



# TOWN OF BERLIN

## Alabama

### **ORDINANCE NO.: 2026-001**

### **AN ORDINANCE ESTABLISHING RULES AND REGULATIONS FOR THE BERLIN COMMUNITY PARK AND FARMERS MARKET SITE**

#### **SECTION 1. PURPOSE**

The purpose of this ordinance is to establish rules and regulations governing the use of the Town of Berlin Park and Farmers Market property in order to promote public safety, preserve Town property, and ensure a safe and enjoyable environment for all residents and visitors.

#### **SECTION 2. HOURS OF OPERATION**

The Berlin park and farmers market site shall be open to the public from dawn to dusk daily. No person shall occupy or be present in the park during hours it is not open to the public; provided, however, that this restriction shall not apply to Town personnel, law enforcement officers on official duty, Town officials or employees performing authorized work, or persons with express written permission from the Town of Berlin or its authorized agents.

#### **SECTION 3. GENERAL RULES AND REGULATIONS**

The following rules shall apply to all persons using the park and farmers market property:

1. **Littering Prohibited:** No person shall litter. All trash must be disposed of in designated receptacles.
2. **Pets / Animals:** Animals are permitted within the park and farmers market property provided they are kept on a leash at all times, and owners are responsible for cleaning up after them. No animals are allowed within the playground area, except those in compliance with the Americans with Disabilities Act. Emotional support animals, comfort animals, and therapy animals are not considered service animals under the Americans with Disabilities Act and therefore are not permitted within the playground area.
3. **Alcohol and Drugs:** The possession or use of alcohol or illegal drugs is strictly prohibited.
4. **Smoking and Vaping:** Smoking and vaping shall be prohibited within twenty-five (25) feet of any playground area or farmers market facility.
5. **Motorized Vehicles and Bicycles:** Motorized vehicles and bicycles are prohibited within the park, except in designated areas or as authorized by the Town.
6. **Wildlife and Vegetation:** No person shall harm, disturb, or remove any wildlife, plants, trees, or natural features.
7. **Noise Restrictions:** No person shall create excessive noise or use amplified sound without express written permission from the Town of Berlin or its authorized agents.

**SECTION 4. ENFORCEMENT**

**(A) Officials:** The Town of Berlin, through its designated agent(s), shall take such actions as are necessary to enforce this ordinance in accordance with town ordinances and applicable state law. Law enforcement officers may issue citations or appearance tickets as authorized.

**(B) Ejection:** The Town of Berlin, through its designated agent(s), shall have the authority to eject any person from the Berlin park and farmers market property for a period of up to 24 hours for violation of this ordinance. Repeated violations may result in extended or permanent exclusion from the Berlin park and farmers market property.

**(C) Seizure of Property:** The Town of Berlin, through its designated agent(s), shall have the authority to seize and confiscate any property, item, or device used in violation of this ordinance, in accordance with applicable laws.

**SECTION 5. PENALTIES**

Any person found in violation of this ordinance may be subject to penalties as provided under applicable municipal ordinances and state law.

**SECTION 6. SEVERABILITY**

If any section, subsection, sentence, clause, or phrase of this ordinance is declared invalid, such decision shall not affect the remaining portions of this ordinance.

**SECTION 7. EFFECTIVE DATE**

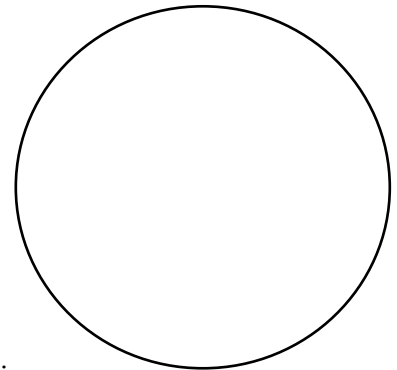
This ordinance shall become effective immediately upon its adoption and publication as required by law.

**ADOPTED AND APPROVED** this the 20th day of April 2026.

\_\_\_\_\_  
**Patrick E. Bates, Mayor**

ATTEST:

\_\_\_\_\_  
**Keirstyn Montgomery, CMC, CMRO, CGAT**  
Town Clerk/Treasurer



**CERTIFICATION OF THE CLERK**

Town of Berlin, Alabama, certificate of publication.

This is to certify that **ORDINANCE NO.: 2026-001**, Town of Berlin, Alabama, was published by posting on at least three (3) public places in the Town of Berlin, Alabama.

Berlin Town Hall, Berlin Quick Stop and www.berlinal.gov from \_\_\_\_\_ to \_\_\_\_\_.

\_\_\_\_\_  
**Keirstyn Montgomery, CMC, CMRO, CGAT**  
Town Clerk/Treasurer