

CHAPTER 16

PARKS AND RECREATION

Part 1

Rules and Regulations

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Part 1
Rules and Regulations

§101. Purpose.

The purpose of this Part is to establish and reinforce rules and regulations governing the use and enjoyment of parks and recreation areas owned by the Borough or by charitable organizations or otherwise within the Borough's control pursuant to powers vested in the Council by the Borough Code and any other applicable law or regulation. (Ord. 547, 11/9/1994, §1)

§102. Definition.

For the purpose of this Part, the term "park" shall mean any outdoor property within the Borough's control and made available for the use and recreational enjoyment of the residents of the Borough and as allowed for the members of the general public. (Ord. 547, 11/9/1994, §2)

§103. Rules and Regulations.

It shall be unlawful for any person entering or using a park to do any of the following while in the park:

- A. Enter or be present in the park after sunset but before sunrise.
- B. Operate a motor vehicle over the posted speed limit of five miles per hour.
- C. Bring dogs or any other animal onto park property.
- D. Operate a bicycle on any other area other than the designated bike trails or parking areas.
- E. Operate a motor vehicle for any other purpose other than for entering or exiting the park.
- F. Park a motor vehicle anywhere other than a designated parking space.
- G. Operate any motor vehicle including, without limitation, a car, truck, motorcycle, dirt bike, trailer, three wheeler, four wheeler or any other road vehicle or recreational vehicle anywhere other than on a parking lot or access road.
- H. Build or erect any structure, whether temporary or permanent.

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- I. Remove, damage or deface any tree, rock, plant, structure, facility or equipment.
- J. Organize or facilitate a gathering of more than 15 people without appropriate permission from the Borough or governing authority.
- K. Possess, use or consume any alcoholic beverage or illegal or illicit substance.
- L. Possess or use any firearm, pistol, gun, slingshot, bow, arrow, explosive or firecracker.
- M. Engage in any activity which results in illegal profit (gambling).
- N. Make or contribute to the making of noise that is disturbing to the rights of others who may wish to use the park or that constitutes a nuisance.
- O. Engage in any commercial activity.
- P. Distribute printed material, engage in solicitation or place unauthorized advertisements, signs or posters without an appropriate permit from the Borough or governing authority.
- Q. Litter or fail to dispose of trash or rubbish brought to the park in appropriate receptacles.
- R. Camp or sleep for more than two hours.
- S. Kindle or maintain or use open fire with the exception of charcoal or gas grills used for preparation of food.
- T. Fail to remove a motor vehicle at or before sunset.
- U. Contaminate, pollute or degrade natural waters.
- V. Engage of trapping of animals.
- W. Remove sand, earth, clay, stone, minerals or other products.
- X. Participate in, become a part of or contribute to boisterous, immoral or indecent conduct.
- Y. Violate or neglect to follow temporary or permanent instructions posted on signs authorized by the Borough or governing authority.

(Ord. 547, 11/9/1994, §3)

§104. Exceptions to the Rules and Regulations.

It shall not be unlawful for any person to engage in any of the behaviors or activities enumerated in the foregoing rules and regulations provided that a permit for such activity has been issued and obtained from the Borough or from the governing authority which would permit the otherwise forbidden behavior or activity. (Ord. 547, 11/9/1994, §4)

§105. Enjoyment of Parks by Persons with Disabilities.

No part of this Part shall be interpreted or enforced in a manner that would deny a person with a disability the ability to use and enjoy a park. (Ord. 547, 11/9/1994, §5)

§106. Signage.

The Borough Council or governing authority shall cause signs to be conspicuously posted throughout the parks and especially at the entrances thereto. The signs may either state the above mentioned rules and regulations in full or the signs may provide a reasonable synopsis of the rules and regulations. The signs shall include a statement of the applicable penalties for violations of this Part. (Ord. 547, 11/9/1994, §6)

§107. Penalties for Violation.

Any person or persons, firms or corporations who shall fail to comply with any of the provisions of this Part or subsequent resolutions adopted in pursuance thereof, shall be liable, for a first offense, to a fine of not less than \$10 nor in excess of \$100 for each and every day he, they or it shall engage in said violation; for a second offense in a like manner there shall be a fine of not less than \$20 nor in excess of \$300 for each and every day he, they or it shall engage in said violation; for a third offense to a like fine as provided for a second offense or to imprisonment in the Borough lockup or Berks County Prison for a period not exceeding 30 days or both, together with the costs of prosecution in each case. (Ord. 547, 11/9/1994, §7)