



The Mayor and Commissioners
of the Town of Elkton

Ordinance 2 - 2009

BY: Mayor and Commissioners
INTRODUCTION: February 18, 2009
ADOPTED: March 4, 2009

AN ORDINANCE CONCERNING

**CODE OF THE TOWN OF ELKTON
TITLE 12
STREETS, SIDEWALKS & PUBLIC PLACES**

FOR THE PURPOSE of amending the Code of the Town of Elkton, Title 12, Streets, Sidewalks & Public Places, by adding Chapter 12.20, Public Park Regulations.

WHEREAS, Article XI-E., Constitution of the State of Maryland; Article 23A, Annotated Code of Maryland; and the Charter and Code of the Town of Elkton, provide the authority under which the Mayor and Commissioners may adopt, repeal, and/or amend ordinances of the Town of Elkton;

WHEREAS, the Mayor and Commissioners have determined that public parks within the town should be regulated with respect to hours of operation and that certain uses and activities should be prohibited to protect both parks, as vital and important public resources, and the public safety, health, and welfare, as set forth hereinafter.

NOW, THEREFORE, the Mayor and Commissioners of the Town of Elkton hereby ordain that:

The Code of the Town of Elkton, Title 12, Streets, Sidewalks & Public Places, be amended to add Chapter 12.20, Public Park Regulations, as follows:

Code of the Town of Elkton
Title 12
Streets, Sidewalks & Public Places
Chapter 12.20
Public Park Regulations

§12.20.010 Definitions.

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

1. “*Park*” shall mean a parcel of land owned by the Town and dedicated to public recreational use, including, but not limited to, improved and unimproved outdoor recreational areas, playgrounds, neighborhood parks, public open space, and named parks such as John P. Stanley Memorial - Meadow Park, J. Evans McKinney Commemorative Park, Marina Park, Howard's Pond, and Elkton Skate Park.
2. “*Motor Vehicle*” as defined under the Maryland Vehicle Law, Title 11., Section 11-135, as amended.
3. “*Waste*” shall mean garbage, refuse, trash, debris, and other discarded material originating from a person, residential unit, commercial and/or other business enterprise.

§12.20.020 Hours of Operation; Person(s) prohibited after hours.

1. *Hours of Operation.* The Mayor and Commissioners shall set the hours of operation of a park by resolution.
2. *Person(s) prohibited after hours.* Person(s) are prohibited from entering or remaining upon parks at any time other than during hours of operation.

§12.20.030 Swimming and Ice Skating Prohibited.

1. *Swimming.* Person(s) are prohibited from swimming in parks, unless facilities specifically intended for such use are made available to the public.

2. *Ice Skating.* Person(s) are prohibited from ice skating in parks, unless facilities specifically intended for such use are made available to the public.

§12.20.040 Open Fire. - Exception - Use of Grill or Other Device..

1. *Open Fire.* Person(s) are prohibited from creating, maintaining, or otherwise causing an open fire in a park.
2. *Exception - Use of Grill or Other Device.* Person(s) are permitted to create and maintain a fire inside a permanently mounted grill designed and intended for that purpose and provided by the Town within a park. Person(s) using a grill or other device, as herein provided, shall extinguish a fire after use.

§12.20.050 Wild Animals; Domesticated Animals; Control of Animal; Fecal Waste Prohibited.

1. *Wild Animals.* Person(s) are prohibited from pursuing, catching, injuring or killing wildlife in a park; nor shall person(s) disturb any nest, den, burrow, or habitat of any reptile, amphibian, mammal, or fowl in a park.
2. *Domesticated animals.* Person(s) are prohibited from allowing or otherwise causing a domesticated animal, including, but not limited to, a dog, to run at large in a park.
3. *Control of Animal.* Person(s) having possession and/or control over a domesticated animal in a park shall control said animal in such a manner to prevent the animal from disturbing, injuring, or otherwise acting in a harmful way toward any person or other domesticated animal within the park.
4. *Fecal matter prohibited.* Person(s) having possession and/or control over a domesticated animal in a park shall remove any fecal waste produced by said animal within a park and deposit same in a waste container provided by the Town.

§12.20.060 Motor Vehicles; Exception - Motor Vehicle Travel & Parking.

1. *Motor vehicles.* Motor vehicles shall not be permitted on any grass or other unimproved surface not designed or intended for motor vehicle traffic within a park.

2. *Exception - Motor Vehicle Travel & Parking.* The Mayor and Commissioners reserve the right to permit the travel and parking of motor vehicles on the grass and/or other unimproved areas within a park for special recreational events and other activities hosted and/or sponsored by the Town.

§12.20.070 Waste material prohibited.

Person(s) are prohibited from introducing, dumping or otherwise depositing waste in a park, except waste resulting from lawful activities occurring within a park and deposited in waste containers designed and intended for such purpose and provided by the Town within a park.

§12.20.080 Violation - Penalty.

A violation of this chapter shall be a civil infraction and a person violating any provision thereof shall be subject to the penalties provided under the Article XIV., § C14-1., B., Charter of the Town of Elkton.

DATE OF EFFECT

THIS ORDINANCE shall be effective on the 24th day of March, 2009.

IN WITNESS WHEREOF, we have set our hands and seals, and adopted Ordinance 2-2009, attached hereto, this 4th day of March, 2008.

AFFIRMING

Mayor Joseph L. Fisona
Commissioner Earl M. Piner, Sr.
Commissioner Charles H. Givens, Sr.
Commissioner C. Gary Storke