VEHICLES IN THE PARK EXERCISE

Statute –
• No person shall bring a vehicle into a city park.

Case #1 – The Ambulance Driver
• Facts – A boy fell through the ice on the pond in the park. An EMT brought an ambulance into the park to attend to the boy.
• Issue – Did the ambulance driver violate the statute?
• Holding – No. There is an exception for necessity.
• Reasoning – The purpose of the statute is to protect visitors to the park. Here, the ambulance was necessary to save a human life.

Case #2 – The Tree Trimmer
• Facts – A tree trimmer, hired by the City, entered the park to remove dead branches from the trees, and he brought a cherry picker into the park to reach the branches and to haul away debris.
• Issue – Does the necessity defense in Case #1 apply to the tree trimmer?
• Holding – Yes. The tree trimmer’s vehicle was also a necessity.
• Reasoning – Here, although there was no life at stake, the tree trimmer’s vehicle was necessary for two City purposes: 1) to prevent dread tree limbs from falling on visitors, and 2) to beautify the park, which was another purpose for enacting the statute.

Case #3 – The Ice Cream Cart
• Facts – A man selling ice cream brought a two-wheeled pushcart into the park.
• Issue – Is a two-wheeler pushcart a vehicle under the statute?
• Holding – Yes. The ice cream cart is a vehicle within the meaning of the statute.
• Reasoning – The cart has wheels and is used to store ice cream. Even if the cart remains on the sidewalk, the visitors who purchase and eat ice cream may leave their wrappers and debris on the grass; therefore, the vehicle violates the statute’s purpose of preserving the beauty of the park.

Case #4 – The Skateboarders
• Facts – Twelve-year-old children rode their skateboards through the park at 10:00 p.m.
• Issue – Is a skateboard a vehicle under the statute?
• Holding – Yes. A skateboard is a vehicle, and the children violated the statute.
• Reasoning – The purpose of the statute is to protect visitors and park grounds. Skateboards have wheels, and dangerous, and ruin grass; therefore, they are vehicles within the meaning of the statute.