

DRAFT ORDINANCE REVISION

CHAPTER 54

RECREATION, OPEN SPACE, AND OTHER TOWN AREAS AND BUILDINGS OPEN TO THE PUBLIC

ARTICLE I. IN GENERAL

Secs. 54-1 -- 54-25. Reserved.

ARTICLE II. RECREATION AND OPEN SPACE AREAS

Sec. 54-26. Penalty for violation of article.

Any person violating the regulations of this article may be punished, upon conviction, in accordance with section 1-7.

Sec. 54-27. Authority for rules regarding maintenance and general operation.

The Recreation Commission and the Open Space and Land Preservation Commission are authorized to make rules and regulations, subject to the approval of the council, concerning the hours of operation, maintenance and general operation and use of their respective areas as specified in Sec. 54-28.

Sec. 54-28. Designated areas and responsible commissions.

(1) Recreation Commission

Fort Barton School recreation area

Pocasset School recreation area

Bayview recreation area

Bulgarmarsh recreation area

Florence Street recreation area

South Field

Town Farm recreation area

Fogland Beach Recreation Area (Town owned land on south and west side of Three Rod Highway)

Grinnell's Beach

(2) Open Space and Land Preservation Commission

Fort Barton and the Sin and Flesh Brook Natural Area

Highland Woods (managed with Fort Barton in cooperation with the Tiverton Land Trust.)

Weetamoo Woods

High Hill Point Beach Access (gifted Chaves lot)

Fogland Beach Conservation Area (town owned land on north and east side of Three Rod Highway of parcel 803-102 (see Civil Engineering Concepts recorded survey plan of November, 2010)

Pocasset Ridge Conservation Area (owned and managed cooperatively with the Tiverton Land Trust and The Nature Conservancy of Rhode Island.)

(3) Any future property acquired by the town to be reserved for public use as open space or recreation shall be managed by the applicable commission.

Sec. 54-29. Posting of rules and regulations.

Posting of rules and regulations shall be done by the commission responsible for the respective facility or area.

Sec. 54-30. General rules applicable to all recreation and open space areas.

- (1) No person is permitted in areas when closed.
- (2) All areas are closed from sunset to sunrise, except for a) those actively fishing on Fogland and Grinnell's Beaches, and b) areas lighted for nighttime use, which shall be closed when the lights are extinguished, not to exceed 10:00 p.m.
- (3) No glass containers or bottles.
- (4) No possession or consumption of alcoholic beverages.
- (5) No motorized vehicles are allowed, except in areas designated for access or parking.
- (6) No littering or trash disposal. Where provided, trash receptacles will be used only for refuse generated on the premises.
- (7) No overnight camping. No open fires, except by special permit of the Town Council, subject to a recommendation from the Fire Chief.
- (8) No removal of, nor disturbance to vegetation, soil, stones, signage, structural improvements, or any object or material that is intrinsic to the sites, including historic or archeological artifacts unless authorized by the responsible commission.

- (9) In accordance with town ordinance Sec 10, Article II, where dogs are permitted, they shall be kept on a physical leash and under restraint at all times. (See Sec. 54-31/32 below for permitted areas.)
- (10) Exceptions to items 1, 2, 5, and 8 of this section are authorized for town officials or employees in conjunction with the care or security of these areas.

Sec. 54-31. Additional rules for open space areas.

- (1) No hunting or trapping is allowed except by special permit by Rhode Island Department of Environmental Management (RIDEM), subject to concurrence of the Open Space Commission. Bow hunting of deer is permitted only in the Pocasset Ridge Conservation Area, as regulated by the RIDEM.
- (2) Horseback and bicycle riding on official marked trails are permitted only in Weetamoo Woods.
- (3) Smoking is not permitted.
- (4) Dogs are NOT permitted in the Pocasset Ridge Conservation Area. Dogs on physical leashes are permitted only in off-beach season (Columbus Day to April 30) at the Fogland Beach Conservation Area. Dogs on physical leashes are permitted on marked trails of other Town open space areas.
- (5) No motorized vehicles are allowed in open space areas outside of the trailhead parking lots, with the exception of vehicles used for emergency access and official stewardship activities.
- (6) No firearms, metal detectors, paint ball guns, off-trail geocaching, competitive field games, or any activity that would disturb the quiet enjoyment of others are permitted.
- (7) Public use of the Fogland Beach Conservation Area shall be restricted to activities that will not damage the salt marsh ecosystem or beach dunes. Passage is limited to established pathways, i.e. no "trailblazing." Normal beach activities (sunbathing, swimming, fishing, shell fishing, picnicking, kayaking, canoeing) are allowed along the shoreline, outside of the vegetated salt marsh and beach dune areas.

Sec. 54-32. Additional rules for recreation areas.

- (1) All recreation areas.
 - (a) No pets or domesticated animals are allowed at any recreation area, except as permitted on beaches as described below.

- (b) No golfing.
- (c) No motorized vehicles of any sort.

(2) Fogland Beach and Grinnell Beach:

- (a) Fishing shall be permitted at any time in areas specified by signs posted on site.
- (b) Bathing shall be allowed up to one hour after sunset in areas specified by signs posted on site.
- (c) Vehicles used in connection with fishing must park in designated parking areas.
- (d) Animals are permitted only from Columbus Day to April 30, and must be on physical leashes.
- (e) During beach season lifeguards on duty may order off the beach any person in violation of the posted beach rules, and may notify the Tiverton Police to enforce the order if necessary.

Sec. 54-33. Special use or group activities in Recreation or Open Space areas.

Any request for use by a group, association, non-town organization, of a building, facility, recreation or open space area, for activities that are not addressed in these regulations shall be in writing to the responsible Commission. The Commission response shall also be in writing, copy to the Town Administrator. If deemed necessary, the Commission may refer the request to the Town Administrator for possible referral to the Town Council.

ARTICLE III USE OF OTHER TOWN AREAS OR FACILITIES

Sec. 54-34. Use of other town properties or facilities.

With exception of schools and libraries, the respective Department Heads shall adopt rules and regulations concerning hours of operation, maintenance and the general administration for all other town owned areas and public buildings.

Sec. 54-35. Sale and serving of alcoholic beverages.

The sale of alcoholic beverages is prohibited at all town owned facilities and areas, unless a Class F liquor license has been issued. The serving of alcoholic beverages at town facilities or on town property for ceremonial purposes, or in conjunction with town-approved events shall be at the discretion of the Town Administrator.