



PLEASE READ CAREFULLY

**RULES AND REGULATIONS GOVERNING THE USE OF ROSE HILL PARK**

NOTICE: THE TOWN OF BERRYVILLE IS NOT RESPONSIBLE FOR ACCIDENTS, INJURY, OR LOSS OR DAMAGE TO PERSONAL PROPERTY.

1. All applications for permission to use Rose Hill Park facilities for a special event shall follow procedures outlined in the Regulations for Special Events and Demonstrations.
2. It shall be a condition of all special event permits issued for use of the park and its facilities that no person, whether or not a member of the sponsoring group or a participant in the special event, can be denied access or free passage to, from, or within all or any portion of Rose Hill Park or any facilities therein. Rose Hill Park shall at all times remain a public park with right of free passage to all members of the public.
3. No individual, group or organization will be permitted to use the park for profit or gain in the absence of a special fund-raising permit obtained from the Town pursuant to paragraph four (4) herein. All regular park permits shall be conditioned on an understanding that the special event is not a benefit affair, that no admission is to be charged, and that no tickets will be sold. There will be no gambling or games of chance except as may be permitted by a special fund-raising permit issued pursuant to paragraph four (4) herein.
4. The Town may issue a special fund-raising permit upon application, on forms provided by the Town, by valid and duly-constituted non-profit organizations for the purpose of approved charitable, educational, cultural, religious and/or community-oriented projects and activities. All other rules and regulations governing the use of Rose Hill Park, as set forth herein, shall apply to such fund-raising events approved by special permit.
5. No alcoholic beverages or illegal controlled substances are allowed on the premises at any time.
6. Users of the Rose Hill Park gazebo may not deface the structure in any way. No driving of nails, thumb tacks, or fastening to light fixtures will be permitted. Plans for any decorating must be submitted for approval with special event permit applications.
7. The Town of Berryville furnishes only such lighting and electrical service which is in place. Any additional services and equipment needed for a special event must be furnished by the user. When special or additional lighting or other electrical equipment is required, approval of electrical connections by the Town of Berryville Director of Public Works must be obtained at forty-eight (48) hours prior to any such lighting or equipment being placed in use.

8. All groups using the Rose Hill Park facilities will be responsible for setting up any equipment, such as chairs and tables, to their own liking. The Town of Berryville cannot provide personnel assistance for any loading, unloading, or setting up of such equipment.
9. All groups using the Rose Hill facilities shall clean up, dismantle and remove any equipment, and in general, leave the premises in the same condition as they found them upon conclusion of the special event. All garbage and trash must be put in heavy-duty plastic trash bags, to be supplied by the sponsoring group, and place in the Park's trash containers.
10. Any and all damage to the grounds, buildings and equipment must be corrected by the sponsoring group to the satisfaction of designated officials of the Town of Berryville. Correction may include replacement if deemed warranted by such Town Officials.
11. All activities and required clean-up shall be concluded no later than 12:00 Midnight of the day of the scheduled event.
12. Users of the Park and its facilities must take adequate provision to guard against public disturbances or other unsafe practices.
14. No event is official until it is entered on the schedule and a special event permit is issued by the Town of Berryville.
15. All groups using the Park and its facilities must abide by these rules and regulations, sections 13-35 and 13-36 of the Berryville Town Code, and any special conditions which might be attached to individual permits. In the event unusual and special considerations associated with a particular event would render complete satisfaction of these provisions a hardship, prior approval of any variance or deviation must be obtained from designated Town Officials. The Town reserves the right to require a damage deposit, in such amount as the Town deems appropriate, as a special condition to individual permits.
16. For cause, permits are subject to cancellation or revocation by the Town of Berryville.

Sec. 13-35. - Regulation of use and conduct on town basketball court.

It shall be unlawful for any person or persons to violate the following regulations, which shall be posted, pertaining to the use and the behavioral conduct of any such person or persons upon the town basketball courts:

- (a) No bicycles, skateboards or skating permitted on the court.
- (b) No trespassing between the hours of 6:00 p.m. to 7:00 a.m. from September 1 to June 1, or between the hours 9:00 p.m. to 7:00 a.m. from June 1 to September 1, except by special permission from the town.
- (c) No alcoholic beverages or glass containers.
- (d) No loud and abusive or obscene language.
- (e) No hanging on basketball rims.
- (f) No bare feet.
- (g) Except by special, advance permission for organized, group-sponsored activities,
  - (1) Use shall be limited to half-court if other groups or individuals are waiting to play.
  - (2) No individuals or group shall monopolize the court for a period of more than one (1) hour if other groups or individuals are waiting to play.
- (h) The Town of Berryville is not responsible for injuries.
- (i) The police department is authorized to eject and revoke future use of the court by any person violating these rules or in any other manner behaving in a disorderly fashion.

Any person violating any provision of this section shall be guilty of a Class 4 misdemeanor.

(Ord. of 10-13-87; Ord. of 6-13-95; Ord. of 12-9-14(1))

**Cross reference**— Penalty for a Class 4 misdemeanor, § 1-11.

**State Law reference**— Similar provisions, Code of Virginia, §§ 15.2-1800, 15.2-1806.

Sec. 13-36. - Regulation of use and conduct in Rose Hill Park.

It shall be unlawful for any person or persons to violate the following regulations which shall be posted pertaining to the use and the behavioral conduct of any such person or persons in Rose Hill Park.

- (a) No trespassing from dusk until dawn. Hours may be extended by the town council or town manager as the need arises.
- (b) No alcoholic beverages or glass containers.
- (c) No bare feet.
- (d) Playground equipment is intended for use only by children twelve (12) years old or younger.
- (e) Do not use equipment when it is wet.
- (f) No, pushing, shoving or other dangerous play.
- (g) Do not use equipment improperly.
- (h) No camping.
- (i) No building of fires except in park grills designed for food preparation, or for the purposes of special ceremonies with permission from the town manager.
- (j) No relic hunting or use of metal detectors or similar devices.
- (k) No littering.
- (l) Waste from domestic animals must be immediately collected and disposed of properly.
- (m) No skateboarding.
- (n) No hunting or discharge of firearms, fireworks, explosives, box and arrows, slingshots, or similar weapons and devices. This section does not preclude the firing of military salutes as a part of an event authorized by the town.
- (o) No vehicles are permitted in the park unless authorized by the town manager or designee. Driving over or parking on walkways or picnic table pads is prohibited.
- (p) The Town of Berryville is not responsible for injuries. This area to be used with adult supervision only.

Any person violating any provision of this section shall be guilty of a Class 4 misdemeanor.

(Ord. of 10-13-87; Ord. of 12-9-14(1))

**Cross reference**— Penalty for Class 4 misdemeanor, § 1-11.

**State Law reference**— Similar provisions, Code of Virginia, §§ 15.2-1800, 15.2-1806.