

## AN ORDINANCE RELATIVE TO USE OF WEBSTER PARK

### 1.01 PURPOSE:

This ordinance is intended to encourage and promote the proper use of Epsom's Webster Park, including the portion located near the crossing of Suncook River and Short Falls Road (hereinafter "premises".) This area is owned by the Town of Epsom and is under the supervision of the Park Commissioners. The Town intends to maintain this area as a family recreational facility for the primary enjoyment of Epsom residents.

#### 1.10.1 FIRES:

No person may kindle, light or maintain an open flame or fire on these premises. In picnic area, a charcoal or gas grill fire for the exclusive purpose of cooking, in proper and approved containers, not exceeding six square feet in fire surface, is exempt. Fires must be attended by an individual over 18 years of age at all times.

#### 1.10.2 PETS:

No owner, custodian or person having control of any animal, domesticated or pets, may allow such animal upon these premises.

#### 1.10.3 CAMPING:

No person may pitch a tent or camp upon these premises. No person may occupy these premises on an overnight basis or for overnight accommodations with or without the use of any temporary shelter including tents, camps or vehicular campers.

#### 1.10.4 OPERATION HOURS:

The premises shall be closed to the public between 9:00 PM and sunrise. No person may enter upon these premises between the hours of 9:00 PM and sunrise.

#### 1.10.5 ALCOHOLIC BEVERAGES:

No person may possess any container of alcoholic beverages with the seal broken on the premises, except under guidelines issued by permit from the Webster Park Commission.

### 1.20 APPLICABLE LAWS – CONFLICT OF LAWS:

This ordinance is not intended to nor does it supersede any existing State law or Town ordinance further restricting use of public property, ways or municipal parks. All such laws remain in full force and in effect and any penalty imposed, greater than that which is allowed under this ordinance shall remain effective.

### 1.30 SEVERABILITY:

Should any part of this ordinance be rendered ineffective or inoperable for any reason, the remaining portions shall be severed and remain in full force and effect.

### 1.40 EXEMPTIONS:

The Epsom Park Commission may by written permission grant to an individual or groups of individuals for a limited and defined duration of time, an exemption to engage in conduct prohibited under sections 1.10.1 through 1.10.5 of this ordinance.

### 1.50 PENALTY

Any person violating sections 1.10.1 through 1.10.5 of this ordinance shall be punishable for fines up to \$1,000.00.

Approved by the Webster Park Commission on July 10, 1995

#### 01.5.1

The use of the facilities of Webster Park, including the portion located near the crossing of Short Falls Road and the Suncook River is consistent with Article 1.01, hereby limited as established in these ordinances:

#### 01.5.2

The park and all portions thereof may be used only by Epsom residents, subject to exceptions enumerated herein.

#### 01.5.3

Non-residents of Epsom may only use the park facilities under the following exceptions:

- a. As a guest of Epsom residents only if accompanied by Epsom residents during such visit or use.
- b. During pre-organized functions, events or activities sanctioned by the Board of Park Commissioners, such as Old Home Day, Weddings, or approved outings and games approved by Board of Park Commissioners. The sanctioned or approved uses under this section for one part, portion or section of the park shall not be extended to other parts or portions.
- c. Upon the purchase of a daily pass from the Town Office, the price for which shall be established by the Epsom Board of Selectmen.

#### 01.5.4

The term “resident” under this section shall have the same meaning as domiciliary under New Hampshire law.

#### 01.5.5

Each person using the facilities at Webster Park shall maintain proof of his residence upon his person or within his or her reach at all times. Such proof shall be a document clearly identifying the person along with his or her address which shall be issued by the government of the United State or the State of New Hampshire.

#### 01.5.6

Upon the request of the any law enforcement agent, any person present upon the premises of Webster Park shall tender his or her indemnification documents along with his or her proof of residence and his or her daily pass if applicable.

#### 01.5.7

A breach of any section of this ordinance shall constituent a violation, punishable by penalties prescribed under New Hampshire law for violations. Additionally, a person who knowingly enters or remains present upon Webster Park, without privilege or permission, shall be guilty of criminal trespass and be subject to the penalties thereof.

#### 01.5.8

If any party of these ordinances, for any reason, is rendered unenforceable, the remaining provisions shall be severed and remain in full force and effect.

Approved by the Webster Park Commission on May 17, 2001.