

BRECKNOCK TOWNSHIP, BERKS COUNTY, PENNSYLVANIA

ORDINANCE NO. 2015-184

AN ORDINANCE OF THE TOWNSHIP OF BRECKNOCK, BERKS COUNTY, PENNSYLVANIA, AMENDING CHAPTER 16 OF THE CODE OF ORDINANCES OF THE TOWNSHIP OF BRECKNOCK ENTITLED "PARKS AND RECREATION" BY ADDING PART 1 TO BE ENTITLED "BUXTON CONSERVANCY RULES AND REGULATIONS" TO PROVIDE FOR RULES AND REGULATIONS AT THE BUXTON CONSERVANCY AND FOR ENFORCEMENT OF AND PENALTIES FOR VIOLATIONS THEREOF

BE IT ENACTED AND ORDAINED by the Supervisors of the Township of Brecknock, Berks County, Pennsylvania, as follows:

SECTION 1. The Code of Ordinances of the Township of Brecknock, Chapter 16 entitled "Parks and Recreation" is hereby amended to add a Part 1 to be entitled "Buxton Conservancy Rules and Regulations" to provide for rules and regulations at the Buxton Conservancy and penalties for violations of said rules and regulations.

SECTION 2. The Code of Ordinances of the Township of Brecknock, Chapter 16 entitled "Parks and Recreation", Part 1 entitled "Buxton Conservancy Rules and Regulations" shall read in its entirety as follows:

§101 Rules and regulations on Buxton Conservancy Property

No person entering and utilizing Buxton Conservancy shall:

1. Enter into or remain within the Conservancy between dusk and dawn as the Buxton Conservancy is closed from dusk to dawn, except as authorized by Township authorized agents for camp outs as provided for herein.
2. Go off or leave established trails and gathering areas.
3. Smoke including by way of example inhaling, exhaling, burning or carrying any lighted cigarette, cigar, pipe or other smoking equipment used for tobacco or any other weed or plant.
4. Ignite or maintain any open fire.
5. Bring into, consume upon, have in his/her possession or control or be under the influence of any alcoholic or intoxicating beverage or use, possess or be under the influence of any controlled substance pursuant to all applicable provisions State law.
6. Ride a bicycle or similar non-motorized device within the Conservancy.
7. Ride or walk a horse, pony or similar animal within the Conservancy.

8. Litter, abandon, place, deposit or leave any trash, garbage, refuse or similar type material or property other than in a container or receptacle provided for such purposes.
9. Park any vehicle except in the designated parking areas. Any such parking shall be solely in conjunction with concurrent use of the Conservancy.
10. Camp out or sleep overnight except as may be specifically authorized by written permission of an authorized representative of the Township.
11. Deface, injure, tamper, gather, destroy, remove, break, cut, or disturb:
 1. Any natural object including, but not limited to, wood, soil, wild flowers, shrubs, bushes, trees or other plant.
 2. Any physical object, part or portion thereof including, but not limited to, any structure, building, facility, sign or other apparatus.
 3. Conservancy property.
12. Engage in fighting, threatening, violent, disorderly, tumultuous, noisy, boisterous, reckless, negligent or indecent behavior or create or cause to be created any disturbance calculated to interfere with the comfort and enjoyment of the Conservancy by others.
13. Permit any dog, other animal or pet to be in, on or upon Conservancy property unless such dog, other animal or pet is on a lease. Persons shall be required to immediately clean-up any fecal matter deposited upon the Conservancy Property and dispose of the same in a sanitary manner.
14. Possess, display or discharge any fireworks, bows and arrows, air or spring rifles or slings. Discharge a firearm or weapon. Place, set or maintain any trap or trapping device or hunt with any weapon whatsoever for animals or wildlife. Throw or hit stones, golf balls or similar objects.
15. Drive, operate or ride in or upon any model powered airplanes or drones or off road vehicle of any kind, including, but not limited to, motorbike, motorized scooter, motorcycle, mini-bike, snowmobile or motorized vehicle, device or contraption or any sort on Conservancy Property.
16. Solicit or post, place, attach, erect or otherwise display any poster, sign, leaflets, unauthorized bills, notices, advertising matter of any kind or similar type of material except for those signs authorized by an authorized agent of The Township.
17. Utilize or use a metal detector.
18. Gather a group or event of 20 or more persons without the written permission of an authorized representative of the Township.
19. Violate any applicable state laws and Township Ordinances including but not limited to those regarding vandalism and disorderly conduct.

§102 Posting

There may be posted at conspicuous places in the Conservancy an appropriate sign or notice whereupon there shall be set forth in an abbreviated or other form, in whole or in part, the nature and content of this Part.

§103 Enforcement

It shall be the duty and responsibility of the Brecknock Township Police Department to enforce the provisions of this Part.

§104 Violations

Any violation or failure to comply with any provision of this Part shall constitute a summary offense, prosecuted in accord with the Pennsylvania Rules of Criminal Procedure and subject the violator to penalties set forth herein.

§105 Penalties

Any person who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to pay a fine of not more than one thousand dollars (\$1,000) plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed thirty (30) days. Each violation of this Part shall constitute a separate offense.

§106 Non Exclusive Remedies

The violations and penalties procedures provided for in this Part are not intended to supplant or replace to any degree the remedies and procedures available to the Township in the case of a violation of any other Township Ordinance.

SECTION 3. REPEALER. Any ordinance or part of any ordinance conflicting with this Ordinance is hereby repealed insofar as the same affects this Ordinance.

SECTION 4. SEVERABILITY. In the event that any provision, section, clause or part of this Ordinance shall be held to be invalid, such invalidity shall not affect or impair any remaining provisions, sections, sentences, clauses or parts of this Ordinance, it being the intent of the Township of Brecknock that such remainder shall be and remain in force and effect.

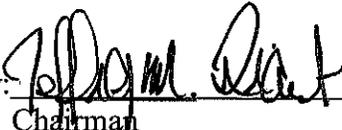
SECTION 5. CODE OF ORDINANCES. The Code of Ordinances of the Township of Brecknock, as amended, shall be and remain unchanged and in full force and effect except as amended, supplemented, and modified by this Ordinance. This Ordinance shall become a part of this Code of Ordinances upon adoption.

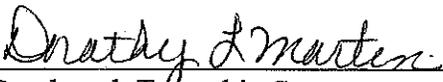
SECTION 6. EFFECTIVE DATE. This Ordinance shall become effective five (5) days after enactment as provided by law.

ENACTED AND ADOPTED by the Board of Supervisors of Brecknock Township, Berks County, Pennsylvania, this 7th day of April 2015.

BOARD OF SUPERVISORS OF THE TOWNSHIP OF BRECKNOCK

ATTEST:

By: 
Chairman


Brecknock Township Secretary


Vice Chairman


Member

CERTIFICATE OF ENACTMENT

I hereby certify that the foregoing is a true and accurate copy of Ordinance No. 2015-184 adopted by the Board of Supervisors of Brecknock Township, Berks County, Pennsylvania at a regular meeting held on April 7, 2015, pursuant to notice as required by law.

Dated: 4/7/2015

Dorothy J. Martin
Township Secretary