

Chapter 140

PARKS AND RECREATION AREAS

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[HISTORY: Adopted by the Board of Supervisors of the Township of North Middleton 11-17-1987 by Ord. No. 87-6. Amendments noted where applicable.]

GENERAL REFERENCES

Recreation Advisory Board — See Ch. 41.

Animals — See Ch. 70.

Outdoor burning — See Ch. 92.

Disorderly conduct — See Ch. 102.

Solid waste and recycling — See Ch. 170.

Vehicles and traffic — See Ch. 196.

§ 140-1. Regulations for parks and recreation facilities.

The parks and recreation facilities owned or leased by the Township for recreational purposes, hereinafter referred to as "areas," shall be governed by the rules and regulations contained herein. The areas shall consist of the following locations, and any other such locations as the Board of Supervisors shall, from time to time, designate:

- A. North Middleton Park: located on Waggoners Gap Road, Route 74, at bridge and Conodoguinet Creek, consisting of approximately 13 acres.
- B. Village Park: located off of Fern Avenue, Airport Drive and Sun Crest Drive, consisting of approximately 13 acres.
- C. Creek View Park: located on Mountain View Road and Conodoguinet Creek, consisting of approximately 10 acres.

§ 140-2. Applicability; authority for additional regulations.

Rules and regulations are hereby promulgated to be effective immediately and to apply to the use of the areas. The Recreation Board is authorized to prepare additional rules and regulations that shall not conflict with the rules and regulations set forth herein.

§ 140-3. Hours.

The areas are open to the public between 8:00 a.m. and sundown.

§ 140-4. Prohibited acts.

The following acts and conduct are prohibited in the areas:

- A. Possession or use of alcoholic beverages.
- B. Boisterous, immoral, indecent, or obscene conduct.
- C. Discarding of trash, garbage, or other litter, except into containers provided for that purpose.
- D. Damaging, defacing, destroying, or removing any Township-owned property, sign, structure, equipment, or other material; driving nails or other hardware into trees.
- E. Posting of signs; distributing, selling, servicing or renting of any supplies, equipment, material, or commodity whatsoever, or soliciting for any purpose, without written authorization from the Township Supervisors.
- F. Operating, stopping, or parking of any vehicle or bicycle, except on designated roads, trails, or areas.
- G. Operating any vehicle or bicycle in a reckless or negligent manner, in excess of the posted speed limit of 10 miles per hour, or in such a manner as to become a nuisance to other users.
- H. All recreational vehicles, including, but not necessarily being limited to, the following: motorcycles, motorbikes, all-terrain vehicles, motor-driven cycles, motor scooters, motorized pedacycles, three-wheelers, snowmobiles, and any other like or similar form of motorized propulsion, as well as any motor vehicle, whether or not same is required to be licensed by the Commonwealth of Pennsylvania.
- I. Commercial vehicular traffic, unless providing authorized service.
- J. Possession, except in transit on self or in vehicle or bicycle operated or owned by person, or discharge of any type of firearms, bows and arrows, air guns, slingshots, or fireworks, or lethal or dangerous weapons.
- K. Hunting and trapping; and training of dogs.
- L. Camping, picnicking, swimming, boat launching or mooring, and use of all fires, except in designated areas and facilities. No fires will be left untended nor charcoal deposited or discarded.
- M. Any form of recreation or activity, except in designated areas established by the Recreation Board.
- N. All animals and/or pets of whatever nature or type. The walking of dogs on a leash or similar restraints shall be allowed at the Village Park and Creek View Park recreation areas. The walking of dogs shall be prohibited at North Middleton Park. All other animals and/or pets of whatever nature or type shall be prohibited at all other public recreation areas in North Middleton Township. **[Amended 11-2-2006 by Ord. No. 2006-9]**

- O. Meetings, conferences, rallies or assemblages for any lawful purpose of over five persons unless approval is obtained from the Board of Supervisors upon application, in writing, at least seven days in advance, stating the name of the organization, purpose, number of persons, expected duration, and the names of persons in charge.
- P. Swimming, except where authorized by the Pennsylvania Department of Health or any other appropriate state agency.

§ 140-5. Authority to establish events.

The Recreation Board shall have authority to establish priority and to schedule all events in designated areas.

§ 140-6. Fishing.

All laws, rules and regulations pertaining to fishing in the Commonwealth of Pennsylvania shall apply to fishing in recreation areas and the provisions thereof are hereby incorporated herein by reference thereto.

§ 140-7. Authority to close area.

Area facilities which become hazardous for public use due to weather, water, fire, or unforeseeable conditions may be closed at the discretion of the Board of Supervisors only.

§ 140-8. Enforcement.

Township police officers are charged with enforcement of the provisions of this chapter and of rules and regulations promulgated by the Recreation Board.

§ 140-9. Violations and penalties. [Amended 1-17-2002 by Ord. No. 2002-1¹]

Any person who violates or permits a violation of this chapter shall, upon being found liable therefor in a summary enforcement proceeding commenced under the Pennsylvania Rules of Criminal Procedure by the Township before a Magisterial District Judge, pay a fine of not more than \$1,000, plus all court costs, including reasonable attorneys' fees, incurred by the Township in the enforcement of this chapter, or up to 90 days' imprisonment in default of payment of said fine. No judgment shall be imposed until the date of the determination of the violation by the Magisterial District Judge. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable Rules of Criminal Procedure. Each day a violation exists shall constitute a separate offense. Further, the appropriate officers or agents of the Township are hereby authorized to seek equitable relief, including injunction, to enforce compliance herewith.

1. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

