

## **CHAPTER 14. PARKS AND RECREATION<sup>1</sup>**

### **ARTICLE 1. FINE ARTS COMMISSION.**

#### **Sec. 14-1. Established.**

There is established the Fine Arts Commission.

#### **Sec. 14-2. Purpose.**

The purpose of the Fine Arts Commission shall be to promote and stimulate general interest among the citizens of the town in the fine arts.

#### **Sec. 14-3. Membership; Appointment; Term.**

The Fine Arts Commission shall consist of fifteen (15) members, not more than ten (10) of whom shall belong to the same political party. Terms shall be staggered so that three (3) members are appointed each year. Members shall be appointed for terms of five (5) years.

#### **Sec. 14-4. Authority to Establish By-Laws, Rules and Regulations.**

The Fine Arts Commission shall establish such by-laws, rules and regulations as are necessary to achieve its purpose as set out herein.

<sup>1</sup> Charter Reference: As to the creation of a Department of Parks and Recreation, see Sec. 5.18.

### **ARTICLE 2. GENERAL PROVISIONS.**

#### **Sec. 14-5. Adoption of Rules and Regulations by Director.**

The Director of Parks and Recreation may make such rules and regulations as may be necessary for the effective and economical administration of the Department. The Director shall draw up rules and regulations governing the use and enjoyment of the facilities under the jurisdiction of the Department. These rules and regulations shall be promptly presented to the Mayor and then to the Council for approval and, if adopted, they shall have the force of law and shall be binding on all concerned.

#### **Sec. 14-6. Closing Parks.**

In case of an emergency, or where, in the judgment of the Director of Parks and Recreation

Sec. 14-7. Permit Subject to Rules; Liability of Permittee.

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Sec. 14-9. Permit Issuance; Presence of Police Officer.

the public interest demands it, portions or all of the parks may be closed to the public. All persons shall be excluded from such portions or parks until permission is given to return.

**Sec. 14-7. Permit Subject to Rules; Liability of Permittee.**

(a) All permits issued by the Director of Parks and Recreation shall be subject to the park rules and regulations and Town ordinances.

(b) The Chief of Police, after consultation with the Mayor may, by permit, authorize the sale or dispensing of alcoholic beverages within a designated area of a town park or recreational facility, provided (1) such sale or dispensing is in conjunction with an event; (2) the permittee has obtained a liquor permit for such sale from the state of Connecticut; [and] (3) the permittee maintains liquor liability insurance as required by the Director of Finance in consultation with the Risk Manager; (4) the Chief of Police determines that the event can be conducted in a safe manner consistent with the public safety and public welfare of the Town. The provisions of this subsection shall not apply to any outdoor amusement event permitted pursuant to Section 5-3 of the town ordinances.

(c) The permittee shall be liable for any loss, damage, or injury sustained by any person by reason of the negligence of the permittee or his agents or employees, as well as for any breach of Town rules, regulations and ordinances, and the permittee shall be liable to the town in case the Town becomes liable to the person injured.

Effective: 03-19-13

**Sec. 14-8. Insurance Requirements.**

(a) The Director of Parks and Recreation may require any applicant for a permit or franchise to provide a Certificate of Insurance indicating that the applicant has obtained a Comprehensive General Liability (CGL) insurance policy with a \$1,000,000 per occurrence limit covering injuries to the public arising out of the permitted activities. Such Certificate shall name the Town as an additional insured party and be reviewed and approved by the Finance Director or his/her designee before the requested permit is issued.

Effective: 5/24/91

(b) Every applicant for a permit or franchise shall, before receiving same, sign and deliver to the Director of Parks and Recreation on a form provided by the Director, a hold harmless and indemnification agreement to protect the Town against claims and demands from injured parties.

Effective: 5/24/91

**Sec. 14-9. Permit Issuance; Presence of Police Officer.**

(a) As a condition to the issuance of any permit under this Chapter, the Director of Parks and Recreation may require the presence of a Town Police Officer at the event for which the permit was issued, during the entire event.

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(b) The cost of having such Police Officer present during the permitted event shall be borne by the permittee.

**ARTICLE 3. PARKS AND RECREATIONAL FACILITIES.**

**DIVISION 1. RULES AND REGULATIONS**

***Sec. 14-10. Park Rules and Regulations.***

- (a) No person in any Town park or recreational facility shall:
- (1) Damage, destroy or abuse any park property.
  - (2) Commit any nuisance or otherwise annoy or interfere with the lawful use of the park by others.
  - (3) Leave waste or rubbish on or about the grounds or seats of any area under the jurisdiction of the Department of Parks and Recreation.
  - (4) Injure or remove any trees or shrubs or pick branches, buds, leaves, flowers, seeds or any other plant life.
  - (5) Willfully disturb any animals, birds' nest or fish.
  - (6) Kill, maim or otherwise injure any animal, bird, or fish unless otherwise provided by law.
  - (7) Play active games or ball or any other activity or sport within the parks except in designated areas.
  - (8) Drive any vehicle at a rate exceeding fifteen (15) miles per hour unless otherwise posted.
  - (9) Use any park for teaching persons to drive automobiles or motorcycles.
  - (10) Bring any dog into the parks except on a leash or otherwise permit any animal to pass over or stray upon any park area unless such animal or pet is participating in a program sponsored by the Town; provided, that this provision shall not apply to horses when ridden along the park roadways or bridle paths.
  - (11) Discharge any arrows, darts or other dangerous missiles or projectiles or discharge or carry firearms, except for law enforcement officers and persons using starting guns in starting contests.
  - (12) Make any fire except by permit in any unauthorized area.
  - (13) Possess any alcoholic beverages in any park except in a facility licensed to serve alcoholic beverages, within the designated areas in Veteran's Memorial Park Clubhouse, or as authorized by the Director of Parks and Recreation pursuant to section 14-7. (04-15-08)
  - (14) Sell, offer or expose for sale any goods or wares, except under a written permit from the Director of Parks and Recreation.
  - (15) Post, display or distribute any sign, placard, bag or advertising device or handbill without a permit from the Director of Parks and Recreation. Non-commercial handbills may be distributed without permit as provided in Chapter 3 of this Code.

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- (16) Drive or propel any bicycle, motorcycle, mini-bike, automobile or other vehicle in any park except on the regular park roads; provided, that bicycles propelled solely by human power may be operated upon any designated bicycle path.
- (17) Skate, slide or coast upon or across any walk or on any driveway except in designated areas.
- (18) Drive or park any business vehicle or any truck over three fourths (3/4ths) ton capacity upon any park road except while engaged in park business.
- (19) Drive or operate any snowmobile in any park unless authorized by the Director of Parks and Recreation.
- (20) Deface, injure or remove any notice placed by the Director of Parks and Recreation in any park.
- (21) Drive or park any automobile or any other motor vehicle, or bicycle, or ride a horse in any park or playground or other recreational facility between sunset and sunrise unless such activity has been expressly authorized in writing by the Director of Parks and Recreation.

Effective: 10/6/89

(22) Enter into or remain in any park or playground or recreational facility between sunset and sunrise, unless the Director of Parks and Recreation has specifically designated and posted such park or playground, or a portion thereof, as being open to the public for recreation during night-time hours.

Effective: 10/6/89

(23) Park, moor, anchor, tie up or allow to remain stationary within the boundaries of Great River Park for a period in excess of two (2) hours, any boat, canoe, kayak, raft or any other type of watercraft, regardless of how propelled, unless such activity has received prior written authorization from the Director of Parks and Recreation.

Effective: 10/6/89

(24) Block access to any Town-owned boat or canoe launching ramp with boats, canoes, kayaks, or any other type of watercraft, boat trailers or any motor vehicle.

Effective: 10/6/89

(b) The provisions of sub-sections (22), (23), and (25) of Section (a) above, shall not apply to employees of the Town whose duties may require such employees to enter into and/or remain in Town parks after dark, or anchor or moor boats or other watercraft in Great River Park, or block access to Town-owned boat and/or canoe launching ramps.

Effective: 10/6/89

**Sec. 14-11. Selling and Advertising.**

No person shall expose any article or thing for sale, or do any hawking or peddling, or distributing handbills, or erect any sign board or posts, or erect any booth, tent, stall, or other structure, or affix any notice, bill, or other writing or printing on any tree, lamp post, hydrant, curbstone, sidewalk, coping, flagstone, fence, wall, building, or other place in any park, parkway, park road, driveway, or other park grounds under the control or supervision of the Director.

**Sec. 14-11a. Advertising on Fences Surrounding Town Stadiums.**

- (a) The following terms have the following meanings when used in this Section:
  - (1) "Local athletic organization" means a non-profit corporation established for the purpose of organizing and operating a baseball, softball, soccer or football league or team within the town of East Hartford;
  - (2) "Stadium" means any athletic field enclosed by a fence and which is contained within a town park;
  - (3) "Field" means any athletic field not enclosed by a fence and which is contained within a town park.
- (b) Notwithstanding the provisions of Section 14-11, and subject to the guidelines and restrictions contained in this Section, commercial advertising shall be permitted on the fences surrounding those town stadiums designated by the Director of Parks and Recreation.
- (c) The town may enter into contracts with local athletic organizations, whereby the town authorizes such organizations to market and sell advertising space on the fences surrounding the designated town stadiums and to create and erect the signs on which the advertising shall appear. The contract shall include, but not be limited to the following provisions: any obligations and/or restrictions created by this Section or any applicable town regulations; any restrictions concerning the percentage of the revenues that may be used on the marketing, construction, erection and maintenance of the advertising signs; and the specific fields or stadiums that may be improved through the use of revenues generated by the particular organization's sale of advertising.
- (d) Any revenues from the sale of advertising space shall be deposited into a specifically designated bank account in the name of the local athletic organization that sold such advertising. Such account must require the signature of the Director of Parks and Recreation, in addition to the signature of the organization representative, for any withdrawals made from the account. The use of revenues realized from the sale of the advertising shall be restricted to capital improvement projects and any expenses associated with the marketing, construction, erection and maintenance of the signs as limited by contract. The Director of Parks and Recreation, in consultation with the local athletic organization officials, shall make the final decision as to the specific improvements to be made and the manner in which those improvements will be accomplished.
- (e) Political advertising shall not be permitted.
- (f) Advertising of tobacco or alcohol by trade name shall not be permitted.
- (g) The Director of Parks and Recreation shall have the authority to accept or reject any use of the advertising space. Said Director shall promulgate regulations establishing the criteria to be used in making the decision whether to accept or reject an advertisement. Such regulations shall also establish the criteria governing the size, shape, appearance and erection of any advertisement and shall further establish any guidelines, restrictions, and criteria necessary for the implementation of this Section. Said regulations shall be promulgated in accordance with Section 14-5.

Sec. 14-12. Official Signs and Notices.

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Sec. 14-16. Traffic Violations.

Voted: 2/16/93  
Published: 2/26/93  
Effective: 3/19/93 (Section 11a - IIh)

**Sec. 14-12. Official Signs and Notices.**

(a) No person shall alter, destroy, remove, deface, molest, interfere or tamper with any official traffic control device, sign, or marking in any park which has been installed by proper authority of the Town.

(b) No person shall enter any building, enclosure or place upon which the words "no admittance" or similar sign is posted, or violate the injunction of such sign.

**Sec. 14-13. Walking on Grass Where Posted.**

No person shall stand, walk, ride or lie upon any place laid out and appropriated for shrubbery or grass when a sign has been placed on such area forbidding such activity.

**Sec. 14-14. Loitering on Town Golf Course.**

No person, except Town Employees in the performance of their duties, shall trespass or be upon any golf course in any park or upon any lands in a park within one hundred (100) yards of any fairway or putting green of any golf course, except upon park roads. This prohibition shall not apply to persons actually engaged in playing golf upon the courses with permission under the rules governing golf courses.

**Sec. 14-15. Parking in Designated Areas.**

No person shall park any automobile, motorcycle or other vehicle upon any established roadway, or in any area of any park, except in an area set aside for the purpose by the Director.

**Sec. 14-16. Traffic Violations.**

Any person operating a motor vehicle who fails to observe and come to a complete stop at any stop sign may be issued a traffic summons. The fine for such failure to obey any stop sign or parking violation shall be as determined by the Town Council in the Fee Schedule. Effective: 4/15/81

## **DIVISION 2. ASSEMBLIES AND GROUP ACTIVITIES.**

### ***Sec. 14-17. Park Permit Required.***

(a) No person shall engage in, participate in, aid, form, or organize any assembly or group of people, or make any public speeches, or conduct any musical program or festival, in any park, unless a permit has been obtained from the Director.

(b) The provisions of this Section shall not apply to students when constituting a part of their educational activities and under the immediate direction and supervision of the proper school authorities or to any government agency within the scope of its functions.

### ***Sec. 14-18. Permit Application; Contents.***

(a) Applications for a park permit shall be filed with the Director.

(b) The application shall state:

(1) The name of the person or organization proposing to conduct such activity;

(2) If the activity is proposed to be conducted for, on behalf of, or by an organization, the name, address and telephone number of the headquarters of the organization, and of the authorized agent of such organization;

(3) The name, address and telephone number of the person who will be the chairman of such activity and who will be responsible for its conduct;

(4) The name, address and telephone number of the person or organization to whom the permit is to be issued;

(5) The date when such activity is to be conducted;

(6) The park or portion thereof for which such permit is desired;

(7) An estimate of the anticipated attendance;

(8) The hours when such activity will start and terminate; and

(9) If the activity is designed to be held by, and on behalf of or for, any person other than the applicant, the applicant for such permit shall file with the Director a communication in writing from the person proposing to hold such activity, authorizing the applicant to apply for the permit on his behalf.

### ***Sec. 14-19. Conditions for Permit Issuance.***

(a) The Director shall grant and issue the park permit if, from a consideration of the application and such other information as may otherwise be obtained, he finds that:

(1) The proposed activity or use of the park will not unreasonably interfere with or detract from the general public enjoyment of the park;

(2) The proposed activity and use will not unreasonably interfere with or detract from the promotion of public health, welfare, safety and recreation;

(3) The facilities desired have not been reserved for other use at the day and hour required in the application;

(4) The conduct of such activity will not substantially interrupt the safe and orderly movement of other traffic contiguous to it;

Sec. 14-20. Permit Denial;  
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(5) The conduct of such activity will not require the diversion of so great a number of police officers of the town to properly police such activity and the areas contiguous thereto, as to prevent normal police protection to the Town;

(6) The conduct of such activity is not reasonably likely to cause injury to persons or property, incite violence, crime or disorderly conduct; and,

(7) Such activity is not to be held for the sole purpose of advertising any product, goods, or event, and is not designed to be held purely for private profit.

***Sec. 14-20. Permit Denial; Appeals.***

(a) The Director shall act upon the application for a park permit within five (5) days after the filing. If the Director disapproves the application, he shall notify the applicant within ten (10) days.

(b) Any applicant may appeal to the Mayor from the Director's denial of a park permit.

***Sec. 14-21. Notification of Chief of Police.***

Upon the issuance of a park permit, the Director of Parks and Recreation shall notify the Chief of Police.

**ARTICLE 4. PATRIOTIC COMMISSION.**

***Sec. 14-22. Established; Composition.***

- a) There is established a Patriotic Commission of nine (9) members representing the public-at-large. Effective: 9/19/84
- b) There may be up to six (6) additional positions for representatives of any six (6) civic, fraternal, business, or religious organizations. Effective: 9/19/84
- c) There shall be no more than one (1) representative from any single organization mentioned above. Effective: 9/19/84

***Sec. 14-23. Appointment and Terms of Members.***

- a) Initially, appointments shall be two (2) members for a term of one (1) year; two (2) members for a term of two (2) years; and three (3) members for a term of three (3) years. After initial terms expire, subsequent terms will each be for a three (3) year period.
- b) Associate members, members appointed by the Commission for special projects, shall have no voting privileges. There shall be no limit to the number of associate members and terms of associate members shall expire on the first day of December of each year. Effective: 1/14/81
- c) The terms of each civic, fraternal, business, or religious representative shall expire on the first day of December of each year. Effective: 9/19/84

**Sec. 14-24. Duties.**

The Patriotic Commission shall have the authority and responsibility to study and conduct activities related to national and state holidays, town celebrations, etc. The Commission shall promote the town image and make recommendations to the Mayor and Council regarding the arrangements, supervision, plan and conduct of such activities, and shall have the authority and responsibility to conduct all approved activities. Effective: 1/14/81

**ARTICLE 5.**

**Section 14-25. Use of Town-Owned Real Property by Non-Profit Organizations.**

(a) No person may modify or alter Town-owned real property for fundraising activities except as provided in this section. Charitable non-profit organizations which engage in activities that provide tangible benefits to East Hartford and its citizens may request permission to modify or alter Town-owned real property for fundraising activities.

(b) Applications to request such permission shall be made on a form provided by the Director of Public Works at least sixty days prior to the date on which the requesting charitable non-profit organization wishes to use a specific Town-owned property.

(c) Within thirty days of the Town's receipt of an application, pursuant to this section, the Director of Public Works shall review such application and advise the Mayor in writing whether or not allowing the use of such property would be in the best interest of the Town and the conditions, if any, that should be attached to the use of the property.

(d) Any use of Town owned real property pursuant to this section shall be in the form of a contract between the charitable non-profit organization and the Town which shall be subject to approval by the Town Council. Each contract shall require that the revenues derived from the use of Town owned property be used for the benefit of the neighborhood in which such property is located. No political advertising or the use or promotion of alcohol or tobacco products shall be permitted on Town owned property.

(e) The Town Council may waive any time periods contained in this section for good cause.

Voted: 01-16-01  
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