

# *City of Salem*

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## FIRST PASSAGE

*In the year Two Thousand and Eighteen*

*An Ordinance* to amend an Ordinance relative to use of Salem Common

*Be it ordained by the City Council of the City of Salem, as follows:*

**Section I.** Article III – Common Use Policy of chapter 26 Parks and Recreation is hereby amended by:

- a) Deleting the title of Article III, “Salem Common Use Policy”, and replacing it with “Salem Common”;
- b) Inserting a new division title, “Division 1. Use Policy”, immediately following the Article III title;
- c) Deleting Sec. 26-72 – Prohibited Activities in its entirety;
- d) Re-numbering Sec. 26-73 through Sec. 26-75 as Sec. 26-74;
- e) Inserting the following new division immediately following the new Sec. 26-74:  
“Division 2. Prohibited Activities; permitted and non-permitted events  
Sec. 26-75. – Prohibited activities.

The following activities are strictly prohibited on the Salem Common:

- (1) Destruction, defacement, removal, or disturbance of any sign, equipment, monument, marker, planting, bandstand or arch.
- (2) Distribution or display of commercial advertising, soliciting of business, or any other commercial transactions, except in connection with a permitted event.
- (3) Operation of devices in violation of Chapter 22, Noise Ordinance.
- (4) Disorderly conduct.
- (5) Use of metal-detecting devices.
- (6) Non-permitted vehicles.
- (7) The driving or parking of vehicles within the inside perimeter (track) of the common.
- (8) Mechanical rides or amusements, including carnivals and circuses.

- (9) Digging or disturbing the soil.
- (10) Drinking alcoholic beverages, except in connection with a permitted event.
- (11) Playing basketball between 10:00 p.m. and 8:00 a.m.
- (12) Climbing on trees and fences.
- (13) Using grills or making fires, except in connection with a permitted event.
- (14) Loitering, as defined in subsection 24-12(a), on the common grounds between 10:00 p.m. and 5:00 a.m.
- (15) Smoking within fifty (50) feet of the perimeter of any play structure, basketball court and bandstand. "Smoking" means carrying or having in one's possession a lighted cigarette, cigar or pipe, or other object used for a similar purpose, giving off or containing any substance giving off smoke.

**Sec. 26-76. Penalties and Enforcement.**

Whoever violates any provision of this article shall be subject to a fine of \$ \$50.00. The Police and Health Department officials shall enforce this Division. The Superintendent of Parks and Recreation may also revoke any permit issued by the park and recreation commission following a violation of this Article.

Sec. 26-77 – 26-99. – Reserved."

**Section II. This Ordinance shall take effect as provided by City Charter.**

In City Council January 11, 2018

Referred to the Committee on Ordinances, Licenses and Legal Affairs co-posted with Committee of the Whole

In City Council February 8, 2018

Adopted as amended for first passage

**ATTEST:**

Advertised in the Salem News  
February 14, 2018

CHERYL A. LAPOINTE  
CITY CLERK