

## Chapter 127

### PARKS

§ 127-1. Purpose and intent.

§ 127-2. Definitions.

§ 127-3. Hours of closing.

§ 127-4. Penalties for offenses;  
enforcement.

[HISTORY: Adopted by the Town Board of the Town of Westmoreland 9-9-2002 by L.L. No. 5-2002. Amendments noted where applicable.]

#### GENERAL REFERENCES

Alcoholic beverages — See Ch. 79.

Dogs — See Ch. 95.

§ 127-1. Purpose and intent.

The purpose of this chapter is to regulate the hours the Town Park of the Town of Westmoreland shall be closed.

§ 127-2. Definitions.

As used in this chapter, the following words shall have the following respective meanings:

PARK — The grounds, buildings therein, water therein and any other property necessary for the operation thereof, and constituting a part thereof, which is now or may hereafter be maintained, operated and controlled by the Town of Westmoreland for public park purposes.

PERSON — Any individual, firm, partnership, corporation or association of persons; the singular number shall include the plural.

§ 127-3. Hours of closing.

- A. Except in emergencies, or as permitted in Subsections B and C, no person shall stop, park or remain within the confines of the Town Park during the hours between sunset and sunrise.
- B. Notwithstanding the closing hours stated herein, the Town Board of the Town of Westmoreland may establish closing hours for designated park facilities and, by special permit, may allow any person or persons to use the Town Park or designated areas of the Town Park during specific times when the Town Park would otherwise be closed.
- C. Notwithstanding the closing hours stated herein, the Town Board of the Town of Westmoreland may establish dedicated trails for the use of snowmobiles or other authorized vehicles during the hours between sunset and sunrise.

- D. In case of an emergency or when in the judgment of the Town Board the public interest demands it, any portion of the park may be closed to the public or to designated persons until permission is given to reopen.

**§ 127-4. Penalties for offenses; enforcement.**

- A. A violation of this chapter shall constitute an offense punishable by a fine of \$250 or by imprisonment for 15 days, or by both such fine and imprisonment, for each and every such offense.
- B. Any New York State Trooper or Oneida County Deputy Sheriff may, without a warrant, arrest any offender whom he or she may detect in the violation of this chapter, and he or she shall have at all times a right to enter the premises of any building, structure or enclosure in the Town Park, including such grounds, buildings, structures or enclosures in the Town Park which may be leased or set aside for private or exclusive use of any individual or groups of individuals for the purpose of arresting violators hereof, and may use all necessary means to attain that end.