

Chapter 261. PARKS AND RECREATION

[HISTORY: Adopted by the Board of County Commissioners (now County Council) of Cecil County 3-6-2012 by Ord. No. 2012-02 (Ch. 57, § 57-13, of the 1990 Code of Public Local Laws). Amendments noted where applicable.]

GENERAL REFERENCES

Animal care and control — See Ch. 142.

Cemeteries — See Ch. 165.

Curfew — See Ch. 180.

Peddling and soliciting — See Ch. 265.

Vehicles, traffic and transportation — See Ch. 359.

§ 261-1. Purpose; nondiscrimination.

The purpose of this chapter is to establish regulations providing for the public's safe and peaceful use of County parks and parkland; for recreational and educational benefit and enjoyment; and for the protection and preservation of the property, facilities and natural resources of the County. Parkland and recreation programs conducted on parkland are open for use by all members of the public regardless of race, religion, creed, color, sex, national origin or disability.

§ 261-2. Definitions.

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

DEPARTMENT

The Cecil County Department of Parks and Recreation.

DEPARTMENT OFFICIAL

An employee acting under the authority of the Director.

DIRECTOR

The Director of the Department of Parks and Recreation or the Director's authorized designee.

PARK PROPERTY

Real and personal property which Cecil County owns in fee simple or in which it holds a leasehold or easement interest and which is managed by the Department for the use and benefit of the public for recreation, the protection of wildlife habitats, or the protection of natural, scenic, or historical resources. Park property includes, without limitation, a County park, County pathway, open space property purchased by or dedicated to the County, vegetation, soil, water, wildlife, a building or structure and its contents, a sign improvement, fixture, equipment, monument, historic artifact, statue, vehicle, or a boundary survey marker monument.

STREAM BUFFER

All land within 110 feet of the bank of a stream which is located on the property.

STREAMS

Water flowing in a definite direction in a channel with a bed and banks and having a substantial degree of permanence, although flow may vary and in times of drought may cease for a period of time. A stream includes, without limitation, perennial or intermittent streams as well as drainage swales which are located on park property.

WETLANDS

Any land located on park property which has been determined by the Army Corps of Engineers or the Maryland Department of the Environment to be regulated or jurisdictional wetlands, or determined by the soil conservation district to be regulated wetlands using federal and state standards.

WETLANDS BUFFER

All land within 25 feet of wetlands which is located on park property.

§ 261-3. Applicability.

The provisions of this chapter shall apply in and upon all Department parklands and facilities within the County.

§ 261-4. Permits required.

- A. Permits for the exclusive use of any park facility may not be issued to any group or organization until after complete review by Department Director and/or designee.
- B. Application for a permit shall be made upon a form furnished by the Department and shall be accompanied by any fee required.
- C. No permit shall be issued to anyone under the age of 21 years.
- D. The holder of a group permit issued by the Department shall be financially responsible for the destruction of park property by any person covered by the permit and must remain on site for the duration of the rental.
- E. All permits shall be displayed upon request of Department personnel or law enforcement agencies with enforcement duties within the County.
- F. All insurance forms, if required, must be submitted with the facility user fee.

§ 261-5. Park rules and regulations.

- A. Destruction of park property. No person shall deface, alter, injure or disturb any monuments, boundary lines, physical structures, lands, installations, notices, signs or historical or prehistorical ruins.
- B. Fires. No person shall build or cause any fire, except within designated fire receptacles.
- C. Animals. No person shall:
 - (1) Pursue, catch, or kill any wildlife.
 - (2) Disturb any nest, den or burrow of any animal or fowl.
 - (3) Cause or permit any dog, cat or other domesticated animal to run at large (must be leashed in public parks and facilities) or to create a nuisance.
- D. Fishing. A valid Maryland fishing license is required to fish in park waters.
- E. Operation of watercraft. No person shall:

- (1) Operate any watercraft upon any park waters, except at such time or place as may be designated for such purpose by the Department.
 - (2) Operate any powered watercraft on any park waters without written permission of the Department.
 - (3) Operate any watercraft in any park waters in such a negligent manner so as to endanger life, limb or property.
- F. Operation of an aircraft. No person shall operate an aircraft, helium or hot air balloon, hang glider, ultralight aircraft, parachute, or any other person-operated aircraft on park property.
- G. Swimming. No person shall swim in any park waters or pools, except at such times and places as may be designated for such purpose.
- H. Camping. No person shall camp on park grounds, except by permit and in such areas as may be designated for such purpose by the Department.
- I. Operation of vehicles; parking. The Director may close roads within park property as necessary.
- (1) Pedestrian right-of-way. In all instances, a pedestrian shall have the right-of-way within park property.
 - (2) Speed limits. Unless a different speed limit is posted, the speed limit for a motor vehicle within park property is 15 miles per hour.
 - (3) Roadways open to motor vehicles. Except for a County maintenance vehicle, emergency vehicle, or police vehicle, a person shall operate a motor vehicle within park property only on a road or street with public access. A person shall not operate an all-terrain vehicle, go-kart, or any other manned off-road vehicle within park property.
 - (4) Vehicle repair. Except for an emergency repair, a person shall not repair or perform maintenance on a vehicle within park property.
 - (5) Parking regulations. A person shall not stop, stand, or park a motor vehicle on park property if the motor vehicle is located on or obstructing the entrance to an access road, on or obstructing the entrance to a bike path, walking path, or bridle path, on a pathway or road during those hours when park property is not open to the public, unless specifically directed by authorized Department personnel or police, on any grass area or unless specifically directed by authorized Department personnel or police, where the motor vehicle will injure any form of vegetation.
 - (6) Impoundment of vehicles. An illegally parked or abandoned motor vehicle may be towed from park property and impounded at the owner's expense, pursuant to Chapter **359**, Vehicles, Traffic and Transportation, Article II, of the Code of Cecil County.
- J. Regulation of recreational activities. The following recreational activities are restricted to designated areas of park property and may be subject to additional requirements.
- (1) Bicycling. A person shall operate a bicycle on park property in accordance with the following requirements:
 - (a) A person shall operate a bicycle on a road within park property.
 - (b) A person may operate a bicycle on a pathway or trail designated for bicycle riding.
 - (c) The maximum speed on a trail or pathway is 10 miles per hour.
 - (2) Picnicking. A person may picnic only in a designated area.
 - (3) Roller skating; in-line skating; or skateboarding. A person may roller skate, in-line skate, or skateboard on a pathway or sidewalk. A person shall not roller skate, in-line skate or

skateboard on a road, parking area, or multipurpose recreational surface, including, without limitation, a basketball court, tennis court, or racquetball court.

K. Regulation of conduct.

- (1) Depositing refuse generated off-site. A person shall not deposit refuse generated off-site onto park property.
- (2) Encroachments. Without first obtaining a permit, a private encroachment is prohibited on park property. An encroachment shall include, without limitation, a fence, wall, dog run, dog house, storage structure, driveway, compost pile, swimming pool, treehouse, playhouse, wood pile, garden, play equipment, television or radio reception device, or any other device, structure, refuse, or material.
- (3) Entrance and exit. A person shall enter and exit park property at an officially designated entrance and exit.
- (4) Indecent conduct. While on park property, a person shall not be nude or indecently expose himself/herself; engage in sexual acts; or urinate or defecate except in a designated facility.
- (5) Lost objects. A lost object found on park property shall be turned over to a Department official and may be recovered by showing proper photo identification. A lost object shall be held by the Department for a period of 30 days, after which time it will be turned over to the Police Department.

L. Parkland protection. Unless stated on a County-issued permit, no person or persons are permitted to mow, cut, trim, spray, fertilize, or disturb in any way County-owned property. It is further understood that no person shall throw, cast, lay, drop, deposit, leave, spill, pour, dump, discharge, dispose of, or otherwise place any matter, substance, thing, liquid, or solid onto or into any park, in any storm drain, sewer, or other device which drains onto park property, in waters within or which run into park property. This shall include the application of a herbicide, fertilizer, fungicide, insecticide, or other substance on park property.

M. Horses. Horses are not permitted in any County park.

N. Trespassing.

- (1) No person shall remain upon park property at any time between sunset of any day and sunrise of the following day except in parks with designated operating hours, in which case no person shall be permitted in parks beyond the posted hours of operation unless issued a permit to do so by the Department.
- (2) No person shall remain upon park property after a lawful command to remove by a law enforcement officer or by the Director of Parks and Recreation or his/her authorized representative.

O. Peddling and soliciting. No person shall peddle, solicit business of any nature whatever, collect any funds for any service or charity, distribute handbills or other advertising matter or post any signs on any parklands, waters or structures, unless authorized by the Department in writing. The sale or offer for sale, hire, or lease of merchandise, a vehicle aircraft, or watercraft is prohibited.

P. Interference with Department employees or agents. No person shall interfere with any employee or agent of the Department in the performance of any official duty.

Q. Use of loudspeakers, public-address, systems or amplifiers. No person shall use a loudspeaker, public-address system or amplifier within or upon Department property without a permit issued by the Department.

- R. Possession of firearms. No person shall have in his/her possession any firearm or weapon while upon park property. This subsection shall not apply to persons authorized by law to carry firearms in the discharge of their official duties.
- S. Fireworks. No fireworks are permitted in any County park at any time.
- T. Training of animals. No person shall train an animal except as provided by state law. (i.e., commercial gambling is not permitted).
- U. Grading. Conducting or causing the grading, removal, or disturbance of soil, rocks, or minerals on park property is not permitted.
- V. Herbicides or fertilizers. Applying a herbicide, fertilizer, fungicide, insecticide, or other substances or chemical is not permitted on park property.
- W. Signs. No person shall erect or post a sign or notice on park property, including, without limitation, an audio sign or notice such as a talking machine, recorder, or other audio/visual device.
- X. Littering. No person shall:
- (1) Discard, deposit, dump or allow to blow away refuse of any kind in or upon park property, except by placing such refuse in a container provided for such purpose.
 - (2) Dispose of any refuse on park property, whether disposed of in a receptacle or not, if such refuse is not a result of use within the park property.
- Y. Skating, coasting and sledding. No person shall:
- (1) Skate, sled, walk or go upon any ice, or ski, except at such a time and place as may be designated for such purpose by the Department.
 - (2) Coast with hand sleds, bobsleds, carts or other vehicles on wheels or runners, except at such time and place as may be designated for such use by the Department.
 - (3) Skate, sled or coast in such negligent manner as to endanger life, limb or property.
- Z. Public exhibitions and performances. No person shall exhibit any machine, show any animals or indulge in any exhibitions, nor shall any person carry on any performance which shall cause persons to congregate so as to interfere with the proper use of the park by the general public or to obstruct the passage of vehicles or persons, without first having obtained a permit from the Department.
- AA. Payment of fees. No person shall use any facility, land or area for which a fee or charge has been established by the Department without payment of such fee or charge.
- BB. Alcoholic and intoxicating substances. No person shall at any time possess, distribute or use alcoholic beverages, illegal drugs or narcotics in any County-operated park or facility.
- CC. Cecil County public boat ramps.
- (1) Permit required. All trailers using Cecil County public boat ramps must have a current sticker located on the trailer tongue, one foot from the hitch on the right side (passenger side).
 - (a) When purchasing a trailer permit, an applicant must provide a driver's license, trailer tag registration and vessel registration.
 - (b) Permits are \$20 and can be purchased Monday through Friday, 8:00 a.m. to 4:00 p.m., from the Cecil County Director of Finance's office, 200 Chesapeake Boulevard, Elkton, Maryland and/or other establishments authorized by the Cecil County government. Permit fees may be altered by resolution of the Cecil County Council.
 - (c) Permits are valid for a period of one calendar year.
 - (2) Use regulations.

- (a) Park in designated areas only.
- (b) No admittance between 10:00 p.m. and 5:00 a.m.
- (c) No camping, campers, or open fires.
- (d) Do not block ramps.
- (e) Do not dock in posted areas.
- (f) No sunken vessel shall remain for more than three days.
- (g) No person shall leave equipment or boats in the park for more than 48 hours.

§ 261-6. Enforcement; violations and penalties.

- A. Generally. Through the governing authority granted to the Cecil County Board of Parks and Recreation, the County elects to enforce said regulations through the following designees: Director, Superintendent, Recreation Coordinator, Department of Parks and Recreation and the Deputy Sheriff's Department of Cecil County. Citations may be issued for any and all violations. Violators of any regulations contained herein shall be fined \$50.
- B. Criminal penalties. A person who violates a provision of this chapter that is not already prohibited by state or federal law is guilty of a misdemeanor and, upon conviction, is subject to a fine not exceeding \$1,000 or imprisonment not exceeding 30 days, or both. A person who violates a provision of this chapter that is prohibited by state or federal law shall, upon conviction, be subject to the fine, imprisonment, or both, as provided by state or federal law.
- C. Civil penalties. Every act or omission which by these regulations is made a violation shall be subject to a civil fine not to exceed \$1,000 for each violation. The fine shall be paid by the offender to the Director of Finance of Cecil County within 20 calendar days upon receipt of the citation. Each day a violation continues constitutes a separate offense.
- D. In addition to the penalties prescribed by this section, the Director of Parks and Recreation shall have the authority to revoke or suspend any license, permit or use of any person violating any of the provisions of this chapter.
- E. Warnings may be issued at the discretion of the enforcing authority.