

**VILLAGE OF HIGHLAND FALLS
INTRODUCTORY LOCAL LAW
REGULATION OF VILLAGE PARKS**

BE IT ENACTED by the Board of Trustees of the Village of Highland Falls, County of Orange, State of New York, as follows:

Section 1. Legislative Intent. The Board of Trustees of the Village of Highland Falls finds and determines that the use of Village Parks should be regulated and that such regulation will strengthen the protection of natural resources, protect Village property, enhance and protect the physical appearance of the community, and protect the health and safety of Village residents.

Section 2. The Code of the Village of Highland Falls is hereby amended by adding Chapter 146, titled “Regulation of Village Parks,” to read as follows:

REGULATION OF VILLAGE PARKS

Article I. General Provisions

§146-1. **Purpose.**

A public park is an area set aside for the recreation of the public so as to foster its health, welfare and enjoyment. In order to ensure these benefits to the public, the Village Board of Trustees has found it necessary to enact this chapter.

§146-2. **Definitions.**

- A. Park. A park, public recreation area, playground, beach, recreation center or any other area in the Village owned, designated or used by the Village as parkland and devoted to active or passive recreation.
- B. Person. Any person, firm, partnership, association, corporation, company or organization of any kind.

§146-3. **Hours of Operation.**

All Village parks and recreation areas shall be open only from dawn to dusk. The presence of any person in a Village park or recreation area between dusk and dawn shall be a violation of this Chapter. Each day a violation occurs shall be deemed a separate and distinct violation. Village parks and recreation areas opening and closing hours may be amended from time to time by resolution of the Board of Trustees.

§146-4. Leash Law.

All dogs, whether on or off leash, shall be prohibited in Ladycliff Park and Memorial Park. The presence of any dog in Ladycliff Park or Memorial Park shall be prima facie evidence of a violation of the provisions of this chapter and the owner of such dog shall be subject to the penalty provisions of this chapter. This section shall not apply to a service dog accompanying a handicapped person.

§146-5. Enforcement officials.

- A. Enforcement of this chapter. Any member of the Village of Highland Falls Police Department shall enforce the provisions of this chapter.
- B. Ejection. In addition to and not in lieu of the penalties set forth herein, the Village of Highland Falls Police Department shall have the authority to eject from a park or recreation area any person acting in violation of this chapter.

§146-6. Penalties.

- A. Except as otherwise set forth herein, conviction of a violation of this chapter shall result in a warning for a first offense; a minimum penalty of \$25 and a maximum penalty of \$50 for a second offense committed within one year of the first offense; a minimum penalty of \$50 and maximum penalty of \$150 for a third and each subsequent offense committed within one year of the first offense.
- B. Any person who is convicted of a violation of Section 146-4 of this chapter shall be subject to a minimum fine of \$25 and a maximum fine of \$250, or a maximum of 15 days imprisonment or both such fine and imprisonment; for conviction of a second violation committed within one year of the first violation, such person shall be subject to a minimum fine of \$50 and a maximum fine of \$250, or a maximum of 15 days imprisonment, or both such fine and imprisonment; for conviction of a third violation committed within one year of the first violation, such person shall be subject to a minimum fine of \$100 and a maximum fine of \$250, or a maximum of 15 days imprisonment, or both such fine and imprisonment; for conviction of a fourth violation committed within one year of the first violation, such person shall be subject to a minimum fine of \$150 and a maximum fine of \$250, or a maximum of 15 days imprisonment, or both such fine and imprisonment.

Section 3. Severability. If any section, provision or term of this Chapter is adjudged by a court of competent jurisdiction to be illegal or inapplicable, such illegality or inapplicability shall be limited to that particular section, provision or term, and the remainder of this Chapter shall remain in full force and effect and interpreted to advance the intent of this Chapter.

Section 4. This local law shall take effect immediately upon filing with the Secretary of State.