

Rules and Regulations of the use of Public Parks and Playgrounds

Board of Park Commissioners City of Fitchburg, Massachusetts Regulations

The Board of Parks Commissioners and the Department of Parks and Recreation of the City of Fitchburg, by virtue of the authority delegated to it under chapter 45 of the General Laws of Massachusetts and every other power thereto enabling, hereby makes and publishes the following rules and regulations which shall not only be limited to the following and Department of Parks and Recreation reserves the right to make additional changes or expansions without notice at any given time.

Within the limit of lands under the management of the City of Fitchburg – Department of Parks and Recreation, it shall be unlawful for any person/organization:

PARK HOURS/PARK USAGE

- 1.1. The parks and playgrounds are open to the public from the hours of dawn to dusk (*excludes Coggshall*)
 - 1.1.1. No person shall be in any park or playground between the hours of dusk to dawn except if attending a special function authorized by the Board of Park Commissioners.
- 1.2. Closing Hours: Parks shall be closed to the public between the hours of 10:00 PM and 5:00 AM or as posted, except if authorized in a written permit
 - 1.2.1. To commit any trespass in any public park, playground, or beach within the city between the hours of 10:00 PM and 5:00 AM, or other set times, except with a written permit from the Board of Park Commissioners, DPW, Parks and Recreation Department. A trespass shall be any unauthorized entry in, upon, or across any property under the jurisdiction of the Board of Park Commissioners, DPW, Parks and Recreation Department
- 1.3. No group outing/picnic will be guaranteed in any park or playground within the jurisdiction of the Board of Park Commissioners, DPW, Parks and Recreation Department, unless a written permit from the Parks and Recreation Department has been obtained.
 - 1.3.1. Permit requests for fields will only be issued between **9:00 AM and 3:30 PM, Monday – Friday (Non-Holiday business days).**

There will be no refunds or credits issued for any reason, no information will be given, nor a permit will be issued over the telephone.

The City of Fitchburg Parks and Recreation Department has a fee schedule, policies, rules, and regulations governing all parks. The Board of Park Commissioners, DPW, Parks and Recreation Department reserves the right to deny permits to those individuals and organizations that have in the past shown disregard for the policies, rules & regulations.

- 1.3.2. Groups of 15 or more are required to obtain a permit
- 1.3.3. All event permit holders have the right to use the vendors/concessionaires of their choice. Daily vendors/concessionaires that have been assigned a park cannot vend unless written permission is given to the park's office from the event permit holder.
- 1.3.4. To use a permit given for something other than for the designated event/vending/sport specified on the application.

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1.3.5. Failure to have all proper permits submitted prior to the event may be fined and may incur additional costs that may occur.

CONDUCT

- 1.1. No person shall destroy, or misuse park property, or injure or climb trees, lawns, shrubs, or plants in any park, playground, or injure or deface any monument, seat, fence, or piece of playground equipment, or any other thing connected with any public park or playground
- 1.2. No person shall deface, remove, or destroy any sign or notice or protective device placed in a park, playground,
- 1.3. To commit any unlawful act of violence or disturbance toward other people or to disturb the animals, birds, fish, etc., or commit any act of nuisance in any park, playground, recreation area or facility
- 1.4. No person shall drink any alcoholic beverage as defined in Chapter 13:8; Section 1 of the General Laws of the Commonwealth and Chapter 56 and 56-1 of the General Ordinances of Fitchburg, or possess an open container full or partially full of any alcoholic beverage while in a public park or playground without the consent of the Board of Park Commissioners.
- 1.5. To use or possess illegal drugs while in or upon any park, playground, or beach, or any other areas under the jurisdiction of the Board of Park Commissioners.
- 1.6. The use of, but not limited to, confetti, rice, artificial flowers, paint, etc. are not allowed at any park due to environmental impact, safety of wildlife, and the debris that is left.
- 1.7. To operate a phonogram, bullhorns, radio, loudspeaker, amplifier, or otherwise create noise. Any phonogram, bullhorn, radio, speaker, loudspeaker, or amplifier in any of the City of Fitchburg Public Parks, playgrounds, playing fields, or public property or building shall not be plainly audible at a distance of 50 feet or more from said Public Park, playground, playing field, public property, or building
- 1.8. To obstruct, hinder, or impede the movement/work of employees of the City of Fitchburg
- 1.9. To rollerblade, roller skate, skateboard, or ride a bike in any designated park area unless specially identified for this purpose.
- 1.10. To ice skate on any body of water within a public park except those water bodies designated for such use.
- 1.11. To boat/float on a flotation device, motorized watercraft, or winter snow/ice vehicles (*snowmobiles, etc.*) are not allowed on or in any body of water (*ice or snow-covered*) within a public park unless specifically authorized by a written permit issued by the Board of Park Commissioners
- 1.12. To play any active ball games in any park or playground except in areas set aside for such games.
 - 1.12.1. To play golf or to practice it with a putter or other club or stick of any kind upon or within any public park, playground, or beach except in those areas purposely set aside for this activity or in conjunction with any organized city recreation program
- 1.13. Any sports league or organization hosting, managing, or operating a sports tournament must submit a Sports Tournament Permit Application for this particular event

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- 1.14. To discharge or have any firearms in any park, playground
- 1.15. No person shall sit, stand, or lie down on any fence or railing.
- 1.16. No person shall throw stones or other physical objects within a park or playground or act in a disorderly manner.
 - 1.16.1. No person shall throw stones or other physical objects at any wildlife with the intent to disturb or injure.
- 1.17. To throw, deposit, or leave any rubbish or litter in any park, playground, or beach area, except in a container placed for such purpose. Household trash, hazardous waste, debris, or any other material cannot be thrown/dumped into any park or park container
 - 1.17.1. No person shall dispose of any material or liter within the limits of any property under the jurisdiction of the Board of Park Commissioners, except in proper containers.
- 1.18. No person shall injure or destroy any Historical Monument as set forth in the General Laws; Chapter 266-Section 95, which states “whoever willfully or maliciously removes, displaces, destroys, defaces, mars or injures any monument, tablet, or other edifice erected to mark a historic place or to commemorate any historic event shall be punished by a fine of not more than one thousand dollars or by imprisonment for not more than two years. Any person convicted under the provisions of this section shall, in addition to any fine assessed, reimburse the commonwealth for the total amount of damage incurred.”
- 1.19. No person shall set up or play any organized game of chance within the limits of any park or playground without authorization of the Board of Parks Commissioners. Permits for these events are issued in the Parks and Recreation Department.
- 1.20. No person or organization shall display any sign, advertising banner or other advertising devices of any kind without the authorization and a permit from the Board of Park Commissioners.
- 1.21. No person shall attach any guy-rope, crossbar, or cable or any contrivance of any kind to any tree or use the same in connection with any banner or transparency or put up or affix any place card, noticed or bill, either written or printed upon any tree, post, or other structure except with written permission from the Board of Park Commissioners.

FIRES/FIREWORKS

- 3.1. No fires are allowed in parks or playgrounds.
 - 3.1.1. All cooking fires, which include gas and coal barbecue grills, are not permitted unless previously approved by the Board of Park Commissioners.
 - 3.1.2. Approved fire permits are limited to barbecue pits in designated areas specified by the Board of Park Commissioners.
- 3.2. No personnel shall use, display, set off, or ignite fireworks, or explosives of any kind without authorization and a permit from the Board of Park Commissioners, Police, and Fire Department.

VEHICLES/SPEED LIMIT

- 4.1. The maximum speed limit is fifteen (15) miles per hour within a park.

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- 4.2. To drive any Commercial vehicle into any park except on business of the Board of Park Commissioners, DPW, Parks and Recreation Department unless a written permit from the Parks and Recreation Department, or to give driving instruction to any person in any type of vehicle in any park or to learn to drive any vehicle in any park, or to drive or propel any automobile, motorcycle, motor bicycle, bicycle, or other motor vehicles (*except on regular park roads*) or to repair cars in a park, or to park any car on any road except in areas designated for parking or to park any vehicle along any roadway or to park any unauthorized automobile after dark, or to clean/wax any vehicle. Such vehicles will be towed at the owner's expense.
- 4.3. To drive or propel any motorized vehicle in any park or playground except on regular roads. To drive any vehicle upon any sidewalk of any boundary road or public park or of any parkway under the control of the Board of Park Commissioners, except in accordance with a written event permit and staff supervision from DPW and/or Parks and Recreation Department. Only city, DPW, and Parks and Recreation Department vehicles are allowed access inside the park.
- 4.4. There shall be no parking in any public park or playground area between dusk and 8:00 am.
 - 4.4.1. Parking is permitted between the hours of dusk to 8:00 am if the person is attending a function authorized by the Board of Park Commissioners.
 - 4.4.2. No person shall wash, clean, polish, repair, or perform maintenance upon any vehicle in any public park or playground area.
- 4.5. Motorcycles are not allowed in parks or playgrounds except in designated streets and parking lots.
- 4.6. Minibikes, all-terrain vehicles (ATVs), and dirt bikes are not allowed in park or playground areas.
- 4.7. Snowmobiles are not allowed in or through any park or playground area, except in specifically designated areas by the Board of Park Commissioners.
- 4.8. All vehicles must be registered under the Massachusetts Registry of Motor Vehicles laws and permits.

ANIMAL/WILDLIFE/FISHING

- 5.1. No dog shall be allowed in any park except with the owner and when on a leash by cord or chain which cannot exceed six feet in length.
- 5.2. In no case shall a person be allowed to bring a dog owned or attended by them into any park waters.
 - 5.2.1. Only dogs specially trained to assist handicapped individuals are allowed in any park building.
- 5.3. Horses: No animal shall be ridden or driven through any public park or playground area without properly notifying the Board of Park Commissioners and the Police Department.
- 5.4. Fishing: No fishing is allowed in any body of water under the jurisdiction of the Board of Park Commissioners, except as outlined in Section 5.4.1.
 - 5.4.1. The Board of Park Commissioners allows fishing on designated days and in accordance with the Game Laws and Regulations.

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VENDORS

- 6.1. No food or beverage may be sold in public works or playgrounds except by an organization or a licensed vendor with a permit for approval by the Board of Park Commissioners.
- 6.2. All vending/concessions must abide by the vending/ concession rules, of the City of Fitchburg Ordinance Failure to follow all ordinances, rules, and regulations may result in fines and could have the vending/concession permit revoked.
- 6.3. All vending/concessions must have been approved by the standard city process and have an official vending/concession permit.
- 6.4. To sell or offer for sale any goods or ware, to do any advertising of any nature, to make a fire unless approved by the Parks and Recreation Department. To play a game or chance for money or other item in value, or to distribute or advertise Tobacco, alcohol, medication, drugs, or pornographic material.
- 6.5. Itinerant musicians, street performers, and buskers are not allowed without a permit from the Parks & Recreation.
 - 6.5.1. No person shall act or perform as an itinerant musician on any public street or private way in the city, or in any public park, or playground, without submitting a permit request and receiving the written permission of the Parks & Recreation Commission

OTHER

- 7.1. To erect a booth, tent, sleeping tent, sleeping bag, inflatable rides, stall, camper, motor home, or other structures or to sleep/camp or lodge in any park, or playground, without the written permit of the Board of Park Commissioners, DPW, Building Department, and Parks and Recreation Department, or to use a tent unless stake-less and/or without the written permission of the Board of Park Commissioners, DPW, Building Department and Parks and Recreation Department.
- 7.2. To place any snow or ice removed from private property upon any park property, sidewalk, grass area, roadway, parking areas or any boundary road of a public park or of any parkway under the control of the Board of Park Commissioners, DPW, Parks and Recreation Department.
- 7.3. To place any leaves or debris removed from private property upon any park property, sidewalk, grass area, roadway, parking areas, or any boundary road of a public park or of any parkway under the control of the Board of Park Commissioners, DPW, Parks and Recreation Department.
- 7.4. The Board of Park Commissioners and Parks and Recreation Department shall first approve any field, facility, or structure improvements desired to be made by any organizations permitted to use a public park.
- 7.5. In the event of inclement weather conditions on a given date, the Board of Park Commissioners, DPW, Parks and Recreation Department may rescind a permit and restrict the use of any field or park at their determination that such use will have a negative long-term effect on the facility.
- 7.6. All Parks & Recreation Commission agenda items must be submitted a minimum of 3 (three) business days before each meeting to recreation@fitchburgma.gov email.

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- 7.7. Waiver right: The Board of Park Commissioners, DPW, Parks and Recreation Department reserves the right to waive and/or limit these rules at any time if in the best interest of the City of Fitchburg.

THE FITCHBURG POLICE DEPARTMENT AND THEIR AGENTS ARE HEREBY AUTHORIZED TO ENFORCE ALL THE ABOVE RULES AND REGULATIONS.

Violators of the Parks Rules and Regulations will be subject to incurring the expenses associated with the violation in addition to fines of \$500 for 1st violation, up to \$2500 for additional violations, arrest, and/or prosecution

