



ORDINANCE

Amending Article VII – Recreation

Sections 3-48 through 3-50 of the Code of Ordinances

The Hillsborough Board of Commissioners ordains:

Section 1. Chapter 3, Article VII, of the Hillsborough Code of Ordinances is amended as follows:

Section 3-48. Town park and greenway trail hours of operation; remaining after closing.

- (a) Unless otherwise authorized by the town manager, or the manager's designee, all town parks are closed from 30 minutes past sunset until 7 a.m. Use of a park outside of these operating hours must be authorized by the Town of Hillsborough through an approved special event permit.
- (b) Unless otherwise authorized by the town manager, or the manager's designee, all town greenway trails are closed from 30 minutes past sunset until sunrise. Use of a greenway outside of these operating hours must be authorized by the Town of Hillsborough through an approved special event permit.
- (c) It shall be unlawful to remain upon the park or greenway grounds during the time the facility is closed.

Section 3-49. Rules and regulations for town parks and greenways.

The rules and regulations for town parks and greenways are as follows:

- (1) All persons in any park or greenway shall obey all posted regulations, signs and directions.
- (2) No person shall willfully mark, deface, disfigure, injure, tamper with, displace, dig, or remove any structure, equipment, facility, vegetation or any other real or personal property that is located within the park or greenway and belonging to the town unless authorized by the Town of Hillsborough. This includes but is not limited to the removal of any artifacts, plants, flowers, or foliage from town parks or greenways.
- (3) No person shall park, drive or ride motorized vehicles in town parks or greenways, except in designated roadways and parking areas unless authorized by the Town of Hillsborough. Parking areas at town parks are restricted to park users and patrons.
- (4) No person shall dump, deposit, leave or place trash, balloons, confetti, ashes, broken glass or other waste within any park or greenway except in designated waste or recycling receptacles provided for the purpose. No person shall dispose of household garbage or rubbish within any town park or greenway. All pet waste shall be picked up and disposed of in pet waste receptacles or removed from the site.
- (5) No person shall camp or stay overnight in any town park or greenway.
- (6) No person shall carry, possess or use any firearm or other dangerous weapon within any town park. This section shall not apply to law enforcement or other government personnel acting within the scope of their employment.

- (7) No person shall use, consume or possess any alcoholic beverages, beer or wine within any town park or greenway unless authorized by the Town of Hillsborough through a special event permit. No person shall use, consume or possess any narcotic drug or hallucinogen or any other controlled substance within any town park or greenway without a valid physician's prescription for the substance.
- (8) No person shall engage, either verbally or physically, in any loud, disruptive or offensive conduct, or engage in any activity or sport in a manner which threatens the safety or welfare of other patrons of the town park or greenway, or which unreasonably impairs the public's opportunity to use and enjoy the park.
- (9) No person shall ride or bring livestock or other animals, with the exception of leashed domesticated pets, to a town park or greenway. Unleashed dogs are prohibited outside of designated dog parks. Pets must be supervised at all times.
- (10) No person shall access or use any body of water in or adjacent to a town park or greenway where there is not properly permitted public access to the body of water.
- (11) Advertising, commercial or income generating activity is prohibited in town parks and greenways unless authorized by the Town of Hillsborough through a special event permit. This includes but is not limited to fitness classes, personal instruction, and selling of goods or services.
- (12) The following activities are prohibited in town parks and greenways:
 - (a) Balloon releases
 - (b) Bounce house or inflatables
 - (c) Climbing walls
 - (d) Fire, fire pits, fireworks
 - (e) Game trailers
 - (f) Golf
 - (g) Petting zoos, circuses, carnivals
 - (h) Waterslides, water balloons, pools, and other water toys
 - (i) High voltage electrical items. Outlets in picnic shelters are limited to 200 amps or lower. Electricity is not provided in all shelters.
 - (j) Paints, spray paints, and permanent markings on fields, buildings, equipment, walkways, and trails.
 - (k) The use of cleated shoes on playing fields.

Section 3-50. Reservation of facilities within town parks.

- (a) The town may allow the reservation of certain facilities within town parks for private use for limited periods when such use does not conflict with enjoyment of the park by the general public or other town policies.
- (b) A person seeking to reserve a town park facility must submit a reservation permit application a minimum of 14 days in advance of the reservation date. The reservation request must be approved by town staff in advance of the reservation date for the reservation to be effective. Fees associated with the reservation are non-refundable and are due on the date specified by town staff after the reservation request is reviewed. Cancellations made 7 days prior to the reservation date may be issued a credit toward a future reservation of the facility, to be used within one calendar year. Reservation cancellations made within 7 days of the reservation date are not eligible for credit.
- (c) The reservation shall be on a form provided by town staff and require sufficient information to identify the person requesting the permit, emergency contact information, the facility to be reserved, the proposed use and duration of use, and proof of liability insurance if deemed necessary by the town.
- (d) The public space manager or their designee is authorized to approve park facility reservation permits.
- (e) The reservation permit-issuing staff may issue a reservation permit when they find that the proposed activity or use of the park:
 - (1) Will not unreasonably interfere or detract from the general public enjoyment of the park;
 - (2) Will not unreasonably interfere with or detract from the promotion of public health, welfare, safety and recreation;
 - (3) Is not reasonably anticipated to incite violence, crime or disorderly conduct;
 - (4) Will not entail unusual, extraordinary or burdensome expense or police operation by the town;
 - (5) Has not been reserved for other use at the day and hour required in the application.
- (f) Not to limit the generality of paragraph (e), the following activities are prohibited and may not be permitted as part of a park reservation but can be considered and approved during the review of a special event permit:
 - (1) Archery;
 - (2) Sound amplifying equipment including but not limited to PA systems and stereos;
 - (3) Temporary chalk markings associated with sports and games on playing fields.
- (g) Events that meet a threshold specified in section 7-18 shall seek a special event permit rather than a park reservation permit. The standard reservation fees apply for special events, unless sponsored by the Town of Hillsborough. The following regulations apply to all special events in town parks:

- (1) Events at town parks are limited to a total number of 75 persons excluding Town of Hillsborough hosted events.
- (2) Events at town parks must comply with Section 5 of the Code of Ordinances: Noise.
- (3) Event sponsors and hosts are responsible for the collection and disposal of all trash and waste that is not located within a provided trash bin or receptacle. No trash may be left on site or placed outside of the provided waste receptacles.
- (h) Town parks and greenways may not be reserved for exclusive, non-public use unless approved by the Hillsborough Board of Commissioners through a special event permit.

Section 2. All provisions of any town ordinance in conflict with this ordinance are repealed.

Section 3. This ordinance shall become effective upon adoption.

The foregoing ordinance having been submitted to a vote, received the following vote and was duly adopted this 13th day of May in the year 2024.

Ayes:

Noes:

Absent or excused:

Sarah E. Kimrey, Town Clerk