

**Chapter 78**  
**PARKS AND RECREATION**

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**[Added 8-19-2008 by Ord. No. 580]**

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**§ 78-1. Parks established.**

The Borough of Heidelberg designates and establishes the following Borough parks as subject to the following rules and regulations:

- A. Heidelberg Park, Industry Way - Lot & Block: 101-A-250, 101-A-250-01.
- B. Ellsworth Avenue Playground - Lot and Block: 101-G-28, 101-G-30.
- C. Zero-Street Tot-Lot - Lot and Block: 101-C-380.
- D. Washington Street Greenspace -Lot and Block: 101-C-025.

**§ 78-2. Hours of use.**

The Borough of Heidelberg establishes the following hours of use of the above listed parks and the pavilion located within the park located on Industry Way as:

- A. Except for unforeseen emergencies and officially sanctioned, authorized and supervised events and activities permitted in writing by the Borough Council of Heidelberg, the parks shall be closed from sunset to sunrise each day. No individual, whether on foot or in a vehicle, is permitted on any park property during these times.
- B. The provisions of subsection .A of this Section shall not apply to emergency personnel in an official capacity or to Heidelberg Borough employees on duty or on official business.
- C. If, in the opinion of the Mayor of the Borough of Heidelberg, the closing of any park at a time earlier than sunset is necessary to protect the safety, health, morals or general welfare of the citizens and residents of the Borough of Heidelberg or of the persons in the park, the Mayor shall cause the police of the Borough of Heidelberg to immediately go upon the premises of the park and notify all persons in the park as to when the Park or its facilities shall be closed.

**§ 78-3. Pavilion.**

The Borough of Heidelberg establishes the following procedures and regulations for the use of the Heidelberg Park pavilion as follows:

- A. Use of the pavilion located at Heidelberg Park shall be by permission of the Borough only by the granting of a pavilion permit. The Borough Council, by annual resolution shall set

reasonable fee and security deposit requirements for the use of said pavilion and the fee and security deposit requirements may be changed from time to time by resolution of Council.

- B. Fees and security deposit requirements, as designated, shall be paid in advance to the Borough Manager, and written rules and regulations governing the use of said pavilion shall be provided to each permittee. An agreement of understanding, prepared by the Borough Solicitor, shall be signed by every person wishing to use the pavilion, assuming responsibility for the safe and orderly use of the area.

#### **§ 78-4. Regulated substances.**

The Borough of Heidelberg regulates and prohibits the following substances in the above-listed parks:

- A. It shall be illegal for any person to possess or use or consume any illegal substances, such as drugs, alcoholic beverages, or any other substances controlled by State or Federal law, on any Borough owned property.
- B. Alcoholic beverages, limited to beer and wine, may be allowed within the confines of the pavilion if and only if authorized by Borough Council, in writing. Beer and wine is limited to non-glass containers.

#### **§ 78-5. Prohibited acts.**

It shall be unlawful for any person or persons on park property to perform or engage in any of the following activities:

- A. Use threatening, abusive or insulting language.
- B. Perform any obscene or indecent act.
- C. Engage in, instigate, aid or encourage a physical altercation or fight.
- D. Assault any person.
- E. Be under the influence of intoxicating substances.
- F. Use/possess any alcoholic beverage unless permitted by the Borough.
- G. Use/possess glass containers.
- H. Use/possess or be under the influence of drugs, as defined and prohibited by the Pennsylvania Crimes Code (18 P.S. §101 et seq.).
- I. Carry, set off or discharge any firearm, bow, arrow, air rifle, air pistol, slingshot or firework, unless authorized by permit from the Borough of Heidelberg.
- J. Kindle, build, maintain or use a fire, except when authorized by the Borough and in fireplaces provided.
- K. Deface, damage, tamper with, displace or remove any building, table, bench, fireplace, railing, sign, equipment or any other Borough of Heidelberg property.
- L. Pick, cut, break or injure in any way trees, shrubbery, hedges, wild- flowers, or other foliage growing in the park.

- M. Use the grass areas of the parks for roadways, parking or other purposes which may injure or destroy the turf or landscaping.
- N. Interfere with, encumber, obstruct or render dangerous any public right-of-way, walkway, path, bridge or public place.
- O. Post, paint, affix or erect any sign, advertisement, banner or any other form of attracting attention without the permission of the Borough of Heidelberg.
- P. Throw, deposit, or drain offensive or unwholesome substances or liquids of any kind anywhere in the park, deposit or throw any paper, fruit and food, refuse or food containers within said recreation places, except in receptacles provided for that purpose.
- Q. Grease, change oil or make any repairs to any vehicle, except those of a minor nature and only in cases of emergency circumstances.
- R. Climb on or access any shelter, seat, support, statue, fencing, backstop, or goal for purposes other than ensuring the safety of individuals.
- S. Violate any regulations relating to the terms and conditions of a permit allowing for the use of any building or place.

#### **§ 78-6. Motorized vehicles.**

It shall be illegal for anyone, other than those individuals authorized by Borough Council, to operate any motorized vehicle on any property owned by the Borough with the following exceptions:

- A. Designated parking areas on Industry Way.
- B. Access roads/drives.

#### **§ 78-7. Animals.**

- A. Animals shall be prohibited at all Borough properties. Violators shall be subject to the penalties hereinafter prescribed. No person, having possession, custody or control of any animal shall knowingly or negligently permit any dog or other animal to defecate or urinate on any property owned by the Borough of Heidelberg or upon sidewalk or parking lot adjacent to Borough property.
- B. Dogs for handicapped/police duties. The provisions of the above subsection hereof shall not apply to guide dogs accompanying blind persons, or to dogs used to assist any other physically handicapped person. Further, the above sections shall not apply to police dogs used by/and for the Borough of Heidelberg, or for organized animal exhibits as authorized by the Borough.

#### **§ 78-8. Penalties.**

Any person, firm or corporation who shall violate any provision of this Chapter or any rules or regulations established pursuant thereto, shall, upon conviction thereof, be sentenced to pay a fine not more than \$600 and in default of payment, to imprisonment for a term not to exceed 30 days.

