

# **ORDINANCE 2010-1**

## **AN ORDINANCE OF THE WRIGHTSVILLE BOROUGH, YORK COUNTY, PENNSYLVANIA DEFINING AND ESTABLISHING REGULATIONS FOR THE USE OF PARKS AND RECREATIONAL FACILITIES WITHIN THE BOROUGH OF WRIGHTSVILLE**

It is hereby ordained:

Section 1. Definitions. As used in this ordinance, the following terms shall have the meanings indicated, unless a different meaning clearly appears from the context:

PARK OR PARKS – unless specifically limited, shall be deemed to include all parks, playgrounds, recreation areas, recreation structures and facilities, and also entrances and approaches thereto, and all other land or property or structures under the jurisdiction of the Borough of Wrightsville, now or hereafter owned, leased or acquired by the Borough of Wrightsville.

PERSON – any natural person, corporation, organization of persons, company, association or partnership.

RULES & REGULATIONS – any rules and regulations hereby or hereafter promulgated by the Borough of Wrightsville under the authority herein conferred.

**Section 2. Park Hours.** All parks shall be opened daily to the public at such hours as the Wrightsville Borough Council may from time to time designate, but in no event shall any person be permitted to be in attendance in any park between Sunset and Sunrise (a specific time of day, as determined and published by the U.S. Weather Bureau locally, at which the sun rises and the sun sets), unless special permission is granted by the Wrightsville Borough Secretary, as designated by the Wrightsville Borough Council.

**Section 3. Prohibited Conduct.** The regulations set forth below governing the use of parks; playgrounds and recreational centers within the Borough of Wrightsville are hereby adopted. No person in attendance at a park within the Borough of Wrightsville shall:

1. Cut, break, injure, deface, mutilate, or remove trees, shrubs, plants, turf, buildings, structures, signs, placards, fixtures, streams, fountains, springs, or any other park, playground or Wrightsville Borough property. This includes sand, stone, clays or minerals.
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. Nor shall anyone bring refuse onto Wrightsville Borough property.

3. Kindle or maintain any fire in the park except in grills or areas specially designated for that purpose and located by authority of the Borough of Wrightsville.
4. Remove any bench, seat, table or other appliance without permission of the Wrightsville Borough Secretary.
5. Injure, deface, destroy or remove any notice, rule or regulation posted at any place within the park by authority of the Wrightsville Borough Secretary; nor shall any notice or placard posted in any property other than by authority of said Borough Secretary.
6. Set up any booth, table or stand for the sale of any article or service whatsoever within the limits of the park without permission of the Wrightsville Borough Secretary; distribute, sell, service or rent any services or commodity or solicit for any purpose without permission of the Wrightsville Borough Secretary.
7. Wash, clean, polish or repair any vehicle or any other article or item of personal property.
8. Indulge in any threatening, abusive, insulting or indecent language or commit any obscene, indecent or disorderly act to included but not limited to urination, excretion, exposure, fighting, harassment, prostitution, etc or commit any nuisance. Any acts that would violate Pennsylvania Crimes Code or Borough Ordinance in relation to inappropriate behavior are prohibited.
9. Operate a snowmobile, minibike, motorcycle or any vehicle, recreational or otherwise, except on designated roads, trails or areas set aside for their use.
10. Conduct or participate in any games, athletic activities, sports, etc., except in designated areas, and such activities are subject to such rules and regulations prescribed by the Wrightsville Borough Secretary.
11. 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 bird or any animal of any description, either game or otherwise. Fishing is permitted pursuant to Pennsylvania Fish and Game Commission regulations.
12. Possess any illegal weapon including but not limited to firearms, knives, bb guns, slingshots, air soft guns or any other type of weapon unless the Wrightsville Borough Secretary grants special permission for a designated area.

13. Allow pets to run at large without being on a leash pursuant to P.S.3 459-305.
14. Disobey a proper order of a Police Officer or Wrightsville Borough official or disobey or disregard or fail to comply with any rules or regulations, warning, prohibition, instruction, or direction given by an authorized person and posted or displayed by sign, notice, bulletin, poster or when notified or informed as to its existence by the Wrightsville Borough Secretary, any Wrightsville Borough Police Officers or any other authorized person.
15. Erect or maintain or distribute any signs, advertisements, circulars, or other printed material without permission of the Wrightsville Borough Secretary.
16. Collect or solicit any funds or distribute any literature without the permission of the Wrightsville Borough Secretary.
17. Sell or offer for sale any articles of any kind or any food except when authorized by the Wrightsville Borough Secretary.
18. Use the park or playground before sunrise or after sunset (a specific time of day, as determined and published by the U.S. Weather Bureau locally, at which the sun rises and the sun sets), unless special permission is granted by the Wrightsville Borough Secretary.
19. Hold any public meeting or rally for more than five (5) persons or engage in any marching, protesting or driving as members of any organization without permission of the Wrightsville Borough Secretary. All meetings of such are deemed to be entertainment and require a permit pursuant to the Wrightsville Borough Code of Ordinances.
20. Sell, use, possess, purchase, or transport any drugs, alcohol or drug paraphernalia on any park, playground or Wrightsville Borough property.
21. Wrightsville Borough Council may, by resolution, adopt additional regulations governing the use of the parks, playgrounds, and Wrightsville Borough property and impose such fees therefore as they deem appropriate.
22. Smoke within 50 feet of the ball fields, concession stand and the playground areas where children are at play pursuant to EYC rules.

Section 4. Reservation for Specific Uses. The use of all parks shall be on a first come, first served basis unless otherwise reserved:

1. by annual permission by the Wrightsville Borough Secretary for the scheduling of various league games, etc;
2. for school or college athletic games, practice, contests, exhibitions;

3. for regularly scheduled school district or municipal recreation programs;
4. by the permission of the Wrightsville Borough Secretary for a specific requested use such as birthday parties, baby showers, etc

Section 5. Authority to Close Area. Recreation facilities and property located within the Borough of Wrightsville which become hazardous for public use due to weather, fire, water or unforeseeable conditions may be closed only by the Wrightsville Borough Council or persons authorized by the Wrightsville Borough Council.

Section 6. Penalties. Whoever violates any regulation set forth in this Ordinance or any provision or regulation adopted by the Borough Council, pursuant to the authority granted by law, shall be fined no more than one thousand (\$1,000), and costs, and in default thereof, shall be imprisoned for not more than 30 days. Persons causing vandalism, or parents of persons under the age of eighteen (18), will be held financially responsible for the full amount of damages, or the maximum allowed by Pennsylvania Law.

Section 7. Repealer. All Ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed.

Section 8. Severability. If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance.

ORDAINED AND ENACTED this 7th day of June, 2010.

ATTEST:

BOROUGH COUNCIL:

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MELISSA WIRLS  
BOROUGH SECRETARY

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TOM GROFT  
COUNCIL PRESIDENT

APPROVED  
This 7<sup>th</sup> day of June, 2010

BY:

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NEIL HABECKER  
MAYOR