

CITY OF STAMFORD
PARKS & RECREATION FACILITY REGULATIONS
AMENDMENTS PASSED 12/20/2017 by PARKS & RECREATION COMMISSION

Section 175-1-1 of the Parks & Recreation Facility Regulations is repealed in its entirety and the following is substituted in lieu thereof:

Section 175-1-1: Parking in Parks and Recreational Facilities: Permits.

- (a) During the period from ~~the first Saturday in May through the last Sunday in September~~ **May 1 through September 30**, inclusive, no person shall park any motor vehicle within the limits of any City park or recreational facility officially designated by the Parks and Recreation Commission and Office of Operations as “permit parking only,” except vehicles belonging to authorized employees of the City of Stamford on official business, or as otherwise permitted by the Parks and Recreation Commission and Office of Operations, unless such motor vehicle displays a Parks and Recreation parking permit duly issued to such vehicle by the City.

***COMMENTS:** The Board of Representatives and the Parks & Recreation Commission mutually extended the permit season from Memorial Day – Labor Day to May 1 – September 30 in a series of rulemaking acts during 2012. Through a clerical error, when the BOR ratified the PRC’s amendment to the Regulations on 5/5/2012, the language was inadvertently changed to “first Saturday in May through last Sunday in September” (see pr28.034, 5/5/2012). We have learned that neither body intended this result and the Regulation needs to be returned to the originally intended language.*

- (b) No person shall park a motor vehicle within the limits of a “permit parking only” area within the limits of a City park or recreational facility while displaying an otherwise valid Parks and Recreation parking permit that has not been properly affixed to such vehicle according to the instructions furnished with the permit.
- (c) In any proceeding for a violation of this section, in the absence of the operator of such motor vehicle the registered owner thereof shall be deemed prima facie to be the violator.
- (d) Any person who violates subsection (a) of this section shall pay the then-current fine provided in the Code of Ordinances for parking in a municipal parking lot without a permit, and a new violation shall be deemed to have occurred each twenty-four hour period that the vehicle remains parked in violation thereof.
- (e) Any person who violates subsection (b) of this section shall pay the then-current fine provided in the Code of Ordinances for improper display of a City parking permit, and a new violation shall be deemed to have occurred each twenty-four hour period that the vehicle remains parked in violation thereof.

AMENDED by the BOARD OF REPRESENTATIVES 5/5/2012 (pr28.034) (Extending official park season from the first Saturday in May through the last Sunday in September)

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Section 175-1-4 of the Parks & Recreation Facility Regulations is repealed in its entirety and the following is substituted in lieu thereof:

Section 175-1-4: Orders by Certain Employees or Law Enforcement Officers.

- (a) No person on or about any beach, rock outcropping or other waterfront area within the limits of a park or recreational area, or within the waters appurtenant thereto, or in or about any City of Stamford swimming pool, shall disobey the lawful orders of any reasonably identifiable City of Stamford Lifeguard or any law enforcement officer.
- (b) No person in or about any marina facility within the limits of a park or recreational area, or within the waters appurtenant thereto, shall disobey the lawful orders of any reasonably identifiable City of Stamford Dockmaster or any law enforcement officer.
- (c) No person within the Terry Connors Skating Rink facility shall disobey the lawful orders of any reasonably identifiable rink employee or any law enforcement officer.
- (d) No person at any enclosed facility set aside or developed by the city as a facility for skateboarding or rollerblading, or on the grounds appurtenant thereto, shall disobey the lawful orders of any reasonably identifiable City of Stamford employee or agent assigned to said facility, or any law enforcement officer.
- (e) No person at any facility set aside or developed by the city as an enclosed facility where dogs may be permitted to be unleashed, or on the grounds appurtenant thereto, shall disobey the lawful orders of any reasonably identifiable City of Stamford employee or agent assigned to said facility, or any law enforcement officer.

(f) [NEW] No person at any facility set aside or developed by the city as a sports stadium, or on the grounds appurtenant thereto, shall disobey the lawful orders of any reasonably identifiable City of Stamford employee or agent assigned to said facility, or any law enforcement officer.

~~(g)~~ **(g)** Any person who violates any provision of this section shall be guilty of a Level 3 violation of these Regulations.

~~(g)~~ **(h)** In addition to any fine imposed for a violation of this section, any person violating this section at any City of Stamford swimming pool, the Terry Connors Skating Rink, at any enclosed facility set aside or developed by the city for skateboarding or rollerblading, ~~or~~ at any enclosed facility where dogs are permitted to be unleashed, **or at any sports stadium,** may be excluded from said facility for a period of time established by administrative rules developed by the operators of each such facility. Re-entry to such facility during the period of exclusion, after such person has been informed of the exclusion, shall constitute Criminal Trespass as defined by the Connecticut General Statutes as now in force or hereafter amended.

COMMENTS: *The City of Stamford recently acquired Cubeta Stadium property from the State of Connecticut. This rule change incorporates Cubeta Stadium and any future sports stadium into the rules requiring compliance with lawful instructions from personnel assigned to the facilities.*

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Section 175-1-6 of the Parks & Recreation Facility Regulations is repealed in its entirety and the following is substituted in lieu thereof:

Section 175-1-6: Unauthorized Commercial Activity.

- (a) No person shall engage in commercial activity, including, but not limited to, the sale or delivery of a product or service in exchange for compensation or otherwise in furtherance of a business, including the providing of free sample or preview products or services, within the limits of any park or recreational facility, without a permit to do so, issued in accordance with this Section. ~~Parks and Recreation Vending Permit duly issued by the Parks and Recreation Commission and Office of Operations~~ Any person other than a mobile food vendor, as defined in Section 179-31 of the Stamford Code of Ordinances, may engage in commercial activity in any park or recreational facility only under the terms of a permit issued by the Parks and Recreation Commission and Office of Operations. Any mobile food vendor, as defined in Section 179-31 of the Stamford Code of Ordinances, may engage in commercial activity within the limits of a park or recreational facility only under the terms of a permit issued pursuant to Section 179-32 through 179-41 of the Stamford Code of Ordinances inclusive. ~~which permit shall be prominently displayed at~~ Any person operating under the terms of a permit issued in accordance with this Section shall display such permit at all times while such person is engaged in such activity. For purposes of this section, a person shall be deemed to have engaged in commercial activity if such person parks a motor vehicle within the limits of a park or recreational facility which bears markings proclaiming that a product or service, including, but not limited to, food or beverages, is available for sale, or otherwise engages in conduct which would lead a reasonably prudent person to believe that such a product or service was available for sale or as a free sample or preview.
- (b) No person who has been duly issued a permit to engage in commercial activity ~~by the Parks and Recreation Commission and Office of Operations~~ in accordance with this Section, and no employee or agent of such person, shall engage in conduct prohibited by the terms of such permit.
- (c) In any proceeding for a violation of this section involving a motor vehicle, the operator of such vehicle, or, where the operator cannot be identified, the registered owner of such vehicle, shall be deemed prima facie to be the violator.
- (d) Any person, other than a mobile food vendor as defined in Section 179-31 of the Stamford Code of Ordinances, who violates any provision of this section shall be guilty of a Level 3 violation of these Regulations. In addition, the permit of any person, other than a mobile food vendor, who violates subsection (b) of this section may be suspended for 30 days for a second or subsequent violation or revoked for a third or subsequent violation.
- (e) [NEW] Enforcement of the provisions of this section with regard to violations committed by mobile food vendors, as defined in Section 179-31 of the Stamford Code of Ordinances, shall be in accordance with the provisions of Section 179-42 et seq of the Code of Ordinances.

COMMENTS: Amended to conform to the Food Truck Ordinance and to broaden the scope of the Regulation to encompass a business providing products or services "in furtherance of a business," including free samples

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Section 175-1-17 of the Parks & Recreation Facility Regulations is repealed in its entirety and the following is substituted in lieu thereof:

Section 175-1-17: Wildlife.

- (a) No person, other than a City of Stamford employee, agent or contractor engaged in authorized wildlife control activities, shall intentionally or recklessly harass any wild bird or animal within the limits of any park or recreational facility.
- (b) Any person who violates any provision of this section shall be guilty of a Level 2 violation of these Regulations.

***COMMENTS:** This amendment is intended to accommodate the City's plans to control the Canadian Goose population using a contractor that drives them away using non-violent, environmentally friendly means.*

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Section 175-1-18 of the Parks & Recreation Facility Regulations is repealed in its entirety and the following is substituted in lieu thereof:

Section 175-1-18: Launching and Retrieval of Boats.

- (a) No person shall launch or retrieve a boat from ~~the any~~ launching ~~ramps at Cove Island Park or Cummings Park~~ ramp appurtenant to a City of Stamford Marina except boats which have been assigned an authorized slip at ~~the respective Marinas~~ said Marina, or otherwise by permission of the Parks and Recreation Commission and Office of Operations.
- (b) No person shall launch or retrieve a boat from the launching ramp at West Beach without a valid permit issued by the Parks and Recreation Commission and Office of Operations.
- (c) ~~The Parks and Recreation Commission and Office of Operations shall be authorized to recommend separate permit fees for the use of the West Beach launch ramp for Stamford residents, Connecticut residents who are not Stamford residents, out of state residents, and commercial entities, which shall be effective upon approval by the Board of Representatives.~~
[NEW] No person other than an authorized City employee, agent or contractor in the performance of duty shall launch or retrieve a boat from any part of any Park or Recreational Facility other than an authorized launch ramp, except that the Parks and Recreation Commission and Office of Operations may designate certain areas other than launch ramps for the launching and retrieval of kayaks and substantially equivalent light, non-motorized craft.
- (d) In any proceeding for a violation of this section where the individual launching the boat cannot be identified, and involving a boat, motor vehicle or trailer with a registration number or other traceable ownership record, the registered owner of such boat, trailer or motor vehicle shall be deemed, prima facie, to be the violator, and in the event that the boat and vehicle are registered to different persons, either or both may be charged with a violation of this section.
- (e) Any person who violates any provision of this section shall be guilty of a Level 4 violation of these Regulations.

COMMENTS: *Subsection (a) is amended to recognize the elimination of the boat launching ramp at Cummings Park and to standardize the rule for the future. The existing language of subsection (c) was substantially amended during the rulemaking process in 2009-2011. The language ultimately arrived at duplicates various Charter and Ordinance provisions and therefore is redundant and should be repealed (no special rule is necessary to make recommendations to the BOR, and the Regulations are intended to be an enforcement vehicle rather than one that addresses internal organizational issues, so this language rightly belongs elsewhere). Repealing the duplicative language frees up subsection (c) to address the increasing problem of boats being launched from inappropriate areas including swim areas and the rocky banks of Kosciuszko Park.*

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Section 175-1-20 of the Parks & Recreation Facility Regulations is repealed in its entirety and the following is substituted in lieu thereof:

Section 175-1-20: Pets.

- (a) No person shall permit any dog or other pet to enter or remain upon the beach area of any park or recreational facility.
- (b) No person shall allow any dog or other pet to be unleashed within the limits of any park or recreational facility except for any facility expressly designated and posted by the city for such use.
- (c) No person shall cause or allow any dog or other pet to be tethered to a tree or other object within the limits of any park or recreational facility.
- (d) Any person who violates any provision of this section shall be guilty of a Level 2 violation of these Regulations.
- (e) The provisions of Ordinance 111-7 requiring picking up after dogs shall apply within the limits of all Parks & Recreation facilities.
- (f) The provisions of this section shall not apply to Service Animals actually engaged in providing assistance to persons with disabilities within the meaning of the Americans with Disabilities Act or to animals owned by the City of Stamford, a City of Stamford agent or contractor, or a public safety agency, and engaged in authorized wildlife control or public safety related functions.

COMMENTS: This amendment is intended to accommodate the City's plans to control the Canadian Goose population using a contractor that drives them away using non-violent, environmentally friendly means.

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Section 175-1-23 of the Parks & Recreation Facility Regulations is repealed in its entirety and the following is substituted in lieu thereof:

Section 175-1-23: Noise; Amplified Music.

- (a) No person shall make, or cause or allow to be made, unreasonable noise in any park or recreational facility so as to cause public inconvenience, annoyance or harm. Unreasonable noise means any excessive or unusually loud sound that could reasonably be expected to disturb the peace, comfort or repose of a reasonable person of normal sensitivity or could reasonably be expected to injure or endanger the health or safety of a reasonable person of normal sensitivity, or which could reasonably be expected to cause injury to plant or animal life, or damage to property or business.
- (b) No person shall play or operate any sound reproduction device in any park without a permit from the Parks & Recreation Commission and Office of Operations. For purposes of this section, "sound reproduction device" includes, but is not limited to, any radio receiver, phonograph, television receiver, musical instrument, tape recorder, cassette or disc player, speaker device or system and any sound amplifier. This subsection shall not apply to the regular and customary use of acoustic instruments, automotive or portable radios, record players, compact disc players, television receivers or tape recorders played or operated in full accordance with these Regulations so as not unreasonably to disturb other persons in their permitted uses of the park or recreational facility, except that in areas designated by the Parks and Recreation Commission as "quiet zones," such regular and customary use of sound reproduction devices shall be prohibited. Signs shall be posted in all quiet zones advising the public of such prohibition. Use of radios and other sound reproduction devices listened to solely by headphones or earphones, and inaudible to others, is permitted in all areas of all Parks & Recreation facilities.
- (c) No person shall play or operate any musical instrument or drum, radio, tape recorder or any sound reproduction device as defined in subsection (b) of this section or any other device for producing sound in any park between the hours of 10:00 p.m. and 8:00 a.m. except under the express terms of a permit issued by the Parks & Recreation Commission and Office of Operations. The Parks & Recreation Commission may further restrict such hours in specific parks where such operation would disturb or damage the comfort, peace, health or safety of persons or businesses.
- (d) No person shall play or operate any musical instrument or drum or any sound reproduction device as defined in subsection (b) of this section for hire, for advertising, or for other commercial purposes except under the express terms of a permit issued by the Parks & Recreation Commission and Office of Operations.
- (e) Any person who violates any provision of this section shall, for a first violation, be guilty of a Level 2 violation of these Regulations, and for a second or subsequent violation, shall be guilty of a Level 4 violation of these Regulations.
- (f) **[NEW] In any proceeding for a violation of this section involving a motor vehicle, the operator of such vehicle, or, where the operator cannot be identified, the registered owner thereof, shall be deemed prima facie to be the violator.**

COMMENTS: *Violators frequently park an unoccupied motor vehicle with all doors and windows*

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open, using high-powered amplifiers to play extremely loud audio in violation of this section, and fail to respond to public address system announcements. This amendment permits citing the registered owner when this occurs.

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Section 175-1-28 of the Parks & Recreation Facility Regulations is repealed in its entirety and the following is substituted in lieu thereof:

Section 175-1-28: Powered ~~Model Airplanes~~ Remote-Controlled Aircraft and Ground Vehicles.

- (a) The Parks and Recreation Commission and Office of Operations may designate and post certain areas within any park or recreational facility for the operation of powered ~~model~~ remote-controlled aircraft and/or ~~model~~ remote-controlled ground vehicles whether power is supplied by battery, gasoline or other fuel.
- (b) No person shall operate a powered ~~model~~ remote-controlled aircraft or ~~model~~ remote-controlled ground vehicle within any area of any park or recreational facility not expressly designated for the operation of such craft except that the Parks and Recreation Commission and Office of Operations may issue a permit for the operation of an Unmanned Aerial Vehicle ("UAV") by a professional operator, certified as such and authorized by the Federal Aviation Administration ("FAA") for the professional operation of such a vehicle, in connection with cinematography, newsgathering or other authorized professional activities. Any person operating a UAV under the terms of such a permit may operate the UAV in any part of any park or recreational facility authorized by the permit. Any person operating a UAV pursuant to any such permit shall be in possession of such permit at all times, shall produce such permit on demand by any reasonably identifiable City of Stamford official or any law enforcement officer, and shall comply with all applicable regulations of the FAA, any applicable local, state or federal law, and any limitations or requirements imposed by such permit.

(1) [NEW] Notwithstanding the provisions of subsection (b) of this section, any member of a municipal, state or federal public safety agency operating a UAV in the performance of duty, where otherwise authorized by law, may operate the UAV within the limits of any park or recreational facility without a permit.

- (c) The provisions of subsection (b) of this section shall not apply to low-speed battery-operated children's toys which, when operated in substantial conformance with the manufacturer's instructions, pose no significant risk of causing injury, inconvenience, annoyance or alarm.
- (d) Any person who violates any provision of this section shall be guilty of a Level 2 violation of these regulations for a first offense and a Level 3 violation for any second or subsequent offense.
- (e) [NEW] In addition to any fine imposed pursuant to this section, any person or group involved in the unauthorized operation of a remote controlled aircraft or remote controlled ground vehicle, and any equipment used by such unauthorized person or group, may be removed by or at the direction of a law enforcement officer.

COMMENTS: These amendments are intended to recognize the existence of camera drones (the legal technical term is "Unmanned Aerial Vehicle," or "UAV"). The FAA has ruled that camera drones are not "model airplanes," but they are "remote controlled aircraft." The amendments broaden the regulation's scope to incorporate camera drones, allow for permits to be issued to professional operators when deemed appropriate by the City, specifically permit authorized law enforcement use, and allow for the removal of persons and equipment when unlawful operation occurs.