

**West Pikeland Township
Chester County, Pennsylvania**

Ordinance 2010-01

AN ORDINANCE AMENDING IN ITS ENTIRETY THE WEST PIKELAND TOWNSHIP PARK ORDINANCE OF 1999 AS FOLLOWS TO ESTABLISH REGULATIONS FOR THE USE OF TOWNSHIP OWNED PARKS AND OPEN SPACE.

BE IT ORDAINED AND ENACTED by the Board of Supervisors of the Township of West Pikeland, Chester County, Pennsylvania as follows:

1. Title

This ordinance shall be known as and may be cited as the "Park Ordinance".

2. Definitions.

As used in this ordinance, the following terms shall have the meanings indicated:
PARK — includes and refers to all Township-owned parks and Open Space.

3. Regulations.

- a. No person shall be allowed in any Township park except between the hours of sunrise and sunset, unless a permit has been issued by the Township.
- b. Trails may be used unless otherwise indicated, by persons on foot, horseback or bicycle to enter or exit parks.
- c. No person shall enter or use a toilet in a Township park set apart for the use of the opposite sex.
- d. Distribution or consumption of beer, ale, or other alcoholic or intoxicating beverage, or controlled substance (such as are now defined or may be defined by federal, state or Township law, act, or ordinance) is strictly prohibited in all Township parks.
- e. No gambling or gambling device is permitted in any Township park.
- f. No abusive, threatening, indecent, or profane language and/or conduct deemed publicly inappropriate while using the Township park facilities shall be permitted.
- g. No person or persons shall be permitted to solicit money, or promise for same, within the confines of a Township park.
- h. No horses, dogs, cats or other animals owned or possessed by people shall be allowed to run loose or otherwise be uncontrolled within the confines of Township parks, nor shall any large animals be allowed within the track and any enclosed fields. Owners or handlers shall be responsible for prompt and complete removal of their animals' excrement.

i. Vehicles

1. No unauthorized person shall drive, operate or park a vehicle (motor or self-propelled) in any portion of a Township park except in spaces specifically designated and marked for parking purposes; and no person shall occupy a parked motor vehicle after dark within a Township park except with the exterior lights and interior lights turned on and in operation.
 2. Use and operation of bicycles, go-carts, dirt bikes, all-terrain vehicles, skateboards, roller blades (except in designated areas), aircraft, including but not limited to, ultra-light planes and/or other motorized and/or non-motorized devices employing wheels and/or blades of any kind (metal, wooden, plastic, rubber, etc.) is strictly prohibited on Township park picnic areas, ball fields or any other portion of any Township park except for motorized wheelchairs, scooters and carts used by handicapped persons.
- j. No person, other than active duty police officers employed in execution of their duties, shall discharge or use firearms or weapons of any type in a Township park.
- k. No person or persons shall scatter, drop or leave any paper, rags, garbage, dead flowers and plants, grass cuttings, tree limbs, glass, metal or plastic cans and/or containers or any other rubbish anywhere within the Township park except in receptacles provided for such purposes. Grass clippings, brush and other debris from private property may not be discarded or otherwise placed anywhere on Township park property, including trash receptacles.
- l. No person shall injure, damage or otherwise deface any building, structures, fences, bridges, monuments, playground equipment or other property (permanently or temporarily erected or placed) in a Township park; or climb a tree, break, cut down, trample upon, remove or in any manner injure or damage any ornament, rock, stone, tree, plant, shrub, fern, blooms, blossom, flower or turf; nor shall any person foul and/or otherwise contaminate any stream of water in any Township park at any time or trespass on adjoining property.
- m. No person shall injure or otherwise interfere with any wild animals within a Township park.
- n. No person shall injure, deface, or destroy any public signs, ordinance, or other official Township notices posted in a Township park.
- o. No person shall light or permit fire to burn in a Township park except in a proper fireplace (permanent or portable) provided for such purposes. All fires must be constantly attended, and responsibility for such fires shall be solely that of the person or persons starting and/or using the fire.

- p. The playing of golf or the hitting of golf balls is strictly prohibited at all times in any Township park.
- q. The Township shall maintain a list of pre-approved noise making devices (by way of example only, whistles) which may be used by coaches and game officials during sporting events or practices.
- r. Use of a Township park for any of the following purposes is prohibited, UNLESS A PERMIT IS FIRST OBTAINED FROM THE TOWNSHIP for such permit issuance, as hereinafter provided:
 - 1. Sales of merchandise of any kind.
 - 2. Use of fireworks, other explosives.
 - 3. Musical, theatrical, or other entertainment
 - 4. Use of any device, other than the devices identified on the pre-approved list referenced in paragraph 3.q above, which sole purpose is, either passively, mechanically or electronically to create noise or sound
 - 5. Overnight camping.
 - 6. Parties and/or gatherings in excess of 25 persons for any purpose
 - 7. Posting or distribution of advertisements placards or notices.
 - 8. Operations by individuals of powered, remote control model aircraft
 - 9. Initial launching site of hot air balloons.

4. Enforcement

The Police Department shall enforce the regulations herein set forth and shall exercise general supervision over persons and property in all Township parks.

5. Powers and Duties of the Park and Recreation Board.

The Township Park and Recreation Board shall have general supervision of all Township parks programs as outlined in Ordinance #2008-03.

6. Permits

Permits for use of Township parks shall be issued by the Township. The Township may enact a fee schedule for such permits. All monies received from these fees will be entered into the Township's general fund and be designated for Township park maintenance and improvements; appropriate Township-sponsored recreation programs within the confines of its parks, or at other sites and facilities approved by the Township, and for the general fund of the Township. The Township may also require a deposit to insure proper clean up of facilities as a condition of the issuance of a permit.

7. Violations and Penalties

- a. Any person who violates or permits a violation of this chapter, upon being found liable therefore in civil enforcement proceedings, shall pay a fine of not more than \$600, plus all court costs, including reasonable attorney's fees, incurred by the

Township in enforcement of this chapter. No judgment shall be imposed until the date of the determination of the Violation by the District Justice and/or Court. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable rules of the civil procedure. Each day a violation exists shall constitute a separate offense. Further, the appropriate officers or agents of the Township are hereby authorized to seek equitable relief, including injunction, to enforce compliance herewith.

- b. Parents and/or legal guardians of person(s) less than 18 years of age will be held liable for any/all fines assessed, and/or damages incurred by those persons to Township park properties.

This Ordinance shall become effective within five (5) days of its adoption.

Duly enacted on the 15th day of March, 2010.

ATTEST:

**BOARD OF SUPERVISORS
OF WEST PIKELAND TOWNSHIP**

Joan C. Matthews, Township Secretary

Robert Shemonsky, Chairman

Richard C. Bright, Jr., Vice Chairman

Harold M. Hallman, III, Supervisor

Ernie Holling, Supervisor

Tom Tucker, Supervisor