

Article #2
~~Amendment #~~

Municipal Parks Ordinance

Ballot Language: The following language would appear on the ballot:

Article X

The Town hereby ordains to establish a Municipal Parks Ordinance.

Statement of Fact: The purpose of this Ordinance is to clearly establish a public process for defining, designating, regulating, and management of Municipal Parks in Town.

Recommendations:

Recommended by the Board of Selectmen:

Amendment: Adopt a new Municipal Parks Ordinance, as follows:

Municipal Parks Ordinance

SECTION 1: PURPOSE AND INTENT

The purpose of this ordinance is to define and classify Municipal Parks; establish a public process for designating Town-owned properties as Municipal Parks; determine the specific authority to manage and regulate Municipal Parks; and ensure compliance with deed and other legal requirements as may be specified for a particular Municipal Park.

SECTION 2: AUTHORITY

This Ordinance is adopted pursuant to the Town's Home Rule Authority granted under Article VIII-A of the Maine Constitution and Title 30-A M.R.S. §3001.

SECTION 3: DEFINITIONS

Municipal Park – Any designated Town-owned land to be set aside or used for public purposes for active recreation, passive recreation, education, culture, open space, wildlife habitat or protection of natural beauty. Municipal parks may be undeveloped or developed and may include facilities and amenities such as public restrooms, benches, multi-use courts, ballfields, trails, conservation areas, boat launches, amphitheaters, communications or other such amenities or structures utilized to enhance the municipal park experience or other Town goals.

SECTION 4: CLASSIFICATION OF MUNICIPAL PARKS

Municipal parks have clear and distinct attributes (size, site characteristics, service area etc.) that make them unique. To better ensure public understanding of the different types of Municipal Parks in Town, and by utilizing a framework developed by the National Recreation and Parks Association (albeit slightly modified by the York Parks and Recreation Board), the following park category types shall be used for Municipal Park classification.

4.1 Traffic Islands and Pocket Parks

- A. Purpose: These small spaces exist to provide visual relief to the landscape and to enhance the general appeal of the space. They are usually found at road intersections and are not typically visited by those seeking recreational opportunities. These are generally garden-type spaces, notable for their natural beauty.
- B. Responsible Party for Oversight and Maintenance: They are typically maintained by the Town or by local volunteer groups.
- C. Service Area: Community-wide
- D. Size: Approximately < 1 Acre

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- E. Site Characteristics and Facilities: This type of Municipal Park is meant to be seen but not necessarily visited and are generally an area that is insufficient for congregating or engaging in active recreation. There might be limited space for bench(es) and planters as may be allowed.

4.2 Neighborhood Parks

- A. Purpose: These local open spaces are mainly used by those who live near the area. There may be paths and benches as well as space for picnicking. They also might contain limited and appropriately scaled recreational facilities.
- B. Responsible Party for Oversight and Maintenance: They are typically maintained by the Town or by local volunteer groups.
- C. Service Area: Approximately 1 Mile Radius
- D. Size: Approximately 1-5 Acres
- E. Site Characteristics and Facilities: Serve the surrounding neighborhoods with open space and may contain limited equipment, gardens, and picnic tables.

4.3 Community Parks

- A. Purpose: These are parks well known across the entire Town. They exist primarily to provide recreational spaces for York residents and may include areas suited for intense and active recreation with facilities including athletic fields, playgrounds, and space for large numbers of people to congregate.
- B. Responsible Party for Oversight and Maintenance: They are typically maintained by the Town.
- C. Service Area: Approximately >5 miles radius
- D. Size: Approximately 5-50 Acres
- E. Site Characteristics and Facilities: Easily accessible to neighborhoods throughout Town. Active recreation is encouraged in these parks and may contain public facilities to service the park.

4.4 Regional Parks

- A. Purpose: These are large recreational spaces intended to attract and provide opportunities for recreation, including hunting and trapping, to everyone drawn to them. Contiguous with or encompassing abundant natural resources, trails and viewpoints are expected. May have municipal staff employed to preserve, maintain, and manage the site.
- B. Responsible Party for Oversight and Maintenance: They are typically maintained by national, state, municipalities, or other regional cooperatives.
- C. Service Area: Several Communities
- D. Size: Approximately >50 Acres
- E. Site Characteristics and Facilities: Large areas where a variety of activities can be conducted at the same time. Building facilities may include restrooms, education amenities and equipment storage as may be allowed. These parks may also include areas for picnics or other leisure and educational activities.

4.5 Wildlife Refuges

- A. Purpose: These areas are designated to safeguard wildlife populations through habitat preservation.
- B. Responsible Party for Oversight and Maintenance: They are typically maintained by national, state, municipalities, or other regional cooperatives.
- C. Service Area: No Applicable Standards
- D. Size: Variable depending on use
- E. Site Characteristics and Facilities: Variable

4.6 Special Use Area

- A. Purpose: In addition to the above categories of public spaces/parks, there are other spaces offering unique and specialized recreational opportunities. Each is different and yet each has shared appeal to visitors and residents alike.
- B. Responsible Party for Oversight and Maintenance: Typically, the Town, other organizations, or groups.
- C. Service Area: No Applicable Standards
- D. Size: Variable depending on use
- E. Site Characteristics and Facilities: Area for specialized or single purpose recreation activities such as oceanside viewpoints, fishing, scuba diving, etc.

SECTION 5: PROCESS FOR MUNICIPAL PARK DESIGNATION

Municipal Parks shall be designated through a public process. The Board of Selectmen shall hold at least one public hearing on a proposal to designate a Town-owned property as a Municipal Park. The Board of Selectmen shall consider public as well as York Parks and Recreation Board testimony. The Board of Selectmen, after one public hearing, may forward a proposal to designate a Town-Owned property as a Municipal Park to a Town Vote for Municipal Park designation approval. Municipal Park designation shall only occur by York Voter approval.

SECTION 6: DESIGNATED MUNICIPAL PARKS

The following table includes a list of Town of York voter approved Municipal Parks. See also map entitled, Designated Municipal Parks, with a revision date of 6/17/2021, which shall be incorporated into this Ordinance by reference. In the event of a conflict between the Municipal Parks listed herein and the referenced Designated Municipal Parks map, the text within this Ordinance shall supersede.

TOWN OF YORK DESIGNATED MUNICIPAL PARKS			
<u>Park Name</u>	<u>Classification</u>	<u>Map and Lot</u>	<u>Address</u>
Flower Garden at Intersection of Route 1 and York Street	Traffic Island and Pocket Park	N/A	N/A
Bog Road Fields	Community Park	0090-0084-X & 0090-0084-A	40 & 50 Bog Road
Goodrich Park	Community Park	0067-0005	220 US Route 1
Gilman Moulton Park	Neighborhood Park	0057-0046	393 York Street
Mount Agamenticus	Regional Park	0095-0008	21 Mt. A Road
Wheeler Wildlife Refuge	Wildlife Refuge	0063-0007	9 Harris Island Road
Long Sands Beach Bathhouse Area	Special Use Area	0033-0152-A	178 Long Beach Avenue
York Beach Ball Field	Community Park	0027-0011	18 Railroad Avenue

SECTION 7: AUTHORITY TO REGULATE MUNICIPAL PARKS

7.1 Minimum Requirements.

Except for Sohler Park, which is subject to a voter-approved Ordinance, the Board of Selectmen is hereby authorized to enact regulations for each Municipal Park designation after Town of York voter approval per Section 5 of this ordinance. In general, all Municipal Parks shall be managed by the York Parks and Recreation Department unless otherwise specified. It is expected that each Municipal Park will have its own unique set of uses and regulations. However, at a minimum, such regulations shall include the following:

- A. Define the decision-making process and authority to regulate a particular Municipal Park so it will be clear who makes decisions on Municipal Park programs, policies, and development; and
- B. Identify and be consistent with all deed restrictions or other legal requirements that “go with the land” where the Municipal Park is designated.

7.2 Process for Enacting, Amending, or repealing Municipal Park Regulations.

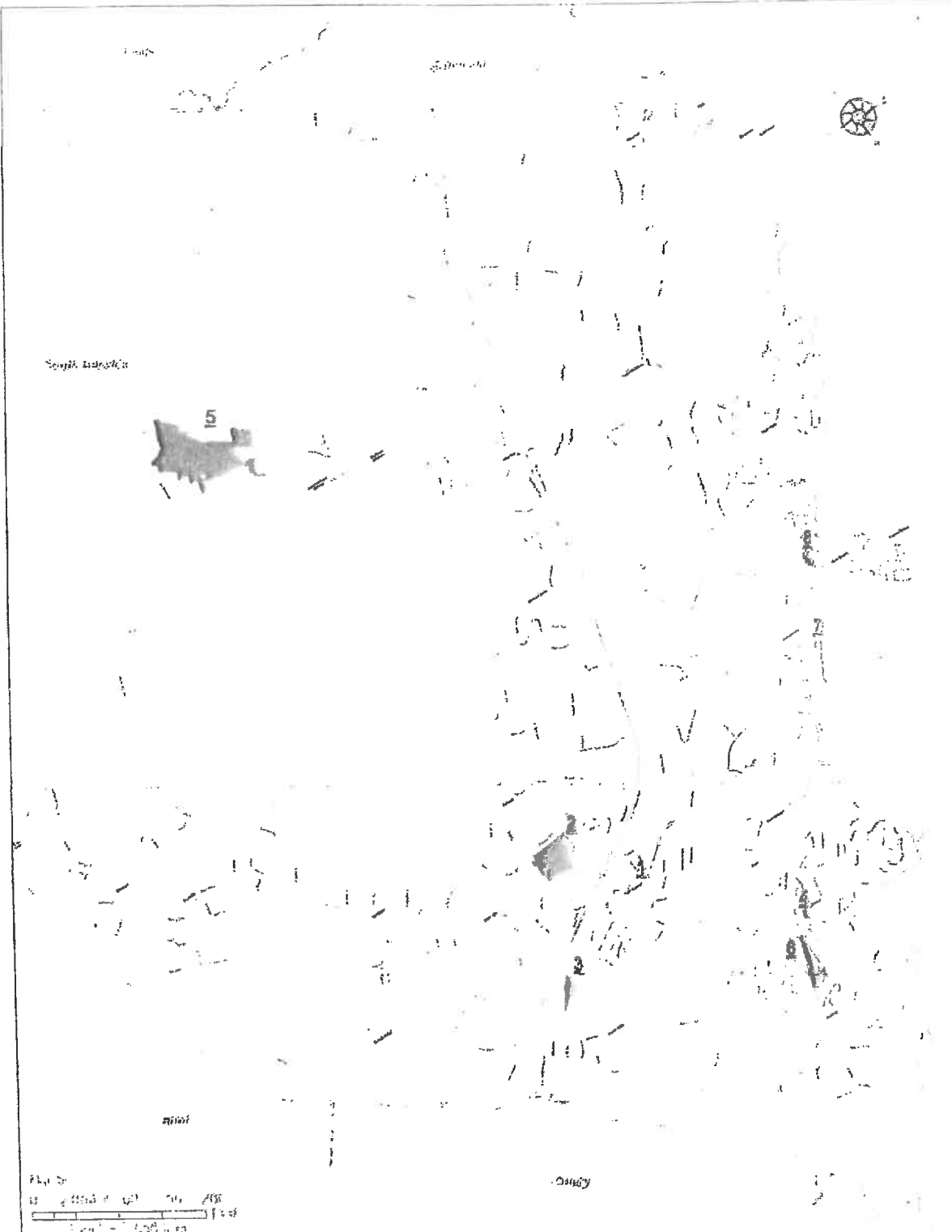
Prior to enacting, amending, or repealing any Municipal Park regulation(s), the Board of Selectmen shall conduct a public hearing on the proposed action.

SECTION 8. EFFECTIVE DATE

This ordinance shall take effect following the date of adoption or amendment by the voters of York.

SECTION 9. SEVERABILITY

Should any portion of this Ordinance be held by the courts to be invalid, this shall not affect the validity of remaining portions of this Ordinance.



York, Maine

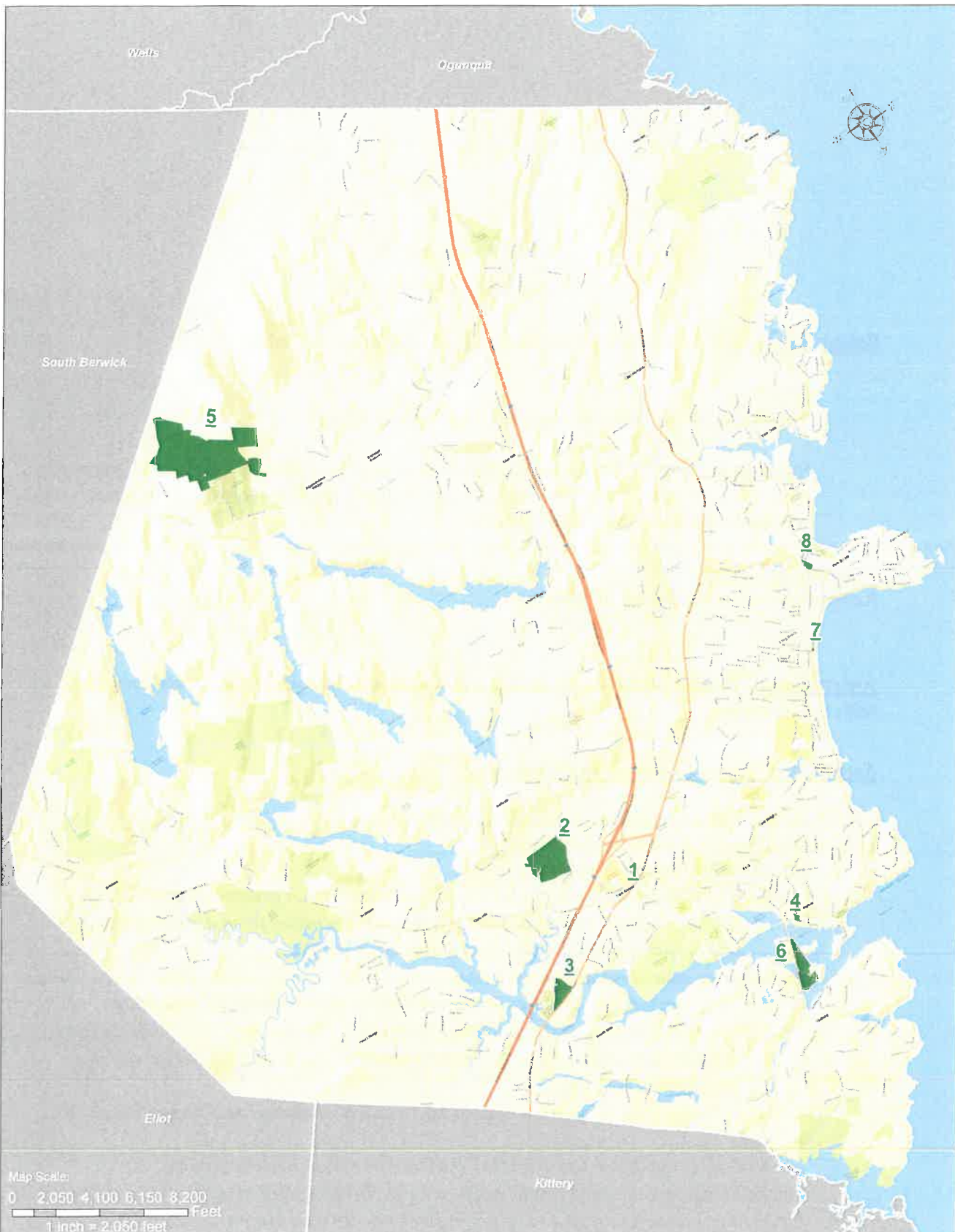
Designated Municipal Parks

Park Area

NUMBER	NAME	CLASSIFICATION	MAP AND LOT	ADDRESS	ACREAGE
1	FLOWER GARDEN	Traffic Island and Pocket Park	N/A	Route 1 and York Street	N/A
2	BOG ROAD FIELDS	Community Park	0050-0084-A, 0050-0084-X	40 Bog Road	12.52
3	GOODRICH PARK	Community Park	0057-0005	220 US Route 1	15.43
4	GILMAN-MOULTON PARK	Neighborhood Park	0057-0046	393 York Street	1.56
5	MOUNT AGAMENTICUS	Regional Park	0095-0008	21 Mount Agamenticus Road	218.55
6	WHEELER WILDLIFE REFUGE	Wildlife Refuge	0063-0007	9 Harris Island Road	25.06
7	LONG SANDS BEACH BATHHOUSE AREA	Special Use Area	0033-0252-A	178 Long Beach Avenue	0.29
8	YORK BEACH BALL FIELD	Community Park	0027-0011	18 Railroad Avenue	2.44



Note: All parcel boundaries and area measurements are approximate as per the Town of York Assessor's database. This Map is For Planning Purposes Only.



York, Maine

 Park Area

Designated Municipal Parks

NUMBER	NAME	CLASSIFICATION	MAP AND LOT	ADDRESS	ACREAGE
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2	BOG ROAD FIELDS	Community Park	0090-0084-A, 0090-0084-X	40 Bog Road	12.52
3	GODDRICH PARK	Community Park	0067-0005	220 US Route 1	15.43
4	GILMAN-MOULTON PARK	Neighborhood Park	0057-0046	393 York Street	1.56
5	MOUNT AGAMENTICUS	Regional Park	0095-0008	21 Mount Agamenticus Road	218.55
6	WHEELR WILDLIFE REFUGE	Wildlife Refuge	0063-0007	9 Harris Island Road	25.08
7	LONG SANDS BEACH BATHHOUSE AREA	Special Use Area	0033-0152-A	178 Long Beach Avenue	0.29
8	YORK BEACH BALL FIELD	Community Park	0027-0011	18 Railroad Avenue	2.44



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