

Village of Fishkill, NY  
Thursday, April 15, 2021

## Chapter 107. Parks and Recreation

[HISTORY: Adopted by the Board of Trustees of the Village of Fishkill as indicated in article histories. Amendments noted where applicable.]

### Article I. Rules and Regulations

[Adopted 1-11-1999 by L.L. No. 2-1999]

#### § 107-1. Definitions.

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

##### **PARK, PARKLANDS or PARKS**

Includes all parklands, playgrounds, athletic fields, swimming pools, beaches, canals, bays, lagoons or inlets, Village-owned lands and land under water owned by the Village of Fishkill, and other recreation areas under the jurisdiction of the Village Board of Trustees, and such other rights and appurtenances as the Village Board may utilize, whether the same be now or hereafter owned or acquired by the Village of Fishkill in fee or otherwise, including all land under and space above the surface of the ground.

#### § 107-2. Use restrictions.

[Amended 2-9-2004 by L.L. No. 1-2004]

Use of Village parklands shall be restricted as follows:

- A. Every Village resident entering the Village Park shall be prepared to identify himself or herself as a Village resident and present an identification of such.
- B. The Village Board shall from time to time determine, by resolution, which parklands shall be restricted to Village residents and which shall be open to the general public.
- C. No trucks or buses shall be admitted to any of the parklands except by special permission from the Village Board or appointed park attendant.
- D. A "resident" of the Village of Fishkill is a person who resides in the Village.
- E. A resident may have guests in his or her company.
- F. No pets of any kind shall be permitted on Village parklands.
- G. Hunting, trapping, archery, target shooting and golfing are prohibited activities on Village parklands.  
[Added 4-17-2012 by L.L. No. 5-2012]
- H. No motorized vehicles of any kind are permitted on Village parklands. This is with the exception that automobiles and small trucks are permitted to access the designated parking areas, via the

park access road.

[Added 4-17-2012 by L.L. No. 5-2012]

- I. No alcoholic beverages are permitted on Village parklands. This is with the exception of "special events," wherein the event's sponsor has obtained advanced approval and permits from the Board of Trustees.

[Added 4-17-2012 by L.L. No. 5-2012]

## § 107-3. Minors.

No person under 12 years of age shall be admitted to any parkland unless accompanied by an adult who shall assume full responsibility for his or her safety and conduct.

## § 107-4. Hours.

[Amended 2-9-2004 by L.L. No. 1-2004]

- A. Parklands shall be opened and closed at times designated by the Village Board as follows:

- (1) Parklands shall be open from 8:00 a.m. to 8:00 p.m. daily.

- (2) Parklands shall be closed from 8: 01 p.m. to 7:59 a.m. daily.

- B. These hours shall remain in effect unless otherwise posted. Opening and closing times shall be posted for the convenience of the public. No overnight parking, housing or camping shall be allowed except by a special permit from the Village Board.

## § 107-5. Permits.

A permit to do any act shall authorize the same insofar as it may be performed in strict accordance with the terms and conditions of said permit. Any violation by its holder of any terms or conditions shall constitute grounds for revocation by the Village Board or its authorized representative. Applications for all permits shall be made to the Village Clerk in the Village Hall or to such other person and at such other places and in such other manner as the Village Board shall direct.

## § 107-6. Payment of admittance fees.

No person shall make use of or gain admittance to or attempt to use or gain admittance to the facilities of any parkland for the use of which a charge is made by the Village Board unless that person shall pay the charge or fee as fixed by the Village Board.

## § 107-7. Loss, damage or theft.

The Village shall not be responsible for loss, damage or theft to cars and their contents, or to any other private property. Such loss, whether inside buildings or on the grounds of the parklands, shall be the patron's responsibility.

## § 107-8. Bathing.

No person shall bathe, wade, swim or use a rope or tire swing in or over any water of any parkland except at such times and places and in such proper attire as the Village Board may designate. Anyone

swimming, bathing or using a rope or tire swing in any waters of any park does so at his or her own risk.

## § 107-9. Boating.

- A. No person shall operate a boat, vessel or other watercraft or contrivance used or capable of being used as a means of transportation in water or air upon any of the waters within the Village of Fishkill or upon any of the waters in any lagoon, creek, bay, inlet or canal under the jurisdiction of the Village Board, which said operation causes discomfort or inconvenience to any person or patron by reason of speed, noise or causing the disturbance of the land under the waters.
- B. No boat, vessel or other craft or contrivance for the purpose of towing skis or any other form of aquatic sports or games shall be operated within 500 feet of the shoreline of any beach.

## § 107-10. Picnics and outings.

- A. The park attendant or person designated by the Village Board as being in charge of the parks shall designate the area to be occupied by patrons, and that person or her/his assistants shall regulate the use of recreational facilities, under the supervision of, the Village Board, so as to prevent congestion and shall distribute patrons of the park over the park area in order to ensure the maximum use of the park area, and in behalf of the comfort of said patrons, all organized picnics and outings shall first obtain a special permit from the park attendant or the Village Board.
- B. No person shall erect any structure, stand or platform; hold any meeting; perform any ceremony; make a speech or address; exhibit any performance or form any parade or procession in any park or parkland except by special permit from the Village Board.

## § 107-11. Fishing.

- A. Fishing is permitted in the Fishkill Creek under the rules and regulations of the New York State Department of Environmental Conservation.
- B. Fishing is prohibited in the vicinity of any bathing area in any park during the bathing season.

## § 107-12. Hunting.

- A. Hunting is prohibited in any Village park or parkland.
- B. The discharge of any firearm or bow and arrow in any Village park or parkland for any reason is prohibited.

## § 107-13. Fires.

No person shall kindle, build, maintain or use a fire within the confines of any park or parklands except in grills, both private and those provided for that purpose by the Village, from the location where placed by the Village to any other location within or without the park. No fuel may be used for any fire in any park or parkland except charcoal, sterno or bottled gas. No fire in any park or parkland shall be started, kindled or maintained by any person under the age of 21 years, and any person who starts or kindles any fire shall keep it under his or her continued care and direction and shall extinguish it. No fire which may be classified as a "bonfire" will be permitted without permission of the Village Board and Village Fire Department.

## § 107-14. Camping.

No person shall tent or camp or erect or maintain a tent, lean-to, shelter or camp in any park or parkland except by special permit of the Village Board.

## § 107-15. Refuse and garbage.

No person shall leave, throw, lay, drop or discharge into or on the park or parklands any tin cans, bottles, refuse, garbage, rubbish or waste. Papers, cartons or any other type of litter must be placed in receptacles for that purpose or brought home by the patron.

## § 107-16. Alcoholic beverages.

No person shall use or dispose of any beverage containing alcohol, including but not limited to beer, wine and liquor, in any park or parkland or drink and consume any beverages of an alcoholic nature unless special permission is granted by the Village Board. Special permission to use alcoholic beverages shall be granted by the Village Board only if the public safety and welfare will not thereby be adversely affected.

## § 107-17. Protection of property.

No person shall deface, injure, displace, remove, fill in, raise, destroy or tamper with any drive, path, walk, gate or fence; no person shall take up, remove or carry away trees, shrubs, turf or any material or substance; and no person shall remove or destroy any structure, building or any appurtenance connected with the park, parkland or any other property or equipment, real or personal, owned by the Village of Fishkill or under the jurisdiction and control of the Village Board.

## § 107-18. Traffic control; certain vehicles prohibited.

[Amended 2-9-2004 by L.L. No. 1-2004]

- A. All local laws of the Village of Fishkill regarding traffic and motor vehicles shall form or constitute a part of this chapter. However, such additional directions for traffic and motor vehicles as may be posted on signs shall be regarded as part of this chapter for traffic control. In parking areas, all persons shall comply with the directions of parking attendants. The speed limit through the park and park lands shall be 15 miles per hour.
- B. No person shall operate any unregistered motor vehicle within the limits of the parks and/or parklands. No person shall operate any ATV (all-terrain vehicle), motorbike or snowmobile on any property within the parks and parklands.

## § 107-19. Conduct of patrons.

Every person shall conduct himself or herself in an orderly manner and shall endeavor to cause no discomfort or inconvenience to any other person or patron.

## § 107-20. Penalties for offenses.

Any person who shall violate the provisions of this article or the rules and regulations adopted hereunder shall be guilty of a violation and shall, upon conviction, be liable to pay a fine to the Village not exceeding \$250 or imprisonment for a term not exceeding 15 days, or both such fine and imprisonment.