

## ORDINANCE NO. 108 - 2001

AN ORDINANCE OF WEST VINCENT TOWNSHIP DEFINING AND ESTABLISHING REGULATIONS FOR THE USE OF PARKS AND RECREATIONAL FACILITIES IN AND/OR OWNED BY THE TOWNSHIP; FIXING THE HOURS OF THEIR USE; PROHIBITING CERTAIN CONDUCT THEREIN; REQUIRING RESERVATIONS FOR SPECIFIC USES; AUTHORIZING ADDITIONAL REGULATIONS AND THE CLOSING OF FACILITIES UNDER CERTAIN CIRCUMSTANCES; PERMITTING FISHING UNDER THE APPLICABLE LAWS OF THE COMMONWEALTH; DESIGNATING ENFORCEMENT OFFICERS; AND PRESCRIBING PENALTIES FOR VIOLATION.

The Board of Supervisors of West Vincent Township hereby ordains:

**Section 1. Definitions.** As used in this Ordinance, the following terms shall have the meanings indicated, unless a different meaning clearly appears from the context:

BOARD – the Board of Supervisors of West Vincent Township.

PARK OR PARKS – unless specifically limited, shall be deemed to include all parks, playgrounds, recreation areas, tennis courts, recreation structures and facilities, trails, and also entrances and approaches thereto, and all other land or property or structures under the jurisdiction of the Township, now or hereafter owned or acquired by the Township for park or recreational purposes.

PERSON – any natural person, corporation, organization of persons, company, association or partnership.

RULES AND REGULATION – any rules and regulations hereby or hereafter promulgated by the Board under the authority herein conferred.

TOWNSHIP – West Vincent Township.

**Section 2. Park Hours.** All parks shall be opened daily to the public at such hours as the Township may from time to time designate, but in no event shall any person be permitted to be in attendance in any park between sunset and sunrise as determined by the daily records of the U.S. Meteorological Service for the Philadelphia area, unless special permission is granted by the Board.

**Section 3. Prohibited Conduct.** No person in attendance at a park shall:

1. Injure, deface, remove, cut or damage any of the trees, plants, shrubs, turf, buildings, structures, signs or fixtures, or any other property of the Township located within the park.

2. Litter any area of the park with garbage, paper, bottles, cans, animal waste or other waste material; nor dispose of the same in any way except in receptacles designated for such purpose.
3. Kindle or maintain any fire in the park except in fireplaces or areas specially designated for that purpose and located by authority of the Board.
4. Remove any bench, seat, table or other appliance without permission of the Board.
5. Injure, deface, destroy or remove any sign, notice, rule or regulation posted at any place within the park by authority of the Board; nor shall any sign, notice, advertisement or placard be posted within the park other than by authority of said Board.
6. Set up any booth, table or stand for the sale of any article or service whatsoever within the limits of the park without permission of the Board; distribute, sell, service or rent any services or commodity or solicit for any purpose without permission of the Board.
7. Operate, stop or park any vehicle, bicycle or other means of conveyance except in areas where permitted or designated by proper authority of the Board, or operate the same in a reckless or negligent manner or in excess of any posted speed limit or in such a manner as to become a nuisance to other park users.
8. Operate commercial vehicles, unless providing authorized services.
9. Bring onto the premises, possess or consume any alcoholic beverage or illegal drugs of any kind; no person shall enter the park in an intoxicated state or otherwise be under the influence of alcohol or illegal drugs.
10. Carry or discharge any firearms, slingshots, firecrackers, fireworks or other missile propelling instruments or explosives or arrows, or other dangerous weapons which have such properties as to cause annoyance or injury to any person or property, unless permission to do so in designated areas has been granted by the Board; police officers in the performance of their duties will be exempt from these provisions.
11. Play ball, swim, golf, pitch horseshoes, engage in archery, camp or launch, dock or land any boat, engage in finding buried objects with special detectors, or participate in any other form of recreation, sporting endeavor or pastime, except in those areas which may be designated from time to time for such purpose or purposes by the Board.
12. Disrobe or change clothing except in buildings or facilities made available for that purpose.

13. Disturb the peace by any conduct so as to annoy any other person using the park or any person on property adjacent to or near the park.
14. Operate a snowmobile, minibike, motorcycle, or any vehicle, recreational or otherwise, except in designated access and parking areas.
15. Use threatening, abusive, insulting, profane or obscene language or words offending the standards prevailing in the community.
16. Commit any disorderly or immoral acts offending the standards prevailing in the community.
17. Hold any public gathering, demonstration, meeting or rally with more than five (5) persons or engage in any marching or driving as members of a military, political or other organization without permission of the Board, which requires a statement of information, including the name of the organization, its purpose, number of persons expected to be invited, expected duration and name(s) of persons(s) authorized to act on behalf of the organization.
18. Disobey a proper order of a police officer, Board member or authorized representative, or disobey or disregard or fail to comply with any rule or regulation, warning, prohibition, instruction or direction given by an authorized person and posted or displayed by sign, notice, bulletin, card, poster, or when notified or informed as to its existence by the Board or an authorized person.
19. Hunt for, capture or kill, or attempt to capture or kill, or aid or assist in the capturing or killing of, in any manner, any wild bird or wild animal of any description, either game or otherwise.
20. Allow pets to run at large or out of control.

**Section 4. Fishing.** All laws pertaining to fishing in the Commonwealth shall apply to fishing in parks and recreation areas, and provisions thereof are hereby incorporated by reference.

**Section 5. Reservation for Specific Uses.** The use of all parks shall be on a first come, first served basis unless otherwise reserved as follows:

1. by annual permission granted by the Board for the scheduling of various league games, practice sessions, events, etc.;
2. for school or college athletic games, practice, contests, or exhibitions;
3. for regularly scheduled school district or municipal recreation programs;
4. by permission granted by the Board for a specific requested use.

**Section 6. Authorization to Promulgate Additional Rules.** The Board is authorized to establish additional rules and regulations as deemed necessary, which shall be enforceable as though part of this Ordinance.

**Section 7. Authority to Close Areas.** Recreation facilities which become hazardous for public use due to weather, water, fire or any other condition may be closed only at the discretion of the Board or Township police officer.

**Section 8. Enforcement.** The police officers of the Township are charged with enforcement of the provisions of this Ordinance and of the rules and regulations promulgated by the Board.

**Section 9. Penalties.** Any person, firm or corporation who violates or permits the violation of any provision of this Ordinance shall, upon being found liable therefore in a civil enforcement proceeding commenced by the Township, pay a fine not more than six hundred dollars (\$600.00) plus all court costs, including reasonable attorney fees, incurred by the Township. No judgment shall be imposed until the date of the determination of a violation by the district justice. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable rules of civil procedure.

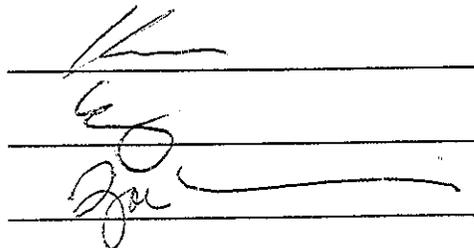
**Section 10. Repealer.** All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

**Section 11. Severability.** If any sentence, clause, section, or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared as the intent of the Board that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

**Section 12. Effective Date.** This Ordinance shall become effective five (5) days from its enactment.

ORDAINED AND ENACTED this 29<sup>th</sup> day of May 2001.

WEST VINCENT TOWNSHIP  
BOARD OF SUPERVISORS



ATTEST:

Cinda M. Claver  
Secretary