase the number of slips available for licensing for any boating season.
  - (a) A license shall entitle a boat owner to use a designated slip for the April 1 through October 31 boating season for which the license is issued. A boat must be removed from a licensed slip not later than October 31.
  - (b) There is a non-refundable fee for license of a boat slip. the fee is payable in full, in advance, when a boat owner submits an application to license a slip and a signed slip license application. The amount of the license fee shall be based on the length of the boat as shown on the boat's registration card in accordance with the following:

[1] For a boat up to 20 feet, the fee is \$1,400.

[2] For a boat between 20 feet and 30 feet, the fee is \$75 times the length of the boat.

(c) The Town Administrator or designee shall administer the licensing of slips on the pier including prescribing a slip license application form and agreement, and the following:

[1] Beginning on February 1 of each year, the Town Administrator shall accept applications for slip licenses from holders of slip licenses during the prior boating season who are seeking renewal for the ensuing year, and from owners of boats registered in Maryland who did not hold slip licenses during the prior boating season. If slips for which licenses have not been issued remain available on March 1, the Town Administrator shall then begin accepting applications for slip licenses from owners of boats registered in a State other than Maryland. Slip licenses shall be issued on a first come first serve basis. Except that a holder of a license during the prior boating season shall have priority for the renewal of a license if the owner submits an application, signed agreement and license fee before March 1.

[2] On or before January 1, the Town Administrator shall notify holders of slip licenses during the prior boating season of the procedure and timetable for seeking renewal of the license and that renewal of the license cannot be assured if an application, agreement and fee are not submitted by March 1.

(d) The Town Administrator shall designate which slips are available for licensing.

(e) A boat slip license is personal to the owner of a boat. The holder of a license may not transfer or assign the license or right to use the slip.

C. The following restrictions and regulations apply to the transient dock, including its slips and finger piers, at the end of the pier:

(1) Slips at the transient dock shall be available for use by boaters between March 15 and November 30 each year. The town may further limit days for the use of the pier as needed for public safety because of inclement weather or other conditions that require that use of the transient dock be limited.

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- (2) The town shall not charge a fee for the use of slips at the transient dock.
- (3) A person shall use the transient dock at his or her own risk.
- (4) The owner and operator of a boat are jointly and severally liable for all damage that the boat causes to the pier, to other boats, to persons and to property.
- (5) A person may not berth a boat at the transient dock for more than 24 consecutive hours at a time, except with prior permission of the town for good cause shown. In deciding whether to approve a request for a stay at the transient dock for more than 24 consecutive hours the town shall consider the reason for the request, whether other similar requests have been approved for the same time period, the anticipated demand for use of slips at the transient dock at that period of time, the number of previous similar requests from the same individual or for the same boat, and any other factors the town considers relevant to acting on the request.
- (6) A person may not discharge sewage, or throw or cast trash or other debris, into the water from a boat berthed at the transient dock.
- (7) A person must act in a courteous manner and comply with all applicable laws when on a boat berthed at the transient dock.
- (8) A person may not wash, clean or repair a boat when berthed at the transient dock.
- (9) A person may not use a charcoal or gas grill or other open fire on a boat when berthed at the transient dock.
- (10) A person may not hang any clothing or laundry on or from the transient dock.
- (11) A person may not berth a boat along the north side or west side of the floating dock except for loading and unloading of passengers. The berthing of a boat for the loading or unloading of passengers shall not exceed thirty minutes at a time, except with prior permission of the town for good cause shown. In deciding whether to approve a request for a stay at the transient dock for more than 30 minutes the town shall consider the reason for the request, whether other similar requests have been approved for the same time period, the anticipated demand for use of the north side or west side of the pier at that period of time, the number of previous similar requests from the same individual or for the same boat, and any other factors the town considers relevant to acting on the request.

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- D. A violation of this section is a municipal infraction, punishable by a fine in the amount of two hundred fifty dollars (\$250) for the first offense, and a fine of five hundred dollars (\$500) for each subsequent or repeat offense by the same individual. Each day that the same violation continues is a separate offense. The penalties provided in this subsection (D) are in lieu of the penalties set forth in section 61-20.
- E. Town police officers and other law enforcement officers with jurisdiction, and Town Code Enforcement Officers, may enforce the provisions of this section and issue municipal infraction citations for violations.