



REGULATIONS FOR PARKS AND RECREATIONAL FACILITIES

Chapter 179, Wicomico County Code

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PURPOSE, AUTHORITY, AND ENFORCEMENT

The Wicomico County Council, upon the recommendation of the Wicomico County Recreation Commission, deems it advisable to establish certain rules and regulations concerning the use of County parks, recreational facilities, and areas and to establish penalties for violating the provisions of this bill. Chapter 179 of the Wicomico County Code, entitled “Parks, Recreational Facilities and Areas” is hereby enacted to read as follows:

Section 179-1 Definitions

As used in this text, the following terms shall have the meanings indicated.

Department – Wicomico County Department of Recreation, Parks and Tourism

Park – Any land or water devoted to park or recreational uses and owned, operated, or established by Wicomico County, Maryland, including but not limited to all parks, playgrounds, recreational areas, facilities, buildings, grounds and water operated or administered by the Department of Recreation, Parks and Tourism for recreational purposes.

Vehicle – Any motor vehicle, moped, mini-bike, trail bike, all-terrain vehicle, snowmobile, or bicycle as well as other cycles.

Section 179-2 Applicability

The provisions of this chapter shall apply in and upon all parks within Wicomico County.

Section 179-3 Regulations

The following regulations shall apply to all parks.

- A. **Hours of Operation** – No unauthorized person or vehicle may enter or remain on any park or portion thereof from sunset to sunrise. Any park or portion thereof may be closed by the Director, to public entry and travel during periods of construction or maintenance; when deemed necessary due to road conditions, park operations, or fire hazards; or for the protection of park property or the environment or the health, safety and welfare of the public. The closing shall be by order of the Director, and restricted areas shall be posted against public entry.
- B. **Use** – Park property and recreation and park programs are open to use by all members of the public regardless of race, sex, national origin, or creed. Permits shall be displayed upon request of Department personnel or law enforcement agencies with enforcement duties within the County.

- C. **Charges** - No person may make use of or gain admittance to facilities in any park, or portion thereof, for the use of which a charge is made by the Department unless he or she shall have paid the fixed charges or price.
- D. **Interference with Department Employees** - No person shall interfere with any employee or agent of the Department while the employee or agent is acting in the course of his or her official duties.
- E. **Advertising** – A person may not erect or post any sign, notice, or literature in a park nor use any loud speaker or public address system without first obtaining a permit from the Department.
- F. **Aeronautical Activities** – Powered model airplanes or rockets may not be flown over or launched from any park except on areas designated for such purposes, or by permit. Airplanes, helium hot air balloons, hang gliders, parachutes, ultra light planes, or any other person-operated aircraft shall not be flown or launched from park property except from areas designated for such purposes or by permit.
- G. **Alcohol Sales** – The sale of alcoholic beverages is prohibited on park property unless a special permit is first obtained as set forth in Section 179-11(A) and all applicable state laws are complied with.
- H. **Animals** – Owners of animals shall comply with the provisions of the animal control law. Riding of horses, ponies, or other animals is prohibited except in those areas designated for such purposes by the Department. The grazing of any animal is prohibited except by permit.
- I. **Automobiles** – A person may not wash, repair, or perform other work on any automobile on park property except in the case of an emergency. Waxing an automobile is permitted.
- J. **Camping** – No person shall camp on park property except by permit and in such areas as may be designated for such purposes by the Department.
- K. **Commercial Activities** – Peddling, soliciting, or conducting of any business, trade, or occupation, including the taking of photographs and motion pictures for commercial use is prohibited except by permit from the Department.
- L. **Firearms** – No persons, other than a law enforcement officer, shall carry, possess or discharge a firearm on park property except in those areas designated for such purpose.
- M. **Fires** – No person shall build or cause to be built any fire except within established barbecue grills provided by the Department at picnic areas. No person shall leave any fire, unless such fire is attended by a responsible person, and all such fires shall be thoroughly extinguished prior to leaving the site.

- N. **Fishing** – Fishing is permitted only in designated areas and in compliance with State law and posted rules.
- O. **Flora and Fauna** – Unless authorized by law, a person may not catch, molest, or kill any wildlife or disturb any nest, burrow, or den of any animal or fowl. A person may not injure, remove, or destroy any flora without permission of the Department. Planting of vegetation and/or digging into the surface of park property is prohibited except by permit.
- P. **Gambling** – Gambling, gaming, wheels of fortune, or other games of chance are prohibited unless a special permit is first obtained as set forth in Section 179-11(A) and all applicable State laws are to be complied with.
- Q. **Golf** – Golf practice is prohibited on park property.
- R. **Hunting** – Hunting and trapping is prohibited on park property except by permit for scientific and animal control purposes.
- S. **Littering** – No person shall (i) 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; (ii) 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.
- T. **Obstructions** – No person shall congregate or assemble in or about any comfort station or other public structure on park property in such a manner as to hinder or obstruct the proper use thereof. Enclosure of any area or erection of any structure on park property is prohibited unless a permit is first obtained from the Department.
- U. **Private Instruction** – A person may not utilize park property or any portion thereof for conducting private instruction or lessons where a fee is charged, unless a permit is first obtained from the Department.
- V. **Trees** – No person may cut or saw any live or dead tree or part thereof with any type of equipment, power or otherwise, on park property or remove any live or dead trees from park property except by permit.

- W. **Swimming** – Swimming and water sports are prohibited except at such times and places as may be designated for such purposes. Persons utilizing authorized areas shall comply with rules and regulations posted by the Department.
- X. **Traffic** - (1) the operation of all motorized vehicles on park property shall be in compliance with all applicable laws and regulations. (2) Instruction from a Department employee or police officer, by gesture or otherwise, to reduce the speed of a vehicle, to bring it to a stop, to alter its direction, or to remove it from a restricted area shall immediately be obeyed by the operator or owner of the vehicle. (3) No person shall operate any motorized vehicle in excess of twenty-five (25) miles per hour, unless otherwise posted or directed. (4) No person shall operate any motorized vehicle on park property other than on a road or street to which public access has not been prohibited. (5) Buses, trucks, and commercial vehicles with commercial marking or tools of trade, with the exception of taxi cabs and tool trucks on service calls to disabled vehicles, shall not be operated on park property unless a permit has first been obtained from the Department. (6) No person shall operate a vehicle in such a manner as to block or partially block any bicycle, hiker, bridle path, or access road.
- Y. **Watercraft** – No person shall operate any watercraft upon any County or park waters nor launch watercraft from County or park property except at such time and place as may be designated for such purposes by the Department and in compliance with any regulations promulgated by the Department and posted near watercraft launch sites.

Section 179-4 Destruction of Park Property

No person shall deface, alter, injure, destroy, misuse, or remove any monuments, boundary lines, physical structures, lands, installation, notices, signs, historical materials or artifacts or any other County property.

Section 179-5 Restrictions on Use and Activities

The Director is authorized to limit or restrict any park or section thereof to certain activities, uses, or age groups and to prohibit activities and uses of any park or section thereof, or to impose additional rules and regulations when deemed necessary for the health, safety, and welfare of the public or for the protection of park property. Such limits, restrictions, regulations or prohibitions shall be by order of the Director and posted in the affected areas.

Section 179-6 Use by Permit

Any person or persons holding a permit for the use of an athletic field are entitled to the exclusive use of such area on the dates and between the hours specified in the permit.

Provided, however, that in the event the grounds are wet or otherwise unsuitable to play without damage to the field, the permit shall be deemed revoked.

Section 179-7 Pemberton Historical Park

The use of metal detectors and/or digging into the surface of park property is strictly prohibited at Pemberton Historical Park.

Section 179-8 Paths and Trails

Those paths and trails designated by the Department as foot paths, nature trails or bicycle trails may be used only by pedestrians and non-motorized vehicles. Horses, horse-drawn vehicles, and motor vehicles shall be prohibited.

Section 179-9 Bridle Paths and Trails

Those paths and trails designated by the Department as bridle paths or horse trails may be used only by pedestrians, horses, or horse-drawn vehicles. All other vehicles, whether motorized or non-motorized, shall be prohibited.

Section 179-10 Trespassing

No person shall remain upon park property after a lawful command to remove by any law enforcement officer or by the Director of the Department or his authorized representative.

Section 179-11 Permits

- A. Permits or written permission required under the provisions of this Chapter for the conduct of any activity or for the use of any park facility or portion thereof, except alcohol or gambling special permits, may be issued to any individual, group, or organization at the discretion of the Department. Requests for special permits for alcohol or gambling shall be forwarded to the Wicomico County Recreation Commission for review and comment. The request, with the recommendation of the Recreation Commission, shall then be forwarded to the County Council of Wicomico County for final action.
- B. Application for a permit shall be made upon a form furnished by the Department and shall be accompanied by any fee established by the Department and approved by the Wicomico County Council in Executive Session.
- C. Permits will be issued for a single-time use, seasonally, or on a definite time basis for regional parks, athletic fields, recreation centers, or County-owned community buildings.

- D. Permits will be issued upon a determination by the Director or his designee that the facilities or activity areas requested are available and appropriate for the purpose specified in the permit and that the proposed use or activity is consistent with the size, location, and available amenities or the relevant park property and with the public health, safety, and welfare.
- E. False or misleading statements in the application or prior violations of this Chapter or the terms or provisions of any prior permit shall be grounds for denial of a permit.
- F. 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.

Section 179-12 Harbor Facilities

- A. Bivalve and Nanticoke harbors and each and every harbor facility now or hereafter maintained by Wicomico County shall be under the immediate direction of the Director of the Department of Recreation, Parks and Tourism.
- B. The unauthorized use of boat slips by any person, firm, or corporation is prohibited. Any vessel occupying such slip shall be subject to removal without notice at the owner's expense. In the event of removal, all costs incurred in the removal, storage, and preservation of the vessel shall be the liability of the owner of the vessel.
- C. The County Council of Wicomico County shall have the authority and power, in Executive Session, from time to time, to make rules and regulations for the use of said harbor facilities for the protection of the public health, safety, and welfare.

Section 179-13 Violations and Penalties

Any person who violates any provision of this Chapter or any rule, regulation, directive, restriction, or permit issued pursuant thereto shall be guilty of a civil infraction and shall be subject to a fine of not less than twenty-five (\$25.00) nor more than one thousand dollars (\$1,000.00). A schedule of fines for violations has been established by resolution of the County Council of Wicomico County. Each day the violation continues shall constitute a separate violation.

Section 179-14 Authority to Issue Citations

The Sheriff and any Deputy sheriff of the Wicomico County Sheriff's Department, any person appointed by the Governor of the State of Maryland as a special police officer with respect to the property described in said commission, and any person designated by resolution of the Wicomico County Council as having authority to enforce the provisions of this chapter shall have authority to issue citations for civil infractions of this Chapter.

**WICOMICO COUNTY RECREATION, PARKS & TOURISM
SCHEDULE OF FINES**

Section	Sub-section	Subject	Fine
179.3	a	Hours	\$ 50.00
179.3	c	Avoiding charges (i.e. Special Events)	\$ 50.00
179.3	d	Interfere w/ employees	\$ 50.00
179.3	e	Unauthorized Advertising	\$ 50.00
179.3	f	Aeronautical	\$ 50.00
179.3	h	Animals	\$ 50.00
179.3	i	Automobiles	\$ 50.00
179.3	j	Camping	\$ 50.00
179.3	k	Commercial Activities	\$ 50.00
179.3	m	Fires	\$ 50.00
179.3	r	Golf	\$ 50.00
179.3	s	Littering (minor)	\$ 50.00
179.3	t	Obstructions/building	\$ 50.00
179.3	u	Lessons for a fee	\$ 50.00
179.3	w	Swimming	\$ 50.00
179.3	x	Traffic & Parking	\$ 50.00
179.3	y	Watercraft	\$ 50.00
			\$ 100.00
179.3	l	Firearms, including bow & arrow	\$ 100.00
179.3	o	Flora and Fauna	\$ 100.00
179.3	v	Trees	\$ 100.00
179.3	s	Littering (gross)	\$ 100.00
179.3	p	Gambling	\$ 50.00
179.3	q	Hunting	\$ 100.00
179.3	g	Alcohol sales	\$ 500.00 max*
179.4		Destruction	\$ 100.00
179.7		Metal Detectors @ PHP	\$ 100.00
179.8		Path/Trails non motorized designated use	\$ 50.00
179.9		Paths/Horse Trails	\$ 50.00
179.10		Trespassing	\$ 50.00
179.11		Permits	as posted
179.12B		Unauthorized Boat Slip use	\$ 100.00
Chapter 156		Any unlawful disposal of litter, garbage, Refuse or rubbish	\$ 100.00 plus the cost of clean up

*as set by Article 2B of the Maryland Annotated Code

New fines approved by County Council May, 2008