

Chapter 14

PARKS AND RECREATION*

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*Cross references—Planning, Ch. 15; shellfish, Ch. 17.

State law references—Authority to provide for entertainment, amusements, concerts, celebrations and cultural activities, G.S. § 7-148(c)(4)(C); authority to establish, etc., parks, playgrounds, etc., G.S. § 7-148(c)(6)(A)(i).

MADISON CODE

Article VI. Madison Salt Meadow Park

Sec. 14-110 Establishment of a permanent governance committee to oversee park management.

ARTICLE I. IN GENERAL

Sec. 14-1. Appointment of trustees of Walter H. Coe Park Fund.

The board of selectmen is authorized to appoint three (3) trustees of the Walter H. Coe Park Fund; one (1) trustee to serve for three (3) years, one (1) for two (2) years and one (1) for one (1) year, and the board shall appoint one (1) trustee each succeeding year to serve for three (3) years. (Ord. of 6-1-13)

Secs. 14-2—14-25. Reserved.

ARTICLE II. BEACH AND RECREATION COMMISSION*

DIVISION 1. GENERALLY

Sec. 14-26. Established; members.

There is hereby established a beach and recreation commission. The commission shall be elected by vote of the town meeting and shall consist of ten (10) persons who shall serve without pay. The term of office shall be for five (5) years or until successors are appointed and qualified, except that the members of the commission first elected shall be elected for such terms that the terms of two (2) members shall expire annually thereafter. Vacancies in the commission occurring by expiration of term or otherwise shall be filled by appointment by the board of selectmen for the unexpired term or new term as the case may be. (Ord. of 3-7-61, § I)

Sec. 14-27. Organization; adoption of by-laws, rules, regulations.

(a) Immediately after their election the members of the beach and recreation commission shall meet and organize by electing one (1) of their number chairman and such other officers as may be necessary.

*Cross reference—Boards, commissions and committees, § 2-76 et seq.

(b) The commission shall after public hearing have the power to adopt bylaws, rules and regulations and establish fees governing the public use of beach, park and playground facilities and the proper conduct of public recreation in the town. Such public hearings shall be duly warned by a notice printed in the legal section of The Shoreline Times at least three (3) days prior to each hearing, which notice shall state the time and place of the hearing and the substance of the proposed bylaws, rules and regulations. (Ord. of 3-7-61, § II)

Sec. 14-28. Function, powers.

The beach and recreation commission shall provide, maintain and supervise public parks, beaches, playgrounds, playfields, indoor recreation centers and other recreation areas and facilities owned or controlled by the town. It shall have the power to conduct any form of recreation or cultural activity that will employ the leisure time of the people in a constructive and wholesome manner. It may conduct such activities on properties under its own control, on public properties with the consent of the authorities thereof and on private properties with the consent of the owners. (Ord. of 3-7-61, § III)

Sec. 14-29. Employment of supervisor, other personnel.

The beach and recreation commission shall have the power to appoint and employ some person to act as supervisor who is trained and properly qualified for the work and such other personnel as the commission deems proper. (Ord. of 3-7-61, § IV)

Sec. 14-30. Operation of concessions.

The beach and recreation commission shall have the power to maintain, operate and lease concessions at the town beaches and at other properties under its control. (Ord. of 3-7-61, § V)

Sec. 14-31. Budget, funding.

Annually the beach and recreation commission shall submit a budget to the board of finance for

its approval and inclusion in the annual town budget. The commission may also solicit or receive gifts or bequests of money or other personal property or any donation to be applied, principal or income, for either temporary or permanent use for parks, beaches, playgrounds or other recreational purposes.

(Ord. of 3-7-61, § VI)

Sec. 14-32. Reports.

The beach and recreation commission shall make an annual report to the voters at the annual town meeting and such other reports to the board of selectmen as from time to time may be requested.

(Ord. of 3-7-61, § VII)

Sec. 14-33. Violation of bylaws, rules, regulations.

Any person who violates any of the bylaws, rules and regulations duly adopted by the beach and recreation commission pursuant to authority granted herein shall be guilty of a violation punishable as provided in section 1-11.

(Ord. of 3-7-61, § VIII)

Sec. 14-34. Scope of powers.

The powers granted in this article to the beach and recreation commission shall not be construed so as to encroach upon or supersede the powers and jurisdiction presently exercised by the board of education, but all ordinances and resolutions, or parts thereof, in conflict with the provisions and intent of this article are hereby repealed.

(Ord. of 3-7-61, § IX)

Secs. 14-35—14-50. Reserved.

DIVISION 2. RULES AND REGULATIONS

Sec. 14-51. Scope.

The regulations in this division concerning the use of public park and beach facilities within the town are hereby adopted, and any portion of any prior ordinance or regulation of the town pertain-

ing to the use of such properties which is inconsistent with the provisions of this division is hereby rescinded.

(Ord. of 6-19-78)

Sec. 14-52. Properties designated as public park and beach facilities.

The town properties known as East Wharf Beach, West Wharf Beach, Jaycee Field, Surf Club, Garvan Property, Bauer Park, Rockland Preserve and Madison Salt Meadow Park are designated as public park and beach facilities of the town subject to the general management and jurisdiction of the beach and recreation commission except as otherwise provided by Charter or ordinance.

(Ord. of 6-19-78, § 1; Ord. of 11-8-10)

Editor's note—"the as yet unnamed property of the former Griswold Airport" was changed to "Madison Salt Meadow Park" by direction of the town.

Sec. 14-53. Admission to facilities.

(a) The use of public park and beach facilities shall be open to all individuals seeking to enter any of the said facilities.

(b) The beach and recreation commission, hereinafter called the "commission," shall establish and maintain a pass system governing public access to the park and beach facilities. The pass system shall provide that both residents and nonresidents of the town shall be entitled to access to the park and beach facilities of the town upon payment of the fees established by the commission and approved by the board of selectmen. The commission shall have the authority to suspend pass privileges when, after a hearing, it finds that a pass holder has willfully violated any established regulations for public conduct. Passes shall be issued to those individuals paying the established fee and agreeing in writing to abide by the rules governing use of the beach and park facilities. The commission shall publish its rules and regulations concerning the public beach and park facilities and make copies available to all pass holders.

(c) In the interest of public safety, health and welfare, the director of beach and recreation, or his or her designee, may in their sole discretion

close admission to any or all of the public park and beach facilities. Unless otherwise posted by the commission, all public park and beach facilities shall be closed to the public between sunset and sunrise.

(Ord. of 6-19-78, § 1(A); Ord. of 4-22-02)

Sec. 14-54. Activities requiring permits.

The following listed activities may be conducted in public park and beach facilities by permit only. Permits shall be obtained at the recreation department office during regular business hours.

- (1) Meetings, exhibitions, parades, athletic contests and theatrical performances;
- (2) Picnics, outings or similar group gatherings involving more than fifty (50) persons;
- (3) Camping or the erection of any tent or shelter;
- (4) Fires will not be permitted except in grills at Surf Club and Garvan Point picnic areas;
- (5) The use and operation of mechanically powered model airplanes, rockets, boats and miniature vehicles;
- (6) The possession or use of any firearm, weapon, explosive or other dangerous device;
- (7) The landing or takeoff of any aircraft;
- (8) The sale of food, beverages or merchandise;
- (9) Alcoholic beverage consumption within beach and recreation buildings. The purpose of this subsection is to permit the consumption of alcoholic beverages within town buildings under the control and management of the beach and recreation commission by permit only.

(Ord. of 6-19-78, § 1 (B); Ord. of 7-16-84; Ord. of 3-7-88; Ord. of 11-8-10)

Sec. 14-55. Prohibited activities.

The following activities are prohibited at all public park and beach facilities within the town;

- (1) The consumption of alcoholic beverages except within the following designated area: the picnic area adjacent to the westerly side of the Surf Club building between the road and the seawall extending westerly to the east side of the boat racks between Memorial Day weekend and Labor Day weekend;
- (2) The removal of or damage to any plant life;
- (3) The hunting, killing or trapping of any animal;
- (4) The possession of or use of glass beverage containers;
- (5) Depositing refuse, garbage or other forms of litter other than in receptacles provided by the commission;
- (6) The use of threatening, abusive or insulting language;
- (7) Nudity or obscene conduct;
- (8) The throwing of stones or other objects not intrinsic to a sport; the throwing of any object upon or across beach areas;
- (9) The soliciting of alms, subscriptions or contributions for any purpose;
- (10) Interference with or obstruction of the passage of others upon sidewalks, pathways and roads;
- (11) The climbing of any wall, fence, building or other structure;
- (12) Diving from wharves, docks or vehicles;
- (13) Fishing except in areas designated by the commission;
- (14) Water skiing from or to beaches except in areas designated by the commission;
- (15) Dressing or undressing in vehicles or at any location on public park and beach property except in dressing rooms provided by the commission;

- (16) The use of inflatable toys, raft-type devices, small boats or similar flotation devices within the swimming areas along the public beaches;
- (17) The operation of motorized vehicles on any beach;
- (18) Golfing within the public beach and recreational areas and athletic fields.
- (19) Animals must be on a leash and are allowed only in the parking areas of Surf Club, East Wharf and West Wharf and on the nature trails of the Surf Club.

At no time shall animals be allowed on any athletic field, beach or in a picnic area.

Animals are allowed, on leash, through the year at Bauer Park, Rockland Preserve and portions of the Madison Salt Meadow Park.

- (20) Bicycles, skateboards or skates on decks, boardwalks, basketball and/or tennis courts.

(Ord. of 6-19-78, § 1 (C); Ord. of 3-7-88; Ord. of 11-8-10)

Editor's note—"as yet unnamed property of the former Griswold Airport" was changed to "Madison Salt Meadow Park" by direction of the town.

Sec. 14-56. Boating, boat storage.

(a) No water skiing is permitted from the town beaches or within one hundred (100) yards of town beaches.

(b) Boats of all kinds—power, sail and row-boats—are not allowed within one hundred (100) yards of town beaches, except in designated areas, and when in these designated areas speeds must not exceed six (6) miles per hour.

(c) The designated landing areas for boats will be the east sides of East and West Wharf Beaches and for nonpower boats only the area west of Garvan Point Rock (Surf Club beach area). No boats will be allowed to land, pick up or discharge passengers in the area of the Madison Surf Club Beach, east of Garvan Point Rock.

(d) Sailboats must lower their sails when on the beach.

(e) Mooring is not permitted on the wharves and docks belonging to the town. No tying up at East and West Wharf or docks is permitted except for the loading and unloading of passengers and cargo.

(f) No mooring stakes or posts are permitted on the beach at East Wharf. Mooring may be in open water with no stern lines to the beach.

(g) There will be a limit of twelve (12) posts on the cove side of West Wharf Beach to be used as stern mooring line posts. Boats using these moorings must have a town number properly displayed.

(h) The posts must be reasonably smooth, approximately four (4) feet in height above the mean high water mark and placed at the discretion of the commission. Mooring lines on the posts must be tied at ground level at all times. No mooring anchors of any type are permitted between the bow mooring posts and the beach.

(i) Permission for storage of boats at the town beaches must be obtained from the director of beaches and recreation. Racks and moorings must be rented from the recreation department annually. All boats must display a town boat number assigned by the police department. All boats stored at town beaches, including those used for ingress and egress to boats moored in open waters, must be kept in assigned rented storage space.

(j) Any police officer, the harbor master or the director of beaches and recreation may, upon discovery of any boat being moored or stored in violation of any of the above rules and regulations, take such boat into his custody and may cause the same to be taken to and stored in a suitable place at the boat owner's expense. The owner shall be notified of this action as soon as possible.

(k) All boats launched from town property must have a town number properly displayed for identification in case of an emergency.

(l) All boats must be removed from racks at Garvan Point, East Wharf and West Wharf by November 1. Boats on mooring posts must be removed by December 31.

(m) The commission is authorized to establish fees for the use of boat racks and mooring posts. (Ord. of 6-19-78, § 1(D); Ord. of 7-16-84)

Sec. 14-57. Parking regulations.

(a) No person shall park a motor vehicle upon the premises of any public park or beach facility unless such person possesses a valid beach pass or is otherwise eligible for admission to such property pursuant to the commission's regulations. Vehicles may be parked only in such areas as are designated by the commission.

(b) Any person who violates any of the duly promulgated regulations of the commission or any provisions of this section shall be guilty of an infraction punishable as provided in section 1-11. (Ord. of 6-19-78, § 1(E))

Sec. 14-58. Speed limit.

No person shall operate a motorized vehicle upon the premises of any public park and beach facility in excess of ten (10) miles per hour. (Ord. of 6-19-78, § 1(F))

Secs. 14-59—14-75. Reserved.

ARTICLE III. BRAEMORE PROPERTY

Sec. 14-76. Definition.

For purposes of this article, the term "Braemore Property" shall mean and include all of the real property within the boundaries of the parcel of land conveyed to the Town of Madison by a deed from Madison Hills Limited Partnership II, dated December 31, 1997, and recorded in Volume 775 at Page 72 of the Madison Land Records. Said parcel consists of approximately six hundred forty-seven (647) acres located in the northwest corner of the Town of Madison, Connecticut. (Ord. of 10-16-01)

Sec. 14-77. Prohibited acts.

It shall be unlawful and in violation of this chapter for any unauthorized person or persons to engage in the following prohibited activities within the boundaries of the Braemore Property:

- (1) Entering or remaining on the property after dark (one half (1/2) hour after sunset).
- (2) The operation of any motorized vehicle, including ATVs, motorcycles and snowmobiles.
- (3) The consumption or possession of alcoholic beverages or controlled substances.
- (4) The setting of any fires.
- (5) The hunting, trapping or killing of any animal.
- (6) The discharge of any firearm.

(7) Target shooting, whether by firearm or bow and arrow.

(8) The disposal of any waste material(s), refuse, garbage or dumping of any kind, including old vehicles, appliances and similar waste.

(9) The disposal of any other forms of litter other than in appropriately marked receptacles provided by the town.

(10) The cutting, injuring, defacing, removing or disturbing of any tree, shrub, plant, building, fence, bench or other structure or property. (Ord. of 10-16-01)

Sec. 14-78. Penalties for violations.

Violation of any of the foregoing rules and regulations shall be strictly enforced by the Town of Madison. Any unauthorized person who violates any of the foregoing rules and regulations shall be guilty of an infraction punishable as provided in section 1-11 of the Madison Code of Ordinances.

(Ord. of 10-16-01)

Secs. 14-79—14-85. Reserved.

ARTICLE IV. ROCKLAND PRESERVE

Sec. 14-86. Rockland Preserve.

(1) The name of the property formerly known as the Braemore Property be and hereby is changed to Rockland Preserve.

(2) The board of selectmen, shall appoint a permanent subcommittee to operate under the jurisdiction of the beach and recreation commission for the purposes of preserving, promoting, rehabilitating, developing and maintaining Rockland Preserve. The committee shall consist of five (5) members and two (2) alternates who shall serve without pay. The term of office shall be as follows: Initially, two (2) members shall be appointed to two-year terms; three (3) members shall be appointed to three-year terms; and two (2) alternates shall be appointed to two-year terms. All subsequent terms shall be for three (3) years. Vacancies occurring in the subcommittee by expi-

ration of term or otherwise shall be filled by appointment by the board of selectmen for the unexpired term or new term as the case may be.

(3) The subcommittee shall be guided in its work by the research and recommendations of the original Braemore Committee as contained in the report to the board of selectmen dated December 2001.

(4) The subcommittee is further charged to plan for the safe and appropriate uses of Rockland Preserve for a variety of recreational and educational activities for the benefit of the citizens of the town. Tasks shall include, but not be limited to, the following:

- (a) Ensure that the drinking water supply watershed of the regional water authority's greater watershed be protected and maintained;
- (b) Develop recreational, educational and interpretive programs for implementation and coordination by the recreation department staff;
- (c) Creation of a trail system, with at least one trail being fully accessible to the handicapped;
- (d) Assist the golf committee in the development of a golf course on the property known as Rockland Preserve;
- (e) Develop a maintenance and security program for implementation by appropriate town agencies that includes construction of one or more service roads for town emergency vehicles, vehicle entrance gates for appropriate town agencies and appropriate signage;
- (f) Develop a plan for implementation for removal of all illegally dumped materials by appropriate town agencies from the property;
- (g) Develop a plan for implementation by appropriate town agencies to restore areas damaged by off-road vehicles;
- (h) Develop a forestry and resource management program for implementation by appropriate town agencies, giving consideration to the recommendations of the forest

management and natural resource subcommittee of the Braemore Committee with special attention to the recommendations concerning Coan Pond.

(Ord. of 3-3-03)

Secs. 14-87—14-99. Reserved.

ARTICLE V. BAUER PARK

Sec. 14-100. Establishment of a permanent governance committee to oversee park management.

(1) The board of selectmen shall appoint a permanent committee to operate under the jurisdiction of the beach and recreation commission and under the supervision of the director of recreation for the purposes of preserving, promoting, rehabilitating, developing and maintaining Bauer Park. The committee shall consist of nine (9) members who shall serve without pay. The term of office shall be as follows: Initially five (5) members shall be appointed to two-year terms; and the remaining four (4) members shall be appointed for three-year terms. All subsequent terms shall be for three (3) years. Vacancies occurring in the committee by expiration of term or otherwise shall be filled by appointment by the board of selectmen for the unexpired term or new term as the case may be.

(2) The committee shall be guided in its work by the research and recommendations of the original Bauer Park Committee as contained in the restrictions of the deed of Erwin C. Bauer dated April 1990 and report to the board of selectmen dated September 1997, and adopted at a town meeting in April 1998 as well as the referendum passed in November 2002.

(3) The committee is further charged to plan and implement safe and appropriate uses of Bauer Park, a variety of agricultural, passive recreational, and educational activities for the benefit of the citizens of the town. Tasks shall include, but not be limited to, the following:

- (a) Develop and implement agricultural, passive recreational, and educational programs;

- (b) Create and maintain a trail system, with at least one trail being fully accessible to the handicapped;
 - (c) Develop a maintenance and security program for the implementation by the committee and appropriate town agencies;
 - (d) Develop a management program for implementation by the committee and the town agencies;
 - (e) Continue the management of the community garden, organic garden, annual harvest festival and other gardens at the park;
 - (f) Develop a long-range capital improvement program;
 - (g) Develop long-range funding sources and grants to assist in the financing of the park.
- (Ord. of 8-25-03; Ord. of 10-27-03)

Secs. 14-101—14-109. Reserved.

ARTICLE VI. MADISON SALT MEADOW PARK

Sec. 14-110 Establishment of a permanent governance committee to oversee park management.

(a) The board of selectmen shall appoint a permanent committee to operate under the jurisdiction of the beach and recreation commission and under the supervision of the director of recreation for the purposes of preserving, promoting, rehabilitating, developing, and maintaining Madison Salt Meadow Park. The committee shall consist of seven (7) members who shall serve without pay. The term of office shall be as follows: Initially three (3) members shall be appointed to two-year terms; and the remaining four (4) members shall be appointed for four-year terms. All subsequent terms shall be for four (4) years. All terms shall expire on December 31. Vacancies occurring in the committee by expiration of term or otherwise shall be filled by appointment by the Board of Selectmen for the unexpired term or new term as the case may be.

(b) The committee shall be guided in its work by the research and recommendations of the Madison Park Development Committee and by the regulations pertaining to the acreage under conservation easements. The committee shall be mindful to minimize the environmental impact on the easement areas and the adjacent waterways.

(c) The committee is further charged to plan and implement safe and appropriate uses of the park, including a variety of athletic and passive recreational activities for the benefit of the citizens of the town. The diversity of the park presents unique planning challenges. With that in mind the committee is encouraged to confer with commissions such as, but not limited to, conservation and shellfish in their deliberations, with a liaison to the committee appointed from both commissions. The actual scheduling of the athletic fields shall be under the jurisdiction of the beach and recreation commission. Tasks shall include, but not be limited to, the following:

- (1) Develop and implement passive recreational and educational programs;
- (2) Develop and maintain one (1) or more trails;
- (3) Develop a maintenance and security program for implementation by the appropriate town agencies, with the assistance of the committee;
- (4) Develop a management program for implementation by appropriate town agencies, with the assistance of the committee;
- (5) Develop a long-range capital improvement program, including phasing of installation and construction of program elements contained in the approved Master Plan;
- (6) Develop long-range funding sources and grants to assist in the financing of the park.

(Ord. of 8-25-14)

