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Paul Revere Heritage Site

Rules & Regulations

1. **Introduction.** These Paul Revere Heritage Site Rules and Regulations are promulgated by the Town of Canton Board of Selectmen acting as the Town's Board of Park Commissioners pursuant to M.G.L. c.45, §2. These Rules and Regulations are promulgated pursuant to the authority granted to boards of park commissioners to make rules for the use and governance of public parks under M.G.L. c.45, §5 and shall have the force of law.

2. **Definitions:**

The following words and phrases, when used in these Paul Revere Heritage Site Rules and Regulations, shall have the meanings respectively ascribed to them therein except in those instances where the context clearly indicates a different meaning or is otherwise stated.

Whenever any words or phrases used in these Rules and Regulations are not defined therein, such word or phrase shall be construed according to its generally accepted meaning as noted in a dictionary of general usage.

Adult means any person 18 years or older within the PRHS.

BOS or Board of Selectmen means the Town of Canton, Massachusetts Board of Selectmen.

Ban means the prohibition, resulting from violations of rules and regulations applicable to conduct on PRHS property, of a person from PRHS property, for a period of time longer than that associated with an eviction.

Bicycle means a two wheel non-motorized vehicle designated to be used both on and off paved surfaces and over unimproved terrain.

Boating means the use of watercraft, personal watercraft, or vessels.

Bridge means a structural passage over water or land for pedestrian and/or vehicular traffic.

Camping means the utilization of any piece of equipment for sleeping in or upon, for the purpose of occupying a portion of PRHS property, land or water for transient and temporary outdoor living.

~~Commercial Dog Walker~~ means any person who receives compensation for walking one or more dogs.

~~Commercial use~~ is any use of PRHS property for which consideration is exchanged. Commercial use includes any person, group or organization that makes or attempts to make a profit, offers for sale a service or product, receives money, amortizes equipment or obtains goods or services as compensation from participants in activities occurring on PRHS property. This includes nonprofit organizations and educational groups that receive money from participants in activities occurring on PRHS property.

~~Cultural Resources~~ means a district, site, building, structure, landscape, object, or ethnographic resource that is at least 50 years old and has important historical, cultural, scientific or technological associations. Cultural resources also include pre-historic or historic archeological sites containing physical remains or indications of past human activity and/or any artifacts that have been constructed or manipulated by human influence and which hold potential significance for understanding past, present or future behavior.

~~Firearm~~ means a loaded or unloaded pistol, rifle, shotgun or other weapon which is designed to, or may be readily converted to, expel a projectile by the ignition of a propellant.

~~Fishing~~ means capturing, killing, or trapping fish by any means, including angling with the use of a hook.

~~Hunting~~ means, consistent with the Division of Fisheries and Wildlife's enabling statute at M.G.L. c. 131, the shooting, killing, taking or capturing of mammals or birds and all lesser acts such as disturbing or harassing of mammals, birds, amphibians or reptiles.

~~Kite-powered apparatus~~ means a wheeled vehicle, board or other equipment which is powered or towed by a kite.

~~Law Enforcement Officer/Official~~ means any government law enforcement official or officer.

~~Non-Motorized Vehicle~~ means a vehicle powered by anything other than a motor or engine.

~~Operator~~ means an individual who operates, drives, controls or otherwise has charge of or is in actual physical control of a mechanical mode of transportation, or any other mechanical equipment or vehicle.

~~Parking~~ means the stopping or standing of a vehicle, whether occupied or not, except a vehicle is not parked if it has stopped temporarily because its movement is obstructed, or the operator is lawfully engaged in loading or unloading passengers or materials, or the operator is following the direction of a law enforcement officer, traffic signs, traffic

signals, is making emergency repairs, or it is a disabled vehicle and arrangements are being made to remove such vehicle.

PRHS means Paul Revere Heritage Site: the land and buildings owned by the Town of Canton located at 96 Revere Street, Canton, Massachusetts.

Permit means a duly issued, written, fully revocable license from PRHS authorizing a permittee to engage in uses or activities on PRHS property that are otherwise prohibited, restricted, or regulated.

Person means any individual, corporation, firm, partnership, company, association, trust, or other business or non-profit organization; any agency, department, board, commission, quasi-public agency or authority of the Commonwealth; and any Federal, municipal, or regional governmental or intergovernmental agency, department, board, commission, authority, or other entity, or any combination of individuals or entities including but not limited to those listed above, their agent, trustee, executor, receiver, assignee, or other representative thereof.

Pet means a dog, cat, or a caged pet. A caged pet is an animal that typically is confined to a cage at all times.

Post or Posting means to display in a place of public view in electronic or printed form.

Recreational Use Permit means a written agreement that authorizes a person to engage in uses of or activities on PRHS property on a specific date and time, which uses and activities are those intended for the PRHS property.

Residence means the place, usually a house, in which a person dwells or resides.

Roadway means any boulevard, parkway, way or any portion thereof, under the jurisdictional care, custody or control of PRHS, between regularly established curb lines or that part, exclusive of shoulders, improved and intended to be open and used for vehicular traffic by the public on a public way, including vehicular and/or pedestrian, bicycle, or other PRHS approved traffic.

Snow Vehicle means a motor vehicle designed to travel over ice or snow, having a curb weight of not more than 453 kilograms or 1,000 pounds, driven by track or tracks in contact with the snow or ice and steered by a ski or skis in contact with the snow or ice.

Special Use Permit means a written agreement that authorizes a person to engage in uses of or activities on PRHS property on a specific date and time, which uses exceed in any way the common use of PRHS property, or that are otherwise prohibited, regulated or restricted.

Trapping means the setting, using, tending, placing, maintaining or picking up of any device designed or intended for use in taking of any mammal, bird,

amphibian, reptile or fish, dead or alive, as well as every attempt, assistance or act of a person towards taking of any mammal, bird, amphibian, reptile or fish.

~~Trash~~ means bottles, glass, wood, tires, crockery, cans, scrap metal, junk, paper, plastic, garbage, rubbish, debris, litter, refuse, oil, solvents, liquid waste, sewage, appliances, electronics, computer equipment, hazardous materials, construction debris, yard waste, or other personal property.

3. Hours of Operation

- a. Unless otherwise posted, permitted or provided, the PRHS shall be open to the public from one half hour before sunrise to one half hour after sunset as published by the National Weather Service.
- b. The Town of Canton may limit or restrict access to or use of the PRHS due to potential or immediate hazard, emergency, hazardous weather, water, fire, construction, maintenance or other public health, safety or welfare concerns, or detrimental impacts on the property, nature, wildlife or the environment of the PRHS.

4. Rules of Conduct - Generally

- a. Each person utilizing the PRHS shall maintain and leave it in a clean and sanitary manner or condition.
- b. All persons must adhere to any and all reasonable requests or directions of the BOS or law enforcement or fire officials.
- c. Each person on the premises of the PRHS shall abide by all applicable local, Commonwealth of Massachusetts and United States laws and regulations.
- d. No person may engage in disorderly conduct including without limitation, drunkenness, rough play, pushing, shoving, breach of the peace or unnecessary noise offensive to the general public, use of profanity, vulgar or obscene language, or other language that may incite fighting or harm to PRHS personnel or to the public.
- e. No person shall have possession of or discharge any firearm or pellet gun in violation of the laws and regulations of the Commonwealth.
- f. No person shall discharge any weapon that discharges projectiles including, but not limited to, bow and arrow and crossbow.
- g. No person shall have possession of paint ball gun or paint ball gun ammunition.

- h. No person, unless authorized by law, license, or permit, shall have possession of or discharge any fireworks, pyrotechnics or other explosives.
- i. No person may sell, distribute, advertise or display cigarettes or other tobacco related products.
- j. No person may possess marijuana, unless for a duly authorized medical use, or in accordance with state law and regulation.
- k. No person may engage in games or activities which, due to the location or nature of the activity, may cause discomfort, fear or injury to a reasonable person or damage to property.
- l. No person may enter upon the frozen water of the PRHS for the purpose of ice skating or ice fishing. A person utilizing said PRHS bodies of frozen water engages in such activity at his or her own risk, and PRHS and the Town of Canton assumes no responsibility either implied or express as to the safety of any persons who voluntarily engage in such a known, obvious and inherent risk associated with such frozen water activities.
- m. No person may be naked or otherwise expose genitals, buttocks or breasts. This provision does not apply to breastfeeding.
- n. No person may smoke in or on any PRHS buildings or structures where posted as prohibited.
- o. No person may use or operate a kite powered apparatus, or drone, or hand glider on or over the PRHS. In addition, no person may operate any motorized car or robot or other similar device that could pose a safety risk to persons (including due to extreme noise) or damage PRHS property (including buildings, structures and landscaping).
- p. No person may dive, jump, swim from, throw or launch themselves, or anyone or anything, from PRHS property such as a bridge or overpass.
- q. No person shall distribute, erect or affix any handbill, circular, pamphlet, placard, sign, notice, billboard, poster, advertisement, memorial or any printed material on or in any PRHS property, except in designated areas, in accordance with posted guidelines, or unless as otherwise duly authorized.
- r. No person may damage, disturb or remove any PRHS property or resource, real, natural, personal, cultural or historic, except as carried out in accordance with written authorization by the Town of Canton.

- s. No person may conduct archaeological investigation unless permitted by the State Archaeologist in accordance with M.G.L. c. 9 section 27C and approved by state authorities, as required, and the Town of Canton.
 - t. The unanticipated discovery of historic artifacts shall be reported immediately to PRHS personnel or the Town of Canton.
 - u. No tree or other vegetation shall be planted or removed from PRHS property unless authorized by the Town of Canton.
 - v. No memorial, plaque, obstruction or structure shall be placed on, changed or removed from PRHS property unless authorized by the Town of Canton.
 - w. No person shall solicit, sell, rent, advertise or offer to sell or rent, hawk, peddle, display or distribute any goods, wares, tangible or intangible property, merchandise, liquids, edibles, service for hire, render any services for hire, or engage in or conduct any business, commercial or special activity or event on PRHS property without an approved permit from the Town of Canton prior to engaging in such activities.
 - x. No person may camp on PRHS property.
 - y. No person may fish on PRHS property.
 - z. No person may hunt, trap or discharge a firearm on PRHS property.
 - aa. The use of bicycles and other means of transportation, including in-line skates, scooters, skateboards and similar equipment, may be prohibited in specific areas and may be communicated through postings, signs or markings.
 - bb. No person shall operate a snow vehicle on PRHS property.
5. Special Use Permit Required. Unless authorized by a special use permit issued by the Town of Canton, no person may:
- a. Consume, possess, distribute, sell or drink alcoholic beverages.
 - b. Engage in any lotteries, raffles, gambling and games of chance.
 - c. Conduct any commercial use activity or event.
 - d. Possess machinery, instruments or equipment of any kind for the use of conducting lotteries, raffles, gambling and games of chance.
 - e. Operate or use any audio device, including radio, television, musical instruments, or other noise producing devices, such as electrical generators, or equipment driven by motor or engine, in a manner or at such times that may disturb others.

- f. Operate or use any public address system, whether fixed, portable or vehicle mounted.
- g. Conduct research which may damage, disturb or remove any PRHS property or resource, real, natural, personal, cultural or historic.
- h. Promote, sponsor or engage in any race, rally or organized trial events on PRHS property.
- i. Conduct parades, games, fairs, carnivals, circuses, bazaars or the like.
- j. Conduct activities for the purpose of fundraising or otherwise soliciting funds.
- k. Use or operate any air propelled power craft or hovercraft on or over any of the lands or waters of the PRHS.

6. Recreational Use Permit Required

- a. A recreational use permit is required for the use of certain PRHS property including, but not limited to, picnic areas, court yards, performance areas, designated group day use areas and meeting rooms.
- b. Groups planning organized group activities for 25 or more persons are required to apply for a recreational use permit from the Town of Canton.

7. Rules of Conduct - Pets and Other Domesticated Animals

- a. No person may cause or permit any pet or other domesticated animal to be unattended, or roam, or be at large on PRHS property.
- b. In designated areas where dogs are allowed off-leash, the owner must accompany the dog with leash in hand and maintain effective control of the dog through voice control or electronic training collar or in a manner directed by a law enforcement officer or other PRHS personnel.
- c. All persons who bring pets onto PRHS property shall properly remove and dispose of the pets' feces.
- d. The owner of any domesticated animal on PRHS property shall be solely responsible for damage or injuries caused or contributed to by such animal; The Town of Canton shall be held harmless and indemnified by such owner for any such damage or injuries.
- e. No person may feed wild animals, birds or fish, including but not limited to, geese, waterfowl, raccoons or other wild animals.

- f. No person may release any animal on any PRHS property without prior authorization from PRHS personnel.
- g. No person or organization may use any PRHS property for organized animal shows, events or training without obtaining a special use permit from the Town of Canton.
- h. A commercial dog walker must obtain an annual permit to use PRHS property, from the Town of Canton.
- i. When engaged in commercial dog walking, a commercial dog walker must display his or her commercial dog walking permit on his or her person.

8. Permits

a. General Provisions

- i. In a duly issued permit, and subsequent to issuance, the Town of Canton may place stipulations on the permitted use, including, but not limited to, the type of use, timing, location, duration and volume.
- ii. No permit will have a duration greater than five years, unless authorized by law.
- iii. An applicant must comply with any and all terms and conditions contained within a permit. Any act authorized pursuant to a permit may be performed only by the person(s) named therein, and any such authorizations may not be assigned or delegated, except as provided by such permit.
- iv. Unless otherwise stated in the permit, a permittee is solely responsible for all utility costs, including, but not limited to, gas, electricity, heat, water and sewer.
- v. A permittee must comply, at the permittee's exclusive expense, with all applicable federal, state and local statutes, laws, ordinances, rules, regulations and policies.
- vi. A permit does not confer on the permittee any rights in real property.
- vii. A permittee may not assign, delegate, sublease, transfer or otherwise dispose of its managements responsibilities or of any right, duty, interest or use of the PRHS property which is the subject of the permit, except as provided by such permit.

- viii. All person(s) receiving a permit must agree, in writing, to indemnify, defend and hold the Town of Canton, PRHS, its employees and agents harmless against all claims relating to or arising out of the use of PRHS property and from any claims for personal injury or death or damage to personal property, or whatever kind or nature, arising from the permittee's activities in the permitted area, including, but not limited to, claims arising from the recklessness, negligence or carelessness of the permittee, its contractors, agents, representatives, employees, permittees, licensees, guests and invitees, as authorized therein and claims arising from the permittee's failure to provide adequate security in the permitted area. The Town of Canton may also require the permittee to obtain liability insurance with limits of coverage sufficient to support the permittee's obligation to indemnify and hold the Town of Canton and PRHS harmless.
- ix. The permittee shall agree in writing not to make any claims against the Town of Canton or PRHS for any injury, loss or damage to persons, including, but not limited to, bodily injury or death, or damage to property arising out of or in connection with the actions or omissions of the permittee, its contractors, agents or representatives, employees, permittees, licensees, guests and invitees, as authorized therein.
- x. The permittee shall, in writing, assume all risk in connection with any and all activities engaged in within the permitted area and shall be solely responsible and answerable in damages, and any other equitable remedies, for all accidents or injuries to all persons or property caused by the permittee's activities.
- xi. Should it become necessary to enforce the terms of a permit in any administrative proceeding or in a court of competent jurisdiction, the permittee shall pay all reasonable attorney's fees.
- xii. No person shall use or occupy PRHS property for which a fee or other charge has been established unless the person has first paid such fee or charge, unless otherwise authorized.
- xiii. In addition to the payment of the prescribed fee, the Town of Canton may reasonably require the permittee to pay the costs for PRHS personnel, or to hire appropriate law enforcement personnel.
- xiv. The Town of Canton may limit public access to PRHS property when a permit has been duly issued for use of PRHS property.

b. Special Use Permits

- i. A special use permit application may be downloaded from the Town of Canton website. The application must be made in writing and must include applicable additional information including, but not limited to, site set-up diagrams, vendor listings, and vehicles and motorized or electrical equipment to be used.
- ii. A special use permit application must be submitted to the Town of Canton at least 45 days prior to the event or activity for which a permit is sought.
- iii. Unless this requirement is waived in writing by the Town of Canton, a permittee must submit a certificate of liability insurance to the Town of Canton prior to the event. Such certificate must name the Town of Canton as an additional insured for the date and location of the event, with a minimum liability of one million dollars (\$1,000,000.). Failure to provide the certificate of liability insurance may result in revocation of the special use permit.
- iv. A special use permit shall be issued only after payment of the application fee and any other duly requested costs associated with the permitted event or activity.
- v. Special use permits are issued at the sole discretion of the Town of Canton.
- vi. An applicant for a special use permit must comply with any terms and conditions contained within the special use permit, as well as any applicable Town of Canton bylaw. Any act authorized pursuant to a special use permit may be performed only by the person(s) named therein, any such authorizations may not be assigned or delegated, except as provided by such permit.

c. Recreational Use Permits

- i. A recreational use permit is required for the group use of PRHS property, other than by groups formally arranged by the Town of Canton School Department, including but not limited to, picnic areas, performance areas, lawns, designated group day use areas, court yards or meeting rooms. Though exempt from permitting requirements, any school department authorized group must first notify PRHS personnel to determine availability and guidance for use of PRHS property
- ii. The Town of Canton and PRHS personnel may issue recreational use permits subject to PRHS capacity limits and other management and scheduling considerations.
- iii. An applicant for a recreational use permit must comply with any terms and conditions contained within the recreational use permit. Any act authorized pursuant to a recreational use permit may be performed only by the

person(s) named therein, and any such authorizations may not be assigned or delegated, except as provided by such permit.

d. Commercial Dog Walking Permits

- i. A commercial dog walker may not conduct any commercial activity or event upon the lands of the PRHS without first obtaining a commercial dog walking permit.
- ii. All requests for commercial dog walking permits must be made in writing to the Town of Canton.
- iii. An applicant for a commercial dog walking permit must comply with any terms and conditions contained within the commercial dog walking permit. Any act authorized pursuant to a commercial dog walking permit may be performed only by the person(s) named therein, and any such authorizations may not be assigned or delegated, except as provided by such permit.
- iv. Commercial dog walking permits will expire on December 31 of each year, regardless of when the permit is acquired during the year.

9. Violations and Enforcement

- a. Any person who violates any provision of these Rules and Regulations or any person who fails to comply with any reasonable request of a Town of Canton employee or agent or law enforcement official may be denied admittance to the PRHS property and may be subject to a fine of \$300.00 per incident of refusal to comply or violation.
- b. As an alternative to criminal prosecution, violations of these Rules and Regulations may be prosecuted pursuant to the noncriminal disposition procedure set forth in M.G.L. c.40, Section 21D, in which case the enforcing person shall be any Town of Canton law enforcement official and the specific penalty shall be \$300.00 per incident of refusal to comply or violation.