



TOWN OF BERLIN

CHAPTER 22 PARKS AND RECREATION

PARK RULES

ARTICLE III. – PARKS

Sec. 22-47. - Definitions

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Controlled parking area means a land surface or building structure owned, leased or rented by the town, designated for public parking.

Motor vehicle means any vehicle commonly known as a car or truck as well as any motorized minibikes, motorized bikes, motor scooters, go-carts or other mechanically propelled vehicles of a similar nature, except bicycles as defined herein or in Md. Transportation Code Ann. § 11-104.

Park or Parks means those areas of town-owned property designated as such by the Mayor and Council.

Special event means any social occasion or activity occurring on the grounds of a town park, having more than 50 persons in attendance, including, but not limited to fairs, bazaars and outdoor shows or exhibitions, parades and concerts. For the purposes of this chapter, special event shall be further defined as requiring services of the town, including, but not necessarily limited to the provision of additional trash cans, traffic equipment, trash collection and the like. The town reserves the right to designate an event or activity as a special event requiring additional services at its discretion.

Sec. 22-48. - Hours.

The public parks in the town shall not be occupied, except as hereinafter set forth, between the hours of one-half hour after sundown to one-half hour before sunrise in each day. The specific facilities named below shall be permitted to be in use after sundown as specified.

- (1) The lighted tennis courts and handball courts located in the Stephen Decatur Park shall be permitted to be used after sunset up to and including the hour of 11:00 p.m. Any play on said courts after the hour of 11:00 p.m. and prior to sunrise shall be prohibited.
- (2) The basketball courts located in the Dr. William Henry Park shall be permitted to be used after sunset up to 11:00 p.m. Any play on said courts after and prior to sunrise shall be prohibited.

Sec. 22-49. - Rules and regulations.

The rules and regulations for the use of the parks are as set forth herein:

- (1) The washing, waxing, cleaning or repairing of any type of motor vehicle shall be prohibited in the parks.
- (2) The operation and/or parking of unauthorized motor vehicles as defined herein in any area of the parks not designated as a parking area or otherwise authorized by the police department of the town or its authorized agent shall be prohibited.

- (3) All applicable provisions of chapter 4, animals, shall apply.
- (4) No motor vehicle shall be parked in the parks, whether in the parking areas or otherwise, overnight.
- (5) No mobile home or any other type of structure shall be used for sleeping in the parks, including the parking areas thereof, without permission being obtained from the Mayor and Council.
- (6) No open container of alcoholic beverages shall be possessed in any of the parks, unless explicitly approved in advance by the Mayor and Council as part of an organized special event. The organizer of said event shall be responsible for obtaining any additional permitting required by Worcester County or the State of Maryland regarding the possession, distribution/sale, and/or consumption of alcohol.
- (7) Smoking or vaping of tobacco products, medical marijuana, illegal substances, or any other substances shall be prohibited in all Town owned public parks.
- (8) The following parks facilities are available for reservation upon completion of a park reservation form and by payment of associated fees as established by the Mayor and Council and detailed on the park reservation form:
 - a. The pavilion at Stephen Decatur Park during regular park hours.
 - b. One or more of the tennis courts at Stephen Decatur Park during the hours as set forth in section 22-48.
 - c. The pavilion at Dr. William Henry Park during regular park hours.
 - d. One or more of the basketball courts at Dr. William Henry Park during the hours as set forth in Section 22-48.

Individuals or organizations desiring to reserve these facilities must complete a reservation form as provided by the Town of Berlin and make payment of associated fees, which shall be established by the Mayor and Council and set forth on the reservation form. Fees shall be waived only by the express permission of the Mayor and Council or, in the case of reservation by a certified non-profit agency or organization, by the town administrator upon request and with verification of non-profit status.

Reservation of the above facilities takes precedence over any other use. If no prior reservation of any of the above-named facilities exists, all facilities are available on a first-come-first-served basis.

- (9) Organizers of special events shall file a special event application and any associated documents as appropriate a minimum of 60 days prior to the scheduled event. Such application shall be subject to review and approval by the Mayor and Council.
- (10) Special events must be free to all attendees unless a business use of park form, along with all other appropriate documentation, has been submitted and explicitly authorized by the Mayor and Council.

Sec. 22-50. - Violations and penalties.

Any violations of the provisions of this chapter shall be punishable, upon conviction, as a municipal infraction as set forth in article IV of chapter 2 of this Code.

Any vehicle violating any rules or regulations as herein set forth shall be removed and towed at the expense of the owner or operator.