

## NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN THAT the Board of Trustees of the Inc. Village of East Hampton will hold a public hearing on the 31st day of July, 2023, at 11:00 a.m. at LTV Studios, 75 Industrial Road, Wainscott, NY, at which time all interested persons will be heard with respect to a "Local Law amending the Code of the Village of East Hampton, Chapter 208 (Parks and Recreation, Article I, Herrick Park, 71 Newtown Lane, TM# 4.-5-4.1".

### **INTRODUCTORY NO.10-2023 LOCAL LAW NO. \_\_\_\_ - 2023**

A Local Law amending Local Law amending the Code of the Village of East Hampton, Chapter 208 (Parks and Recreation, Article I, Herrick Park, 71 Newtown Lane, TM# 4.-5-4.1.

BE IT ENACTED by the Board of Trustees of the Village of East Hampton as follows:

SECTION I. Legislative Purpose and Intent. The Village of East Hampton recognizes the importance of Herrick Park as the center of the Village community offering both space and opportunity for recreational and athletic endeavors, repose and relaxation, cultural enrichment, and the enjoyment of nature. The Village of East Hampton further recognizes a need to update and amend the provisions of the Village Code defining and regulating the use of Herrick Park commensurate with its evolution as a cultural and recreational hub including the expansion of the Park and its facilities and recreational offerings. The Village Board of Trustees accordingly expands the definition of Herrick Park and its facilities and amends the regulations for use of Herrick Park.

SECTION II. Chapter 208 of the code of the Village of East Hampton is hereby amended as follows (bold and underlined material is to be added; struck-thru material is to be deleted):

#### **§ 208-1. Definitions.**

As used in this chapter, the following words shall have the meanings indicated:

FACILITIES OF HERRICK PARK — The tennis courts, the two softball fields and the football/soccer/ rugby field, **other athletic or playing fields or courts, playgrounds, walkways, recreation areas, restrooms** and any other part or portion of Herrick Park.

~~GROUP — Any two or more individuals assembled together to use one or more of the facilities of Herrick Park; or any firm, corporation, partnership or other entity, two or more of whose members or guests shall assemble together to use the facilities of Herrick Park.~~

HERRICK PARK — All that real property, **and the Facilities and equipment thereon,** conveyed to the Village of East Hampton by the Neighborhood Association by deed dated August 11, 1976 **together with all that additional real property, and equipment and improvements thereon, thereafter conveyed to or managed by the Village including but not limited to those parcels known as: 21 Muchmore Lane (SCTM #301-2-2-35), 25 Muchmore Lane (SCTM #301-2-2-36), 8 Muchmore Lane (SCTM #301-4-5-3), 14 Pleasant Lane (SCTM #301-2-2-27.1), and 16 Pleasant Lane (SCTM #301-2-2-27.2); collectively known as "Herrick Park."**

~~LICENSING AUTHORITY — The Village Board of the Incorporated Village of East Hampton or its duly designated authority.~~

**~~§ 208-2. Permit required.~~**

~~No group shall use or employ any of the facilities of Herrick Park without obtaining a permit therefor from the Licensing Authority as herein provided.~~

**~~§ 208-3. Exceptions to permit requirements.~~**

~~No license shall be required under this chapter in the following instances:~~

- ~~A.—A group using the swings, slides and other apparatus located in the park for the use of children.~~
- ~~B.—East Hampton School District classes during regular school hours.~~

**~~§ 208-4. Application for permit.~~**

~~Applicants for permits shall file a written application therefor with the Licensing Authority. Applications shall set forth the following information:~~

- ~~A.—The name and address of the applicant.~~
- ~~B.—If the applicant is a corporation, the names and residence addresses of the officers thereof; and if the applicant is a firm, partnership or other entity, the name and residence address of the person applying on behalf thereof.~~
- ~~C.—The proposed times and dates of the use of the facility of Herrick Park and the type of use.~~

**~~§ 208-5. Issuance of permit.~~**

~~After the filing of an application for a permit, the Licensing Authority shall examine the application and make such investigation as it deems necessary or advisable. Upon completion of the same, the licensing authority shall issue a permit unless it finds that the proposed use will conflict with the proposed use of a group to which a permit was previously issued or when it finds that the proposed use of Herrick Park is incompatible with the use of Herrick Park as a public park or playground, or unless the group has therefore violated the conditions of a permit or the rules and regulations governing the use of Herrick Park.~~

**§ 208-6. Regulations for use of park.**

Herrick Park is intended for the enjoyment and use of the entire East Hampton community. The following rules have been adopted to ensure the safety and welfare of all. Compliance and cooperation will be appreciated.

- A. There shall be no:
  - (1) Gambling.
  - (2) Golfing.
  - (3) Archery.
  - (4) Camping.
  - (5) Flying of model aircraft.

- (6) Fires or open burning of any kind.
- (7) Motor vehicles.
- (8) Bicycle riding.
- (9) Walking of pets.
- (10) Sleeping or loitering from 11:00 p.m. to 7:00 a.m.
- (11) Possession and/or consumption of alcoholic beverages.
- (12) Digging as a result of the use of metal detecting devices.<sup>1</sup>
- ~~(13) Rollerblading on tennis courts.<sup>1</sup>~~

**B. Tennis Courts. The Tennis Courts at Herrick Park shall be open for use from 9a.m. to 9p.m. The following rules shall apply to Tennis Court use:**

- (1) Proper footwear is required at all times.
- (2) No group or private lessons are permitted.
- (3) No pickleball is permitted to be played on the Tennis Courts.
- (4) No smoking is permitted.
- (5) No rollerblading, roller skating, bicycling, or skateboarding is permitted on the Tennis Courts.
- (6) Play is limited to one hour if others are waiting for use of the Tennis Courts.
- (7) No pets are permitted on the Tennis Courts.
- (8) No food, glass or alcoholic beverages are permitted on the Tennis Courts

**§208-7. Hours of Operation; Additional rules for use.**

- A. Hours of Operation. Herrick Park shall be open to the public from 7a.m. to 11:00p.m. No person may enter or remain in Herrick Park when it is closed. In addition, to the aforementioned hours, Herrick Park shall be open to persons participating in activities sponsored, approved or permitted by the Licensing Authority during the period such activities are being conducted.
  
- B. Rules of use. The Board of Trustees may adopt and post additional regulations regarding the use of Herrick Park or any part thereof or any of the Facilities of Herrick Park, which regulations must be obeyed by every person using Herrick Park or Herrick Park Facilities.

**§ 208-78. Penalties for offenses.**

Any person, group, organization, corporation, association or other entity who violates any provision of this chapter shall, upon conviction thereof, be punished by a fine not to exceed \$250 or by imprisonment for a term not to exceed 15 days, or both.

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<sup>1</sup> Editor's Note: Former Subsection B, Permits required, which immediately followed this subsection, was repealed 6-18-2021 by L.L. No. 16-2021.

SECTION III. SEVERABILITY.

If any section or subsection, paragraph, clause, phrase or provision of this law shall be adjudged invalid or held unconstitutional by any court of competent jurisdiction, any judgment made thereby shall not affect the validity of this law as a whole or any part thereof other than the part or provision so adjudged to be invalid or unconstitutional.

SECTION IV. EFFECTIVE DATE.

This local law shall take effect upon filing with the Secretary of State pursuant to the Municipal Home Rule Law.

Dated: July 14, 2023

By Order of the  
BOARD OF TRUSTEES  
Inc. Village of East Hampton  
PAMELA J. BENNETT  
Village Clerk