

## CHAPTER 93

### PARKS AND RECREATION

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**HISTORY: Adopted by the Board of Supervisors of the Township of Paradise 2-3-1987 as Ch. 16, Part 1, of the 1987 Code. Amendments noted where applicable.**

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#### **§ 93-1. Definitions.<sup>1</sup>**

Except as defined in this Code (see Chapter 1, General Provisions, Article II, Definitions), all words shall carry the customary meaning.

#### **§ 93-2. Park hours. [Amended 11-24-1998 by Ord. No. 123][Amended 7/21/09 by Ord. No. 171]**

All parks shall be opened daily to the public from 7:00 a.m. to 9:00 p.m. Park rental hours will be established by the Board of Supervisors of Paradise Township by Resolution. In no event shall any person be permitted to be in attendance in any park between 9:00 p.m. and 7:00 a.m., unless special permission is granted by the Board of Supervisors.

#### **§ 93-3. Prohibited conduct. [Amended 3-2-1993 by Ord. No. 109, amended 3-2-2015 by Ord. No. 224]**

A. 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 Paradise Township located within the park.
- (2) Litter any area of the park with garbage, paper, bottles, cans 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 of Supervisors.

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<sup>1</sup> Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

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(4) Remove any bench, seat, table or other appliance without permission of the Board of Supervisors.

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(5) Injure, deface, destroy or remove any notice, rule or regulation posted at any place within the park by authority of the Board of Supervisors; distribute, sell, service or rent any services or commodity for any purpose without permission of the Board of Supervisors.

(6) Operate, stop or park any vehicle, bicycle, snowmobile, minibike and motorcycle, recreational or otherwise, or other means of conveyance except in areas where permitted or designated by proper authority of the Board of Supervisors, 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 area users.<sup>2</sup>

(7) Operate commercial vehicles, unless providing authorized services.

(8) No alcoholic beverages shall be sold or consumed on premises by any individual(s). No person shall enter the park in an intoxicated state or otherwise be under the influence of alcohol or illegal drugs.

(9) 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 has been granted by the Board of Supervisors in designated areas.

(10) Play ball, swim, golf, pitch horseshoes, engage in archery, camp, 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 that purpose by the Board of Supervisors.

(11) Disrobe or change clothing except in buildings or facilities made available for that purpose.

(12) Disturb the peace by any conduct so as to annoy any other person using the park for recreational purposes.

(13) Use threatening, abusive, insulting, profane or obscene language or words.

(14) Commit any disorderly or immoral acts.

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<sup>2</sup>Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

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- (15) Hold any public meeting or rally (with more than five persons) or engage in any marching or driving as members of a military, political or other organization without permission of the Board of Supervisors, which requires a statement of

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information, including the name of the organization, its purpose, number of persons expected to be invited, expected duration and name(s) of person(s) in charge.

- (16) Disobey a proper order of a police officer or Recreation Board member, if any, 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, car, poster or when notified or informed as to its existence by a Recreation Board member, if any, or other authorized person.<sup>3</sup>
- (17) 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, unless authorized by the Board of Supervisors.<sup>4</sup>
- (18) No animals or pets allowed with the exception of Seeing Eye dogs.
- (19) No glass beverage containers allowed.
- (20) Children under 12 years of age must be supervised by a competent adult.
- (21) Failure to comply with all park rules and regulations shall result in expulsion from all park facilities, shall be deemed a violation of these regulations, and shall result in forfeiture of any security deposit for the pavilion.

#### **§ 93-4. 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. Only children under 13 years of age are allowed to fish in designated areas.

#### **§ 93-5. Reservation and Use Forms for specific uses. [Amended 3-2-1993 by Ord. No. 109, Amended 12-16-2003 by Ord. No. 143]**

- A. The use of all parks shall be on a first-come-first-served basis unless otherwise reserved.

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<sup>3</sup>Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

<sup>4</sup>Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

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(1) By annual permission granted by the Board of Supervisors for the scheduling of various league games, etc.

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(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 Recreation Board, if any, or the Board of Supervisors for a specific requested use.<sup>5</sup>

B. All reservations must be submitted in writing on a form supplied by the Township Secretary, and include payment of all required fees<sup>6</sup> (rental fee and security deposit) prior to confirmation of the reservation. Use Forms must be submitted in writing on a form supplied by the Township Secretary. Use Forms will be required for any group of facility wishing to use the parks on a regular basis. The Board of Supervisors reserves the right to request any additional information regarding parking requirements, anticipated attendance or types of entertainment (musical or otherwise) to be provided or to impose any additional restrictions it may deem necessary. [Added 11-24-1998 by Ord. No. 123]

C. Reservation and Use Forms for Specific Uses. Use Forms must be submitted in writing on a form supplied by the Township Secretary. Use Forms will be required for any group or facility wishing to use the parks on a regular basis.

#### **§ 93-6. Authorization to promulgate additional rules. [Amended 3-2-1993 by Ord. No. 109]**

The Board of Supervisors is authorized to establish additional rules and regulations as deemed necessary and may amend the fee schedule by resolution.<sup>7</sup>

#### **§ 93-7. Authority to close areas. [Amended 3-2-1993 by Ord. No. 109<sup>8</sup>]**

Recreation facilities which become hazardous for public use due to weather, water, fire or unforeseeable conditions may be closed only at the discretion of the Board of Supervisors.

#### **§ 93-8. Enforcement. [Amended 3-2-1993 by Ord. No. 109]**

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<sup>5</sup>Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

<sup>6</sup>Editor's Note: The current Fee Schedule is on file in the township offices.

<sup>7</sup>Editor's Note: The current Fee Schedule is on file in the township offices.

<sup>8</sup>Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

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The Board of Supervisors and/or any duly authorized law enforcement officers are charged with enforcement of the provisions of this chapter and of rules and regulations promulgated by the Board of Supervisors.

#### § 93-9. Violations and penalties.<sup>9</sup>

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

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<sup>9</sup>Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).