

ORDINANCE NO. 252

AN ORDINANCE OF THE TOWNSHIP OF SOUTH HEIDELBERG, BERKS COUNTY, PENNSYLVANIA, ESTABLISHING RULES AND REGULATIONS TO GOVERN CONDUCT ON TOWNSHIP OWNED PARKS, RECREATIONAL AREAS AND OPEN SPACE LAND, AND PROVIDING FOR PENALTIES FOR VIOLATIONS THEREOF.

BE IT ENACTED AND ORDAINED by the Board of Supervisors of the Township of South Heidelberg, Berks County, Pennsylvania, and it is hereby ENACTED AND ORDAINED by the authority of the same as follows:

Section 1. Rules and Regulations. All parks, recreational areas and open space lands owned by the Township of South Heidelberg, Berks County, Pennsylvania (collectively, the "Park System") shall be subject to the following rules and regulations:

- a. No person or entity shall be permitted on, into or within the Park System except during the hours of operation set forth in Section 2 below.
- b. No person or entity shall drive, operate or ride in or upon any automobile, truck, tractor, motorbike, motorized scooter, motorcycle, mini-bike, snowmobile or other motorized vehicle, device or contraption of any sort, on the Park System, except where a roadway has been so marked and designated for such purpose. The foregoing prohibition shall not apply to authorized personnel or vehicles of the Township of South Heidelberg or authorized emergency personnel or vehicles of its authorized agent(s).
- c. No owner of any such automobile, truck, tractor, motorbike, motorized scooter, motorcycle, mini-bike, snowmobile or other motorized vehicle, device or contraption of any sort, shall permit or allow another person to engage in the conduct prohibited in Section 1(b) above.
- d. No person or entity shall use any profane, offensive or indecent language or expressions.
- e. No person or entity shall engage in any disorderly conduct (including, but not limited to, public drunkenness or intoxication), immoral behavior, indecent behavior, criminal mischief or any other acts in violation of the Pennsylvania Crimes Code.
- f. No person or entity shall bring into, consume upon or have in his / her possession or control any: (i) alcoholic or intoxicating beverage; or (ii) any drug, narcotic or controlled substance pursuant to applicable provisions of Pennsylvania law.

- g. No person or entity shall smoke or otherwise use any cigarette(s) or other tobacco related products.
- h. No person or entity shall litter, abandon, place, deposit or leave any trash, garbage, refuse or similar type of material or property other than in a container or receptacle provided for such purpose.
- i. No person or entity shall vandalize, damage, deface, destroy, remove, move, abuse or misuse any Township-owned property, vegetation, turf, signs, buildings, bridges, structures, lights, fixtures, equipment or other material of the Township within the Park System.
- j. No person or entity shall permit any dog, pet or other animal (including, but not limited to, a horse) to be in, on or upon the Park System except upon marked or designated paths for such purpose, if any.
- k. No person or entity shall hunt, trap, harass, injure or kill live animals, reptiles or other wildlife within the Park System.
- l. No person or entity shall fail to promptly heed and obey a request or instruction of a Police Officer of the Township of South Heidelberg, the PA State Police or any other official governmental law enforcement authority to cease and desist from any form or mode of conduct or activity contrary to or detrimental to the health, safety and general welfare of others or the Park System itself.

Section 2. Hours of Operation. The hours of operation of the Park System for public use shall be from sunrise to sunset unless otherwise established by the Board of Supervisors from time to time for special events or occasions.

Section 3. Posting of Signs. The Township shall post at conspicuous places, in its sole discretion, in the Park System an appropriate sign or notice whereupon there shall be set forth in abbreviated or other form, in whole or in part, the nature and content of this Ordinance.

Section 4. Authorized Work or Maintenance. Nothing stated in this Ordinance or in any other rules or regulations promulgated hereunder shall in any way be construed to preclude or prohibit any authorized work or maintenance to or in the Park System by Township of South Heidelberg employees or authorized agents thereof.

Section 5. Additional Rules and Regulations – Modification for Special Events. The Board of Supervisors may, from time to time, adopt by resolution additional rules and regulations governing the operation and conduct of the Park System including temporary modifications or suspension of the Rules and Regulations set forth in Section 1 for special events or occasions.

Section 6. Violations. Any person or entity, who shall be found guilty of a violation of any part or parts of this Ordinance, upon summary conviction thereof before a Magisterial District Judge, shall pay a fine of not more than One Thousand (\$1,000.00) Dollars per violation and the costs of prosecution, including but not limited to attorney's fees and court costs, and, in default of payment of such fine and costs of prosecution, shall undergo imprisonment of not more than ten (10) days, provided further, that each day's continuance of a violation shall constitute a separate offense. All fines and penalties collected for the violation hereof shall be paid to the Township Treasurer. The Township, by means of other appropriate legal proceedings, including a complaint in equity, may compel any person to comply with the above rules and regulations, or seek any such other relief as any court of competent jurisdiction is empowered to afford.

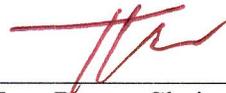
Section 7. Repeal Of Ordinances. Any ordinance or part of ordinances conflicting with the provisions of this Ordinance are hereby repealed insofar as they are inconsistent with this Ordinance's provisions.

Section 8. Severability. If any article, section, subsection, provision, regulation, limitation, restriction, sentence, clause, phrase or word in this Ordinance, is, for any reason declared to be illegal, unconstitutional or invalid, by any Court of competent jurisdiction, this decision shall not affect or impair the validity of the Ordinance as a whole, or any other article, section, subsection, provision, regulation, limitation, restriction, sentence, clause, phrase, word, or remaining portion of the within Ordinance. The Board of Supervisors of the Township of South Heidelberg, Pennsylvania, hereby declares that it would have adopted the within Ordinance and each article, section, subsection, provision, regulation, limitation, restriction, sentence, clause, phrase and word thereof, irrespective of the limitations, restrictions, sentences, clauses, phrases, or word that may be declared illegal, unconstitutional or invalid.

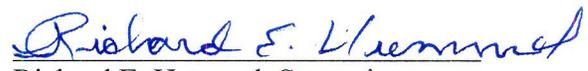
Section 9. Effective Date. This Ordinance shall become effective five (5) days from the date of enactment.

DULY ENACTED AND ORDAINED this 14TH day of APRIL, 2016.

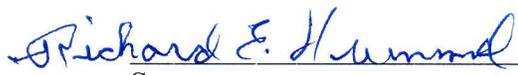
TOWNSHIP OF SOUTH HEIDELBERG



Tom Byrne, Chairman


Richard E. Hummel, Supervisor
David A. Schaeffer, Supervisor

Attest:

 (SEAL)
Secretary