

Resolved: That Article I of the Code of Ordinances is hereby amended to add a new Section 2-10 as follows:

#### Section 2-10 Use of Town Properties

(a) Definitions. For the purposes of this ordinance, the word “Board” shall mean the Board of Selectmen of the Town of Westbrook; the words “beach,” “park,” “athletic field,” or “playground” shall mean those areas owned or controlled by the Town of Westbrook and designated as such from time to time by the Board of Selectmen.

(b) Board Authority. In addition to the powers otherwise set forth in this ordinance, the Board is hereby designated as the permitting authority for all activities requiring a permit pursuant to subsection (d) and subsection (f) of this ordinance on any beach, park, athletic field, or playground. The Board of Recreation shall be responsible for supervising the daily operation of such beaches, parks, athletic fields, or playgrounds, and shall be the sole arbiter of any dispute as to scheduling or other conflicts concerning the use of any of the said beaches, parks, athletic fields, or playgrounds.

(c) Horses, Other Livestock, Dogs and Other Pet Animals. In no event shall any horse, other livestock, dog (except as set forth herein) or other pet animal be permitted, either leashed or unleashed, walked or ridden, on any park, athletic field, playground or beach, except in such areas and at such times as may be designated by the Board.

Dogs shall be permitted on any beach between **October 1** and April 30, provided they shall be properly leashed or on proper restraint.

Notwithstanding the foregoing, a dog which accompanies a handicapped person as a service, therapy, assistance or guide dog, and is properly leashed or on proper restraint, shall be allowed on any **park, athletic field, playground or beach** at any time pursuant to Connecticut General Statutes Section 46a-64.

***The owner of any dog who leaves waste on any park, athletic field, playground or beach at any time shall clean up after said dog, and failure to do so shall be punishable by a fine in accordance with the provisions of subparagraph (f) of this ordinance.***

(d) Special Events. Special Events that are sponsored by a Westbrook organization or Westbrook resident or property owner may be allowed on a beach, park, playground or athletic field, but only upon a permit issued by the Board. Application for such a permit shall be made to the Board, in writing, at least thirty (30) days prior to the date of such event, although the Board may waive such time requirement for good cause shown. The Board may require the sponsoring organization, resident or property owner to provide a liability insurance certificate with the Town named as an additional insured, and to post a bond to insure against any damage to the location of the event. The Board may impose reasonable regulations as to any such use, including but not limited to the regulation of the hours of such event, requiring the use of police for traffic control, and requiring reimbursement for any costs incurred by the Town as a result of said Special Event.

(e) Other Activities. The following activities are strictly prohibited on any beach, park, athletic field, or playground: No fires, except in designated areas; no firearms; no target shooting, whether by firearm or bow and arrow; no golfing; no glass containers; no disorderly conduct, excessive noise, intoxication or obscene or indecent behavior; no disposal of litter except in designated containers; no motor vehicles, ATVs, motor bikes, or snow mobiles.

(f) Penalties. A violation of this Ordinance shall result in a notice of violation and a fine of twenty-five dollars (\$25) for the first offense, fifty dollars (\$50) for the second offense, and seventy five dollars (\$75) for the third and each subsequent offense. Any person who receives a notice of violation may appeal said notice to the Board of Selectmen, in writing, within ten (10) days of the date of said notice, and request a hearing on said violation(s). All such appeals shall be considered, and all hearings shall be conducted, in accordance with the provisions of Connecticut General Statutes Section 7-152c, which is hereby adopted for the establishment of an appeal and citation hearing process for considering all appeals under this Ordinance.