

**AN ORDINANCE REGULATING THE USE OF PARKS,
PLAYGROUNDS AND OTHER RECREATION AREAS
OWNED OR OPERATED BY THE TOWNSHIP OF EAST
LAMPETER; PRESCRIBING THE POWERS AND DUTIES
OF THE TOWNSHIP OF EAST LAMPETER AND CERTAIN
OFFICERS AND EMPLOYEES WITH REGARD THERETO;
AND FIXING PENALTIES FOR THE VIOLATION.**

BE AND IT IS ORDAINED AND ENACTED BY THE TOWNSHIP OF EAST LAMPETER as follows:

SECTION 1. SHORT TITLE

This Ordinance shall be known and may be cited as the "East Lampeter Township Parks Ordinance."

SECTION 2. DEFINITIONS

For the purpose and within the meaning of this ordinance, the following definitions shall pertain:

- (a) "Park" - shall include parks, park reservations, playgrounds and all other areas owned or used by the Township of East Lampeter and devoted to active or passive recreation within the Township of East Lampeter.
- (b) "Person" - shall include any individual, firm, partnership, corporation or association, and any agent, assistant, employee or representative thereof.

SECTION 3. REGULATIONS

It shall be unlawful for any person to do any of the acts hereinafter described within the limits of any park:

- (a) Permit any dog or other animal except wildlife to run at large, or allow any such animal to be within 50 feet of any designated picnic area, play area, or pavilion unless on a designated path. Dogs must be on an adequate leash that is no more than ten feet in length at its full extension.
- (b) Fail to remove and dispose of any animal deposits or droppings by any person bringing an animal into the parks.

- (c) Hunt for, shoot at, chase, catch, trap, or intentionally injure or kill or attempt to shoot at, chase, catch, trap or intentionally injure or kill with or without dogs, any bird or animal.
- (d) Swim, wade (except for lawful fishing purposes), or bathe at any place except in a public swimming or wading pool.
- (e) Engage in the throwing of stones, sticks or other projectiles except for mini discs being used on the mini disc course.
- (f) Engage in any gambling activity of any kind including small games of chance.
- (g) Possess any weapon of any type including bow and arrow, sling shot, air rifle, spring rifle, knife or any other device capable of throwing any projectile of any sort including the hand throwing of rocks, stones or other device intended to be used as weapons or to possess to possess any firearm as that term is defined by Section 6120(b) of the Pennsylvania Uniform Firearms Act unless the person possessing such firearm is in possession of a license to carry that firearm.
- (h) To discharge any firearms as that term is defined by Section 6120(b) of the Pennsylvania Uniform Firearms Act except for the justifiable use of force as authorized by Chapter 5 of the Pennsylvania Crimes Code.
- (i) Have, drink or be under the influence of malt or brewed beverages, spirituous liquors, wine or illegal drugs.
- (j) Break, cut, deface, disturb, injure or take any flower, fruit, plant, tree, shrub, bench, building, fence, monuments, or other structure, apparatus or property.
- (k) Gather or remove any wood, turf, grass, soil, rock, sand, or gravel.
- (l) Disturb any bird or animal in any place.
- (m) Injure, deface or destroy any posted or permanently fixed signs or notices.
- (n) Smoke in restrooms or any areas where forbidden by signs.
- (o) Discard lighted matches, cigars, cigarettes on park property except in appropriate disposal containers.
- (p) Throw or deposit cans, bottles, broken glass, paper or rubbish of any description except in the containers provided for the same.

- (q) Discard any refuse, dead animal or offensive matter or substance of any kind.
- (r) Make or kindle fire except in picnic stoves (grilles) or fireplaces provided for that purpose, or use any material other than charcoal (brought by the user) for such fires. All fires must be used for the purpose of cooking food. No fire may be left unattended and should be completely extinguished when the user is finished with it.
- (s) Post or erect any bills, notices, or advertising matter of any kind, provided this shall not apply to notices placed by employees of the township of East Lampeter engaged in the performance of their duties.
- (t) Sell or offer for sale any merchandise, article or thing whatsoever provided this shall not apply to authorized concessionaires.
- (u) Engage in camping, archery, hitting of golf balls, or any activity, sport or foot race which causes damage to park grounds, buildings or other park facilities except on such grounds or place specially designated for such purpose or which has been authorized by the Park Board.
- (v) Stand or park any vehicle except at those places designated therefore.
- (w) Violate any posted rules for or to misuse any picnic area, pavilion, ball field, play ground or other recreational area.
- (x) Operate unlicensed motor vehicles (see Section 4).
- (y) Wash or repair any motor vehicle, except for emergency repairs.
- (z) Have any amplified music, theatrical or other entertainment.
- (aa) Claim the use of any ball field or pavilion without a permit from the Township. All ball field or pavilion users who do not have a permit from the Township are required to immediately yield the use of such ball field or pavilion to those who have a permit.
- (bb) Operate any motorized or non-motorized vehicle at any place other than roadways, parking lots or special areas designed for operation of such vehicles. Bicycles, scooters, skateboards, roller skates, roller blades and any similar vehicle, equipment or device are prohibited from all walking paths within Township parks (with the exception of vehicles covered in Section 4).
- (cc) Commit any public nuisance.
- (dd) Operate snowmobiles, mini-bikes or go-carts within Township parks.

- (ee) Congregate in any area which will hamper the free movement of pedestrians.
- (ff) Abandon any vehicle within the limits of any park or roads abutting said park.
- (gg) Operate any motor vehicle at a speed in excess of 5 mph.

SECTION 4. USE OF OTHER POWER-DRIVEN MOBILITY DEVICES (OPDMD)

Access to trails and the use of devices as set forth below is limited to individuals with mobility disabilities and this policy does not authorize the use of these devices by others.

- (a) Park trails are available to individuals with a mobility disability as follows:

Wheelchairs, as defined by 28 CFR §35.104, are permitted on all East Lampeter Park trails approved for pedestrian access and on multi-use Park trails as follows:

- (1) The OPDMD must be electric-powered. Internal combustion engines are not permitted.
 - (2) The OPDMD must have an electrical output of no more than 300 watts.
 - (3) The OPDMD must be no more than 36" in width. Electric bikes (ebikes) meeting the above criteria, and which allow the user to pedal or alternatively run on battery power, are permitted on all Park trails approved for bicycle use. User discretion is advised as some approved bicycle trails may not be suitable for all types of ebikes.
- (b) Users of an OPDMD or wheelchair must operate the device at a safe speed considering the condition of the trail and the other users traveling on the trail.
 - (c) The adoption of this Policy does not represent an endorsement that the Park trails or other Park properties are safe for the use of an OPDMD or wheelchair. Users must exercise reasonable caution and care while operating such devices within the East Lampeter Park System.

SECTION 5. PARK BOARD

The use of parks shall be under the supervision of the East Lampeter Township Park Board and shall be governed by the rules and regulations of this ordinance. The Park Board shall be made up of five Township residents appointed by the Board of Supervisors for overlapping five (5) year terms. The Park Board shall meet monthly on a schedule set by the members of the Park Board. The Park Board shall make recommendations to the Board of Supervisors regarding the design and construction of Park facilities and the priority for the funding of all improvements to Park facilities. The Park Board

shall also make recommendations to the Township staff for the ongoing maintenance of Parks and the priority for the funding of all maintenance activities. The Park Board shall make recommendations to the Board of Supervisors for all changes or additions to this ordinance. The Park Board shall have the authority to schedule the use of all ball fields and pavilions in accordance with a process established and published by the Park Board and to approve or deny the use of Township Parks for any special events or activities.

SECTION 6. CLOSING TIME

All public parks and playgrounds owned, operated, maintained or supported by the Township of East Lampeter shall be closed from sunset to sunrise. No person, other than authorized Township officials, police or authorized Township personnel, shall occupy, frequent or use the parks or playgrounds during such hours, except when such parks or playgrounds are being used for special events, entertainments, athletic contests or similar affairs which have been authorized, scheduled and are supervised by the Township or its authorized representative. In such case, the closing time of the park or playground where such event is being held shall be one-half hour after the event has ended, but no later than 11:00 p.m. prevailing time.

SECTION 7. PERMITS

- (a) All permits issued by the Township shall be subject to park rules and regulations and a person to whom such permits may be granted shall be bound by said rules and regulations as fully as though the same were inserted in said permits.
- (b) Any person or persons to whom such permits may be granted, shall be liable for any loss, damage or injury sustained by any person for reason of negligence of the person or persons to whom such permits may be granted, their agents, guests or employees.
- (c) It shall be unlawful for permittee to make any alteration to a permit.
- (d) Persons desiring to reserve any pavilion in a Township Park must request a permit for their reservation by submission of an application form and applicable fee payment. Applications will be accepted for the current year only beginning on the first day of each year when the Township office is open for business. Applications will be accepted in person during the first full week of January of each year and will be accepted via phone, electronic mail, FAX or in person during the remainder of each year. The permit application shall be in the form prescribed by the Park Board along with the fees established by the Park Board.
- (e) Organizations that wish to reserve the use of ball fields for practices and/or games must submit their request to the Park Board in writing annually. Each request must indicate which ball field is being requested and for what date and time. The Park Board will do its best to accommodate the scheduling request of each organization,

however requests received after February 15 of each year will only be accommodated on the basis of availability. Each organization will also be required to provide the Township with a certificate of insurance which names East Lampeter Township as an additional insured.

- (f) Application forms for reservations of Park ball fields and other facilities shall be prepared and approved from time to time by the Park Board and will be available to the public in the Township office.

SECTION 8. APPEAL

Any person aggrieved by an act or decision of the Park Board may appeal in writing within three (3) days thereafter to the Board of Supervisors of East Lampeter Township and pending action by the Board of Supervisors the act or decision of the Park Board shall remain in effect.

SECTION 9. PENALTIES

Any person who shall violate or fail to comply with the provisions of this ordinance or any regulations adopted by the Park Board of East Lampeter Township thereunder is guilty of a summary offense and upon conviction thereof before a District Magistrate shall be sentenced to pay a fine of up to One Thousand Dollars (\$1,000), together with costs of prosecution and in default of payment thereof shall be imprisoned for not more than thirty (30) days.

All fines and other money imposed or collected under the provisions of this ordinance shall be paid to the Treasury of East Lampeter Township.

SECTION 10. MEMORIALS

Any person or group that desires to memorialize an individual or group can do so by purchasing a memorial, such as a tree and plaque which will be placed in a park at an appropriate place agreed to by the donor and a Township representative. A tree can also be planted simply to beautify the park if a donor desires. The Park Board shall prepare and approve appropriate forms for those seeking to purchase such a memorial, which form shall be available to the public in the Township office.

SECTION 11. EFFECTIVE DATE

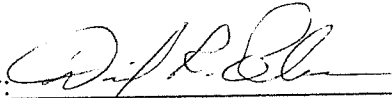
This Ordinance shall become effective five (5) days after adoption.

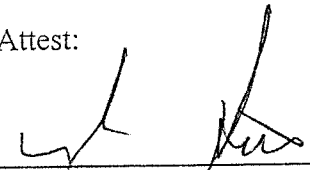
SECTION 12. REPEALER

All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

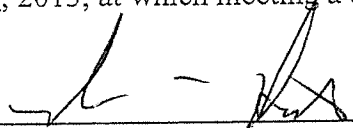
DULY ORDAINED AND ENACTED the 22nd day of January, 2013, by
the Board of Supervisors of East Lampeter Township, Lancaster County, Pennsylvania, in lawful
session duly assemble.

BOARD OF SUPERVISORS OF
EAST LAMPETER TOWNSHIP
LANCASTER COUNTY, PENNSYLVANIA

By: 
(Vice) Chairman

Attest:

(Asst. Secretary)

I, Ralph M. Hutchison, Secretary of the Board of Supervisors of East Lampeter Township, Lancaster County, Pennsylvania, hereby certify that the foregoing is a true and correct copy of an ordinance duly adopted at a legally constituted meeting of the Board of Supervisors of East Lampeter Township held on January 22, 2013, at which meeting a quorum was present and voted in favor thereof.



Ralph M. Hutchison, Secretary