

ORDINANCE NO. 2009 - 7
HILLTOWN TOWNSHIP
BUCKS COUNTY, PENNSYLVANIA

AN ORDINANCE OF THE HILLTOWN TOWNSHIP BOARD OF SUPERVISORS AMENDING CHAPTER 107 OF THE CODE OF ORDINANCES OF HILLTOWN TOWNSHIP BY DEFINING AND ESTABLISHING REGULATIONS FOR THE USE OF PARKS AND RECREATIONAL FACILITIES; FIXING THE HOURS OF THEIR USE; PROHIBITION OF CERTAIN CONDUCT THEREIN; REQUIRING RESERVATIONS FOR SPECIFIC USES; AUTHORIZING ADDITIONAL REGULATIONS AND THE CLOSING OF FACILITIES UNDER CERTAIN CIRCUMSTANCES; PERMITTING FISHING UNDER THE APPLICABLE LAWS OF THE COMMONWEALTH; DESIGNATING ENFORCEMENT OFFICER; AND PRESCRIBING PENALTIES FOR VIOLATION.

The Hilltown Township Board of Supervisors hereby ordains:

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, Parks or Park System –

Unless specifically limited, Park, Parks or Park System shall be deemed to include all parks, playgrounds, recreation areas, athletic fields, tennis courts, beaches, recreation structures and facilities, and also entrances and approaches thereto, and all other land or property or structures under the jurisdiction of the Board of Supervisors, now or hereafter owned or acquired by Hilltown Township for park or recreational purposes.

Donated Land –

Land owned by Hilltown Township that was donated to the Township by developers during the subdivision and land development process.

Person –

Any individual, corporation, organization of persons, company, association or partnership.

Rules and Regulations –

Any rules and regulations hereby or hereafter promulgated by the Board of Supervisors under the authority herein conferred.

Park Amenities –

Athletic fields, athletic courts, pavilions, open grass/lawn areas within a park.

Other Facilities –

Blooming Glen Scout Cabin & School House, Hilltown Township Municipal Building public meeting room, or other public meeting places owned by Hilltown Township.

Hilltown Township Based Organizations –

Groups such as youth or adult sporting or athletic organizations, religious or church CYO programs or civic, non-profit, or volunteer organizations whose legal corporation address is located within the boundaries of Hilltown Township.

Section 2. Park Hours:

All parks shall be opened daily to the public at such hours as the Board of Supervisors may, from time to time designate, but in no event shall any person be permitted to be in attendance in any park between one hour after sunset and one hour before sunrise, unless special permission is granted by the Board of Supervisors.

Parks that have recreation facilities with illumination for athletic events shall follow the schedule of hours as announced from time to time by the Board of Supervisors by Resolution. Said schedule shall be found on the Hilltown Township website and will be available at the Hilltown Township building.

Only illuminated facilities of the park shall be open for use during this time. Persons must be actively using the illuminated facilities or must be spectators of same to be in the park during this time. All other park users must vacate non-illuminated facilities at sunset.

Section 3. Prohibited Conduct:

No person in attendance at a park shall:

1. Injure, deface, remove, cut or damage any of the trees, plants, shrubs, turf, buildings, structures, athletic fields or equipment, signs or fixtures, or any other property of Hilltown Township located within the park and approaches thereto.
2. Litter any area of the park with trash, garbage, paper, bottles, cans or other waste material including animal waste; nor dispose of the same in any way except in receptacles designated for such purpose. Additionally, no bringing into the parks or dumping of domestic trash, lawn debris, grass clippings, tree stumps, or other vegetation is permitted.

3. Light 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.
4. Remove any structures, benches, seats, tables or other appliances from the Park System.
5. Injure, deface, or destroy or remove any signs, notice, bulletin, card, poster or rule or regulation posted at any place within the park by authority of the Board of Supervisors; nor shall any notice or placard be posted within the park other than by authority of said Board.
6. Set up any booth, table or stand for the sale of any article or service that provides a personal financial gain whatsoever within the limits of the park without permission of the Board of Supervisors; distribute, sell, service or rent any services or commodity or solicit for any purpose without permission of the Board of Supervisors.
7. Operate, stop or park any vehicle, 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 or safety hazard to other area users.
8. Operate commercial vehicles, unless providing authorized services.
9. Bring onto the premises, possess or consume any alcoholic beverage, illegal drug or narcotic of any kind; no person shall enter the park in an intoxicated state or otherwise be under the influence of alcohol, illegal drugs and/or narcotics.
10. Carry or discharge a shotgun, rifle, pistol or firearms of any make or kind, 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; police officers in the performance of their duties will be exempt from these provisions.
11. Operate a snowmobile, mini-bike, motorcycle, All-Terrain Vehicle (ATV) or any motorized vehicle designed to move people, recreational or otherwise, except on designated roads, trails, or parking areas set aside for their use. Equipment used by individuals with physical disabilities or ailments are permitted.

12. Ride horses in any park, except on designated riding trails or areas set aside for such use.
13. Hold any public meeting or rally with more than five (5) persons or engage in any marching as members of a military, political or other organization without permission of the Board of Supervisors, which requires a statement of 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.
14. Build, erect, plant, dump or cultivate upon lands within the park system or otherwise use lands within the park system, donated lands or other land owned by the Township. This includes any structures (sheds, playgrounds or play equipment, play houses, swing sets, storage bins, etc), gardens, compost heaps, yard waste and tree limbs or any other personal usage of Township parks or donated lands.
15. No person shall camp or picnic except in such areas as are provided and/or designated for such purposes within the park system.
16. Disobey a proper order of a police officer, a Board of Supervisors member, or the Township Manager/designee, Public Works Director 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, card, poster, or when notified or informed as to its existence by the Board of Supervisors or an authorized person.
17. Hunt for, capture, 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. See Rule #10
18. Hit golf balls, play horseshoes except where so designated, or conduct any other activity upon athletic fields which would tend to injure, deface, remove, cut or damage any of the field turf.
19. No person shall bring any domestic animal or fowl into Township parks unless the property is clearly designated for such a purpose and then only when the domestic animal or fowl is tethered on a six (6') foot or shorter leash.
No person shall use any fenced area or enclosure such as a baseball field or tennis court to release or run their animal off leash.

Individuals are responsible for all waste left by any animal under their control/ownership. "Doggie Bags" or "Mutt Mitts" are

provided by the Township therefore, persons shall clean up and dispose of animal waste in trash receptacles designated for such purpose.

20. Conduct themselves in a manner that is a nuisance and disturbs the peace & good order in the park system. Regulations provided in Chapter 103 & 110 of Hilltown Township Code of Ordinances apply to all visitors in the Township Park System.
21. Noise. No person shall: Use a loudspeaker, public address system or amplifier within the park system without first obtaining written permission from the Township.

No person shall play or cause to play any radio, phonograph, tape recorder, television, stereo, or any future undefined electronic device etc. in a loud or boisterous manner as defined in Hilltown Township Code, Chapter 103 - Nuisances and Chapter 110 - Peace & Good Order.

22. Use threatening, abusive, insulting, profane or obscene language or words.
23. Commit any disorderly or immoral act.
24. Smoking. Smoking is defined as the carrying by a person of a lighted cigar, cigarette, pipe or other lighted smoking device. Smoking is prohibited within, on, or throughout all properties managed, maintained and regulated by the Township, including, but not limited to, parks, playgrounds, athletic courts, athletic fields and donated lands and all buildings and structures within the park system.

Section 4. Fishing:

All laws pertaining to fishing in the Commonwealth shall apply to fishing parks and recreation areas, and provisions thereof are hereby incorporated by reference.

Section 5. Reservation for Specific Uses:

All Hilltown Township Parks are available for public use in accordance with approved Park Rules and Regulations on a first come - first serve basis. From time to time, when specific permission is granted according to the Township application process and appropriate fees have been collected per the Township's fee schedule, specific park amenities can be reserved for one-time events.

Hilltown Township Residents and their families shall have priority for the reserving of all park amenities (athletic fields, athletic courts, pavilions, open grass/lawn areas within a park, etc.) and other facilities (Blooming Glen Scout Cabin & School House, Hilltown Township Municipal Building public meeting room) pending scheduling availability.

Scheduling Priority:

Application for Facility Use Forms shall be submitted to the Township Administration Office during normal business hours of 8:00 am to 4:30 pm or as posted. Applications will be date stamped immediately upon receipt. In the event two (2) applications for facility use are submitted for use of the same date and time, the reservation will be granted on the first come, first serve basis based on the date stamp listed on the application.

Reservation and Use Permit Priorities:

When all appropriate and completed application forms and user fees have been submitted to the Township, permission may be granted by the Township Manager or designee to user groups based on the following priority order:

1. Hilltown Township Residents and their families;
2. Activities planned, organized and/or sponsored by the Hilltown Township Parks, Recreation & Open Space Department and/or the Parks, Recreation & Open Space Committee;
3. For Hilltown Township based organizations such as youth sporting or athletic organizations, church CYO programs or other Hilltown Township based civic, non-profit, or volunteer organizations;
4. For Pennridge School District or college athletic games, practice, contests, or exhibitions;
5. For regularly scheduled school district programs;
6. For requested use from user groups not based in Hilltown Township or not referenced in above items 1 through 5.

Section 6. Authorization to Promulgate Additional Rules:

The Board of Supervisors is authorized to establish additional rules and regulations as deemed necessary.

Section 7. Authority to Close Areas:

Recreation facilities which become hazardous for public use due to vandalism, weather, water, fire, repair/maintenance or athletic turf rejuvenation or any unforeseeable conditions may be closed only at the discretion of Hilltown Township. Any individual is advised to notify the Township if a hazard exists.

Section 8. Enforcement:

The police officers of Hilltown Township are charged with enforcement of the provisions of this Ordinance and any rules and regulations promulgated by the Board of Supervisors.

Section 9. Penalties:

Any person who violates or permits a violation of this Ordinance shall, upon conviction in a proceeding brought before a District Justice under the Pennsylvania Rules of Criminal Procedure, be guilty of a summary offense and shall be punishable by a fine of Two Hundred Dollars (\$200.00) plus costs of prosecution. In the default of payment thereof, the defendant may be sentenced to imprisonment for a term not exceeding 90 days.

Section 10. Repealer:

All Ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed. The following Ordinance or parts thereof are specifically repealed.

Section 11. Severability:

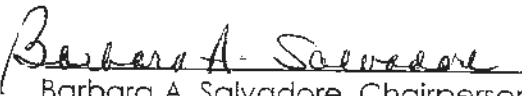
If any sentence, clause, section, or part of this Ordinance is for any reasons found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity, shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared as the intent of the Hilltown Township Board of Supervisors that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

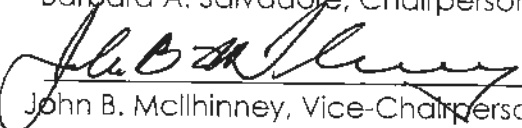
Section 12. Effective Date:

This Ordinance shall become effective five (5) days after enactment.

SO ADOPTED THIS 24th DAY OF AUGUST, 2009

HILLTOWN TOWNSHIP BOARD OF SUPERVISORS


Barbara A. Salvadore, Chairperson


John B. McIlhinney, Vice-Chairperson

Richard J. Manfredi, Supervisor Member