

**Chapter 90
Parks**

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**Article I
Definitions**

§ 90-10 – Definitions

As used in this Chapter, the following terms shall have the meaning indicated.

1. **ALCOHOLIC BEVERAGE** – Includes, but is not limited to, alcohol, brandy, whiskey, rum, gin, cordial, beer, ale, porter, stout, wine, cider and other spirituous, vinous, malt or fermented liquor or compound, by whatever name called, containing ½ of 1 % or more of alcohol by volume, which is fit for beverage purposes.
2. **COLORFEST** – A festival held during the fall of each year.
3. **COMMISSIONERS** – Board of Commissioners for the Town of Thurmont, to include the Mayor.
4. **TOWN** – Town of Thurmont
5. **MOTOR VEHICLE** - Any self-propelled vehicle, to include any “low speed vehicle” and “motor scooter” as defined by the Maryland Transportation Article. “Vehicle” does not include an electric personal assistive mobility device as defined in Md. Code Ann., Transp. § 21-101 (j).

Article II
Use – Regulations

§ 90-20 – Use

All parks within the corporate limits of the Town shall be operated for the purpose of recreation and the well being of all citizens.

§ 90-21 – Hours of Operation

1. The hours of operations of all parks shall be designated by the Commissioners and shall be posted at each park.
2. It shall be unlawful for any person to be present upon the public parks and grounds owned by the Town during the hours the park is closed. Written permission must be obtained from the Commissioners, or their designee, to conduct any activities during the hours the park is closed. This section shall not apply to participants of the Colorfest.
3. Violation of this section shall be a municipal infraction. The penalty of this section shall be a fine of fifty dollars (\$50.00).

§ 90-22 – Reservations

1. All athletic fields and pavilions are available for use by citizens but may be reserved, on a first come, first served basis, for use by individuals or groups at the Town Office, for a fee, which shall be set by the Commissioners.
2. Individuals and groups reserving fields or pavilions shall:
 - a. complete a reservation application, on a form provided by the Town Office. The form will include, and the applicant authorized to act on behalf of those reserving the field or pavilion will execute, an agreement to indemnify, defend and hold the Town harmless from any liability arising from their activities in the park;
 - b. pay the required fees; and
 - c. agree to comply with all park rules and codes of the Town while at the park.
3. Failure to comply with the park rules and codes of the Town may result in:
 - a. the revocation of the reservation and removal from the park;
 - b. possible refusal of future reservations; and
 - c. fines and penalties associated with those violations.
4. Individuals and groups who have reserved a field or pavilion shall have priority to use the field or pavilion over those that have not reserved them.

§ 90-23 – Use of Fields – Reservations Required for Organized Groups

1. Organized groups, including but not limited to, teams, leagues, clubs, and groups sponsored by schools, businesses, corporations or churches, utilizing any athletic field shall reserve the field in advance of the event.
2. In addition to completing the application and paying the fee pursuant to § 90-22, groups reserving fields shall also provide proof of liability insurance.
3. Violation of this section shall be a municipal infraction. The penalty for violation of this section shall be:
 - a. removal from the field(s) until the required fee and forms have been completed; and
 - b. a fine of fifty dollars (\$50.00) for the first offense;
 - c. a fine of seventy-five dollars (\$75.00) for the second offense and denial of the use of the field for ninety (90) days; and
 - d. a fine of one-hundred dollars (\$100.00) for the third and any subsequent offense and denial of use of the fields for one year (365 days) from the date of offense.

§ 90-24 – Motor Vehicles

1. All motor vehicles shall use only the designated roadways.
2. All motor vehicles shall park in designated parking areas.
3. Violation of this section shall be a municipal infraction. The penalty of this section shall be a fine of fifty dollars (\$50.00) and the removal of the vehicle at the expense of the owner. Any damage to park property shall be the responsibility of the registered owner and/or the operator of the vehicle.

§ 90-25 – Other Vehicles

1. The use of all vehicles off the roadways within the parks of the Town is prohibited except as authorized by the Commissioners. For purposes of this section, in addition to “motor vehicles” as defined in § 90-10, this prohibition includes, but is not limited to, go-carts, scooters, mini bikes, bicycles, trail bikes and snowmobiles.
2. The Commissioners may allow; establish fees and issue permits for the operation of certain vehicles within the parks.
3. Each permit issued shall include:
 - a. the name of the permittee;
 - b. the park where the vehicle is permitted and the hours of operation;
 - c. the date the permit was issued; and
 - d. the date the permit expires; and
 - e. The name of the insured, the liability insurance carrier and policy number.

4. The permit shall be carried at all times by the person to whom the permit was issued.
5. The permittee shall execute an agreement, on a form provided by the Town Office, agreeing to indemnify and hold the Town harmless from any liability arising from his/her or its use and operation of the vehicle at the park.
6. The permittee shall be responsible for any and all damages done to Town property.
7. Violation of this section shall be a municipal infraction. The penalty for violation of this section shall be a fine of one-hundred dollars (\$100.00) for each offense. The violator shall be responsible for any and all damages caused to Town property. In the case where the violator is a minor, the parent or guardian shall be responsible for any and all damages and fines.

§ 90-26 – Ponies, horses and the like

1. The Commissioners may allow, establish fees and issue permits for the riding and use of ponies, horses and the like within the parks of the Town.
2. Each permit issued shall include:
 - a. the name of the permittee;
 - b. the park where the pony, horse and the like is permitted and the hours of operation;
 - c. the date the permit was issued; and
 - d. the date the permit expires.
3. The permit shall be carried at all times by the person to whom the permit was issued.
4. The permittee shall execute an agreement, on a form provided by the Town Office, agreeing to indemnify and hold the Town harmless from any liability arising in connection with the presence or use of the animal in the park.
5. The permittee shall be responsible for any and all damages done to Town property.
6. The permittee shall be responsible for the removal and proper disposal of any and all animal waste on Town property.
7. Violation of this section shall be a municipal infraction. The penalty for violation of this section shall be a fine of one-hundred dollars (\$100.00) for the first offense, one-hundred fifty dollars (\$150.00) for the second offense, and two-hundred dollars (\$200.00) for the third and any subsequent offense. The violator shall be responsible for any and all damages caused to Town property. In the case where the violator is a minor, the parent or guardian shall be responsible for any and all damages and fines.

§ 90-27 – Alcoholic Beverages

1. The use of alcoholic beverages is prohibited in all Town parks.
2. Violation of this section shall be a municipal infraction. Penalty for violation of this section shall be a fine of fifty dollars (\$50.00) and removal from the park property. Future use of the park may be denied for repeated violations.