

# **TOWN OF BURNS HARBOR, INDIANA**

## **TOWN CODE**

## CHAPTER 11

### TOWN OF BURNS HARBOR, INDIANA PARK & RECREATION

#### ARTICLE I. DEPARTMENT OF PARKS AND PARK BOARD

##### Sec. 11-1. DEPARTMENT OF PARKS AND PARK BOARD ESTABLISHED.

Under the provisions of Indiana Code 36-10-3 there is hereby created a Department of Parks and Recreation for the Town of Burns Harbor, Indiana. (*Ordinance 149, 7/26/1995*)

The Department of Parks and Recreation for the Town of Burns Harbor, Indiana, shall be governed by a Park and Recreation Board composed of four members appointed by the executive on the basis of their interest in and knowledge of parks and recreation. No more than two members of the Board shall be of the same political party.

Upon establishment of the Board, the terms initially appointed shall be:

1. One member for a term of one year;
2. One member for a term of two years;
3. One member for a term of three years; and
4. One member for a term of four years.

As a term expires, each new appointment shall be made by the Town Council President for a term of four years. All terms expire on the first Monday in January, but a member shall continue in office until his successor is appointed. If an appointment for a new term is not made by the first Monday in April, the incumbent shall serve another term. If a vacancy occurs, the Town Council President shall appoint a new member for the remainder of the unexpired term.

At its first regular meeting in each year, the Board shall elect a President and Vice President. The Vice President shall have authority to act as the President of the Board during the absence or disability of the President. The Board may select a Secretary from within or without its own membership.

The Board shall have the power to perform all acts necessary to acquire and develop sites and facilities and to conduct such programs as are generally understood to be park and recreation functions. In addition, the Board shall have all the powers listed in I.C. 36-10-3 et seq.

The Board shall prepare and submit an annual budget in the same manner as other departments of Town government as prescribed by the State Board of Accounts. The Board may accept gifts, donations, and subsidies for park and recreation purposes.

All other ordinances, resolutions, or parts thereof in conflict with the provisions and intent of this ordinance are hereby repealed.

This ordinance shall be in full force and effect from and after its passage and approval according to the laws of the State of Indiana. (*Ordinance 149, 7/26/1995*)

## **ARTICLE II. USE REGULATIONS**

### **Sec. 11-2. PARKS TO BE CLEANED UP.**

Each person, firm or corporation using the public parks and grounds shall clean up all debris, extinguish all fires when such fires are permitted, and leave the premises in good order, and the facilities in a neat and sanitary condition.

### **Sec. 11-3. PROHIBITIONS.**

It shall be unlawful for any person, firm, or corporation using such parks to either perform or permit to be performed any of the following acts:

- A. Willfully mark, deface, disfigure, injure, tamper with, or displace or remove any building, bridges, tables, benches, fireplaces, railings, paving material, water lines or other public utilities or parts or appurtenances thereof, signs, notices, or placards, whether temporary or permanent, monuments, stakes, posts or other boundary markers or other structures or equipment, facilities or park property or appurtenances whatsoever, either real or personal.
- B. Throw, discharge, or otherwise place or cause to be placed in the waters of any fountain, pond, lake, stream, bay or other body of water in or adjacent to any park or any tributary, stream, storm sewer or drain flowing in such waters, any substance, matter or thing, liquid or solid, which will or may result in the pollution of said water.

- C. Bring in or dump, or deposit or leave any bottles, broken glass, ashes, paper, boxes, cans, dirt, rubbish, wastes, garbage or refuse, or other trash. No such refuse or trash shall be placed in any waters in or contiguous to any park, or left anywhere on ground thereof, but shall be placed in the proper receptacles where these are provided; where receptacles are not so provided, all such rubbish or waste shall be carried away from the park by the person responsible for its presence, and properly disposed of elsewhere.
- D. Disturb the peace, or use any profane, obscene or blasphemous language.
- E. Endanger the safety of any person by any conduct or act.
- F. Commit any assault, battery or engage in fighting.
- G. Carry, possess, or drink any alcoholic liquor in any park unless in designated area.
- H. Violate any rule for the use of the parks, made or approved by the Park and Recreation Committee of the Town of Burns Harbor.
- I. Prevent any person from using any park, or any of its facilities.
- J. Swim, bath, or wade in any waters or waterways in the park, except in such waters or waterways and at such places as are provided therefore, and in compliance with such regulations as are herein set forth or may hereafter be adopted by the Town Council of the Town of Burns Harbor or the Park and Recreation Committee of the Town of Burns Harbor.
- K. Conduct which violates the common decency or morality of the community or activities inappropriate for the location.
- L. Launching of private boats (motorized or otherwise) or rafts.
- M. Drinking of alcoholic beverages.
- N. Using inflatable toys or rafts on the lake.

**Sec. 11-4. HOURS PARKS OPEN.**

The Park and Recreation Committee of the Town of Burns Harbor shall establish days and hours during such days that parks, or any of them, shall be open to the public and it shall be unlawful for any person, or persons, other than Town of Burns Harbor personnel conducting Town business therein, to occupy or be present in said

parks, or any of them, during any hours in which the park or parks are not open to the public.

Any section, or part of any park, or any park may be declared closed to the public by the Park Director and/or Chairman at any time and for any interval of time, either temporarily or at regular or stated intervals.

**Sec. 11-5. PERMIT REQUIRED.**

Whenever any group, association or organization desires to use park facilities for a particular purpose, such as picnics, parties, etc., a representative of said group, association or organization shall first obtain a permit from the Park Director and/or Chairman for such purposes. The Park and Recreation Committee may adopt an application form to be used by the Park Director and/or Chairman for such situations.

The Park Director and/or Chairman shall grant the application if appears that the group, association or organization will not interfere with the general use of the park by the individual members of the public and if said group, association or organization meets all of the conditions contained in the application. The application may contain a requirement for an indemnity bond to protect the Town from any liability of any kind or character and to protect Town property from damage and to insure clean-up of said park after use by said group, association or organization.

**Sec. 11-6. PICNICS IN DESIGNATED PLACES.**

No person in a park shall picnic or lunch in a place other than those designated for that purpose. Park attendants shall have the authority to regulate the activities in such areas when necessary to prevent congestion and to secure the maximum use for the comfort, safety and convenience of all. Visitors shall comply with any directions given to achieve this.

No person in a park shall use any portion of the picnic areas or any of the buildings or structures therein for the purpose of holding picnics to the exclusion of other persons, nor shall any person use such area and facilities for an unreasonable time if the facilities are crowded unless they have secured necessary prior permission from the Park Committee.

**Sec. 11-7. FURTHER PROHIBITIONS.**

It shall be unlawful to engage in special activities including model airplanes, golf practice, ice skating, games and picnics except at locations specifically designated for

such activities by the Park Director and/or Chairman. Areas for such activities may be reserved by the groups for use at specified times.

It shall be unlawful to drive or park any automobile or motor vehicle except on a street, driveway or parking lot in any park; or to park or leave any such vehicle in any place other than one established for public parking, unless so designated.

It shall be unlawful to bring any dangerous animal into any park and it shall be unlawful to permit any dog to be in any park unless such dog is on a leash not more than 6 feet long and in no event shall equines be allowed to be brought into or harbored in any of the parks of the Town of Burns Harbor.

It shall be unlawful for any person other than employees and officials of the Park and Recreation Committee to vend, sell, peddle or offer for sale any commodity or article within the park, unless permission for sales have been granted by the Park Committee.

**Sec. 11-8. SIGNS PROHIBITED.**

It shall be unlawful for anyone to paste, glue, tack or otherwise post any sign, placard, advertisement or inscription whatsoever, nor shall any person erect or cause to be erected any sign whatsoever on any public lands or highways or roads adjacent to the park. Provided, that these provisions shall not apply to any properly authorized government official in pursuit of this official duties.

**Sec. 11-9. ENFORCEMENT AUTHORITY**

The Park Director and/or Chairman and his duly authorized agents are herewith granted authority to enforce the provisions of this Ordinance and the Police Department and the members thereof of the Town of Burns Harbor are herewith specifically directed and authorized to enforce the provisions of this Ordinance.

**Sec. 11-10. LAKELAND PARK.**

The following applies to Lakeland Park:

- A. Lakeland Park is open between the hours of 9:00 a.m. and dusk.
- B. Lakeland Park life saving equipment is not for public use.
- C. Only official vehicles are allowed off of paved roads and on the grass in Lakeland Park.

**Sec. 11-11. FISHING REGULATIONS.**

The following regulations for fishing in said park shall be in full force and effect, to-wit:

Indiana Fishing Regulations shall apply with the following exceptions:

It is illegal:

To use or possess a trout line, set line, throw line, drop line, or jug fishing apparatus;

To fish with more than one pole or one hook at one time;

To leave fishing lines unattended;

To spear, snag, or shoot any fish; and to possess more than one day's limit;

To fish with or possess minnows in Lakeland Park.

The Park Board is hereby authorized to determine the fishing season at Harbor Lake. (Ordinance 133, 9/25/1991)

LIMITS:

Kind of Fish	Daily Limit	Size Limit
Panfish (Bluegill, green sunfish, red-ear, perch, rock bass, etc.	25 Singly or in aggregate	None
Bass (large-mouth or small-mouth	3 Singly or in aggregate	14"
Walleye	2	14"
Northern Pike	2	24"
Catfish	5	14"
Bullhead	None	None
Trout	2	10"
Frogs	Taken by Hand Only	

No ice fishing is allowed.

No fishing is allowed in designated areas:

- a. Swimming beach area.
- b. Fish feeding area on the Northwest corner of the lake.

**Sec. 11-12. HUNTING REGULATIONS.**

- A. It is illegal to hunt, trap or take by any means any fur bearing animal or any bird within the boundary of a park owned or operated within the Town of Burns Harbor, Indiana.
- B. It is illegal within the boundary of a park owned or operated within the Town of Burns Harbor, Indiana, to possess any of the following equipment:

Firearms, air rifles, bow and arrow, traps, explosives, snares, spears, and any other device made or manufactured for the purpose of taking birds or fur bearing animals.

**Sec. 11-13. EXCEPTIONS.**

This ordinance shall not be construed so as to prevent any organized activity sanctioned by the Park Board of the Town of Burns Harbor, Indiana, involving the use of such equipment as described above for other than hunting, trapping or the taking of fur bearing animals or birds.