

**VILLAGE OF MONROE  
LOCAL LAW  
AMENDMENT TO CHAPTER 150, PARKS**

**BE IT ENACTED** by the Board of Trustees of the Village of Monroe, Orange County, New York, as follows:

**Section 1.** Legislative Intent and Purposes.

The Park system in the Village of Monroe provides recreation, fresh air, and open space to the residents of the Village. They are significant resources and a source of enjoyment to all people. The Village Board of Trustees finds and determines that well-maintained Parks that provide a clean, quiet and safe environment where people can commune with nature, enjoy friends and marvel at Swans immensely benefit everyone and must be protected and preserved. Therefore, the Village Board of Trustees finds and determines that Chapter 150 of the Village Code, which regulates Parks, should be updated from time to time, including incorporating certain restrictions applicable to Smith's Clove Park to all Village Parks.

**Section 2.** Authority.

This local law is enacted by the Village Board of Trustees of the Village of Monroe pursuant to its authority to adopt local laws contained in the New York State Constitution and Section 10 of the Municipal Home Rule Law.

**Section 3.** Chapter 150, "Parks," is hereby modified as required as follows and the numbering and alphabetizing of the provisions modified as necessary:

Article 1, "Curfew in Certain Parks," is hereby deleted in its entirety and replaced as follows:

§ 150-9, "Definitions," is hereby removed from article IV, "Smith's Clove Park," and moved to § 150-1, to read as follows, including new definitions (underlined):

§ 150-1 Definitions.

**As used in this Chapter, the following terms shall have the meanings indicated:**

**FACILITIES**

Any and all buildings, structures or improvements now existing or hereinafter constructed within a Village Park, including, but not limited to, playing fields, tennis courts, basketball courts, racquetball courts, picnic areas, playgrounds, bleachers, pavilions, concession stands and parking lots.

**MUNICIPAL UNIT**

The Village of Monroe, Village of Harriman, Village of Kiryas Joel, Town of Palm Tree and Town of Monroe.

**PARK COMMISSION**

Monroe Joint Parks and Recreation Commission.

**PERSON**

Any person, firm, partnership, corporation, association or legal entity or its legal representative, acting individually, jointly or in a representative capacity.

**PERMIT**

A permit issued by the Village Board of Trustees or the Park Commission, as the case may be,

permitting the use of a Village Park for a special event.

## **RESIDENT**

Any person who resides within a municipal unit, which unit annually contributes taxes, directly or indirectly to the operation of the park, derived directly from taxes levied on the residence in which he/she/it resides.

## **VILLAGE**

The Village of Monroe.

## **VILLAGE PARK**

Ford Dally Airplane Park, Crane Park (a.k.a. Millpond Park), including 9/11 Memorial Park and Crane Park Peninsula, and Smith's Clove Park.

§ 150-2 General provisions applicable to all Parks within the Village of Monroe.

- A. Unless special permission is granted by the Village Board, no one shall enter upon or remain within a Village Park or its structures therein from dusk to dawn. For the purpose of this section, public sidewalks are excluded.
- B. The foregoing shall not apply to Smith's Clove Park where the Park Commission has established regular operating hours or has granted special permission or when the Park Commission has established different opening and closing times for specific designated areas, or at any other time that Smith's Clove Park is closed by the Park Commission, the park security or any member of the Monroe Police Department.
- C. Alcoholic beverages and illegal drugs shall not be permitted. Chapter **67**, Article **I**, Open Containers, shall be enforced.
- D. Smoking shall not be permitted.
- E. No temporary or permanent structure shall be permitted to be placed on, underneath or above, the grounds of any Village Park except in conjunction with an event authorized by the Village Board of Trustees or, in the case of Smith's Clove Park, the Park Commission. Nothing shall be done to disturb or deface any trees, planting or foliage in a Village Park, such as attaching signs, ropes, wires, etc. No person shall injure, deface, disturb, befoul or in any manner destroy or cause to be destroyed any part of or any facility building, sign, structure, equipment, utility or other property found thereon.
- F. No motorized vehicle of any type shall be operated within any Village Park, except for emergency vehicles and vehicles owned by the Town of Monroe, Village of Monroe and the Park Commission.
- G. Properly registered motor vehicles may operate only upon the area paved for use of motor vehicles to gain access to facilities and for the purpose of ingress and egress.
- H. Parking shall be prohibited within the boundaries of any Village Park except in an area designated for parking. Any vehicle in violation of this provision shall be removed by the Police of the Village of Monroe or any member of the New York State Police and owners shall be responsible for the reasonable costs of removal and storage.
- I. Any person convicted for an activity declared illegal by the laws of the State of New York or the Village, when such activity is engaged in within the confines of a Village Park shall be deemed a violation of the provisions of this Chapter, subjecting such person to the provisions of K(b) and (c) below.

- J. Prohibitions and regulations contained in § 150-11, § 150-14 through § 150-19 (formerly § 150-120) of Article III (formerly Article IV), “Smith’s Clove Park,” are incorporated by reference as if set forth fully herein.
- K. Any person who knowingly enters or remains unlawfully in or upon any Village Park or recreation area maintained by the Village shall be guilty of trespass.
- L. Any person violating any provision of this Chapter shall forfeit and pay as a minimum penalty for such violation the following sums:
  - a. For the first offense, a minimum fine of \$50.
  - b. For the second offense within a period of six months from the first offense, a minimum fine of \$150.
  - c. For a third offense within a period of one year from the first offense, a minimum fine of \$200 and suspension and/or revocation of any permit issued for an event or use of a Village Park.

Section 150-3, “Location,” of Article II, “Crane Park,” is hereby amended to include the following sentence at the end of the paragraph:

Crane Park shall also include the area known as “9/11 Memorial Park,” which includes a Gazebo and “Crane Park Peninsula,” which is a small island situated in between the two millponds and which also contains a twenty-four-foot decagon gazebo, which gazebos are resting areas for residents and visitors.

Section 150-4 A(3)and (7), § 150-11 B, § 150-18, are deleted in their entirety and the subparagraphs renumbered sequentially.

Article III, “Use of Vehicles,” is deleted in its entirety and the remaining Articles renumbered.

Subsection B, of § 150-11, “Prohibitions,” of Article IV, “Smith’s Clove Park,” is deleted in its entirety.

Section 150-12, “Penalties for offences,” is deleted in its entirety.

Section 150-18, “Alcoholic beverages and illegal drugs,” is deleted in its entirety.

Article V, Crane Park Peninsula,” is deleted in its entirety.

#### **Section 4.** Superseding provision.

To the extent that any State or local laws fail to provide specific authority for this Local Law or the procedures necessary for its adoption, or otherwise appear to be in conflict with this Local Law or the procedures followed for its adoption, then such laws are hereby superseded by this Local Law pursuant to New York Municipal Home Rule Law and the common law.

#### **Section 5.** Severability.

If any clause, sentence, paragraph, section or part of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall be confined in its operation to the clause, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered, and the remaining provisions shall remain in full force and effect.

#### **Section 6.** Effective date.

This law shall take effect upon the filing of this Local Law with the New York Secretary of State.