

Chapter 16

Parks and Recreation

Part 1

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Part 1

Rules and Regulations

§16-101. Definitions.

Park - the term "park" or "parks," unless specifically limited, shall be deemed to include all parks, playgrounds, athletic fields, stadium, tennis courts, golf course, swimming pools, beaches, band shells, music pavilions, recreational areas and structures, museums, geological and botanical gardens, and also entrances and approaches thereto, and all other land or property or structures under the jurisdiction of the Centre Region Parks and Recreation Board, now or hereafter owned, acquired or leased by the Township of Ferguson for park or recreation purposes. Also included are areas owned or leased on behalf of Ferguson Township for municipal park and recreational purposes by Centre Regional Recreational Authority (CRRRA) and/or Centre Region Council of Governments (COG) upon designation of such areas as a "municipal park" or "regional park" by the Board of Supervisors by resolution.

Permit - any written authorization issued by or under the authority of the Director of Parks and Recreation permitting specified park privilege.

Person - any natural person, corporation, organization of persons, company, association or partnership.

Police officer - any peace officer of the Township of Ferguson, or State of Pennsylvania or any employee of the Department of Parks and Recreation appointed as a special police officer for the purpose of the enforcement of law and order within parks.

Excreta - all useless matter eliminated from the bodily system, as sputum, urine, fecal matter.

Intoxication - a state of any person being drunk, inebriated or under the influence of alcoholic beverages or spirituous liquors, taken internally or under the influence of drugs.

Rules and regulations - any rules and regulations hereby or hereafter established by the ordinance of Ferguson Township as promulgated by the Director of Centre Region Parks and Recreation under authority herein conferred.

(Ord. 873, 11/20/2006, §1)

§16-102. Interpretation of Rules and Regulations.

In the interpretation of the rules and regulations affecting parks, their provisions shall be construed as follows:

- A. *Terms in Singular.* Any term in the singular shall include the plural.
- B. *Terms in Masculine.* Any term in the masculine shall include the feminine and neuter.
- C. *Extension of Rules and Regulations.* Any requirement or provision of these rules and regulations relating to any act shall respectively extend to and include the causing, procuring, aiding or abetting, directly or indirectly, of such act; or the permitting or the allowing of any minor in the custody of any person, doing any act

prohibited by any provisions thereof.

D. *Acts not Unlawful.* No provision hereof shall make unlawful any act necessarily performed by any police officer or employee of the Department of Parks and Recreation or by any person, his agents or employees, in the proper and necessary execution of the terms of any agreement with the Department of Parks and Recreation.

E. *Permits.* Any act otherwise prohibited by these rules and regulations, provided it is not otherwise prohibited by law or local ordinance, shall be lawful if performed under, by virtue of and strictly in compliance with the provisions of a permit and to the extent authorized thereby.

F. *State and Federal Laws.* These rules and regulations are in addition to and supplement all State and Federal laws.

(Ord. 873, 11/20/2006, §2)

§16-103. Conduct Prohibited in Parks.

1. *Disturbing the Peace.* No person shall disturb the peace in any park by any act.
2. *Immorality and Indecency.* No person shall do any obscene or indecent act in any park, or display, expose or distribute any picture, banner or other object suggestive of sex in a lewd, indecent, immoral way; or enter a comfort station or toilet set apart for the use of the opposite sex; nor shall any person loiter in any comfort station or toilet at any time, nor shall any person dress or undress in any park except in dressing rooms provided for such persons.
3. *Unbecoming Language.* No person shall use threatening, abusive, insulting, profane or obscene language or words in any parks.
4. *Soliciting Money.* No person shall solicit money, subscriptions, or contributions for any purpose in any park unless authorized by permit from the Director of the Centre Region Parks and Recreation Department
5. *Intoxication.* No person shall enter a park in an intoxicated condition; nor shall any person have in his possession or drink, or use in any park any alcoholic beverage; nor shall any person have in his possession or use in any park drugs of any kind.
6. *Weapons, Projectiles, Etc.* No person shall perform the following actions within parks or playgrounds without having previously obtained written consent and approval of the Director of the Centre Region Parks and Recreation Department. Carry or discharge an air rifle or air pistol, a paintball gun or paintball marker; fireworks (including rockets) or other missile propelling instruments or explosives a slingshot or a bow and arrow, or other dangerous weapons, excepting firearms, which have such properties as to cause annoyance or injury to any person or property; provided further that no person shall discharge any firearm within parks or playgrounds. [Ord. 952]
7. *Throwing Missiles.* No person shall, in any park, throw, cast, lay, deposit or propel any missile except in the performance of an authorized recreational activity.
8. *Dangerous Conduct.* No person shall interfere with, encumber, obstruct or render dangerous any park or part thereof.
9. *Excreta.* No person shall emit, eject, or cause to be deposited in any park, any excreta of the human body, except in proper receptacles designated for such purposes.

10. *Improper Admission.* No person shall gain improper admission to, or use of, or attempted admission to any park facility, for which a charge is made, without paying the fixed charge or price of admission.

11. No use of snowmobiles, mini-bikes, motorcycles, or any vehicle recreational or otherwise except on designated roads, trails, or areas set aside for their use.

12. *Disobeying Authorities and Signs.* No person shall, in any park, disobey a proper order of a police officer or any Park and Recreation employee designated by the Director of the Centre Region Parks and Recreation Department to give orders. Nor shall any person in any park disobey, disregard or fail to comply with any rule or regulation, warning, prohibition, instruction or direction, posted or displayed by sign, notice, bulletin, card, poster, or when notified or informed as to its existence by a park employee or other authorized person.

13. *Hunting.* It is unlawful to hunt for, capture or kill, or attempt to capture or kill, or aid or assist in capturing or killing of, in any manner, any wild bird or wild animal of any description, either game or otherwise, and to that end, it is unlawful for any person to carry onto or possess on any park or other public land designated by Ferguson Township as recreational of a shotgun or rifle or pistol or firearm of any make or kind.

14. *Camping.* Day or overnight camping of any type is prohibited except as authorized by the Director of the Centre Region Parks and Recreation Department.

15. *Remote-Controlled or Tethered Model Aircraft.* Remote-controlled or tethered model aircraft shall not be operated in any park without a permit for the operation thereof issued by the Director of the Centre Region Parks and Recreation Department. [Ord. 952]

(Ord. 873, 11/20/2006, §3; as amended by Ord. 952, 5/2/2011, §1)

§16-104. Treatment of Park Property.

1. *Defacing, Breaking, and Injuring Trees, Plants, Benches, etc.* No person shall cut, break, injure, deface, or disturb any tree, shrub, plant, rock, building, cage, pen, monument, fence, bench, or other structure, apparatus or property or pluck, pull up, cut, take or remove any shrub, bush, plant or flower; or mark, or write upon any building, monument, fence, bench or other structure, or injure, deface or remove any property real or personal or any natural growth, structure, equipment, animals, signs, or other park property.

2. *Setting of Fires.* No fires shall be set in any park except in areas where fires are designated as permitted or except as authorized by permit issued under the authority of the Director of the Centre Region Parks and Recreation Department.

3. *Discharging in Bodies of Water.* No person shall throw, cast, lay, drop or discharge into or leave in any body of water in any park, or in any storm sewer, or drain flowing into said water, or in any gutter, sewer or basin, any substance, matter or thing, whatsoever.

4. *Animals in Parks.* No person owning or being custodian or having control of any animal, livestock or poultry, shall cause or permit same to go at large in any park except for dogs in designated fenced off-leash areas in accordance with posted rules and regulations. A dog or other domesticated animal may be brought into park; provided, that such animal is continuously restrained by a leash not exceeding 6 feet in length,

except that no dog or other such animal shall be permitted in the immediate vicinity of bath houses, wading pools, and children's play areas or in any area designated by signs as prohibited areas.

5. *Horses.* No person shall ride or lead a horse into or upon lawns or other areas in any park. Horses may be permitted in designated fenced pasture areas and established riding rings.

6. *Waste Matter.* No person or animal shall deposit, drop or leave any papers, bottles, debris, or other waste matter or refuse of any kind in any park or part thereof except in such receptacles as may be provided for the purpose.

(Ord. 873, 11/20/2006, §4)

§16-105. Traffic Control.

1. *Vehicles to be Operated at Reasonable Speed, Not to Exceed 15 Miles per Hour.* No person shall operate any motor vehicle on any roadway in any park at any rate of speed greater than is reasonable having regard to the width of the roadway, traffic, and use of such roadway, intersection with other roadways, weather and other conditions; and in no event shall any vehicle be operated on such highway at a speed in excess of 15 miles per hour.

2. *Repairs to Vehicles.* No person shall in any park make repairs to any vehicle except those of a minor nature, and then only in cases of emergency.

3. *Vehicle to be Operated on Roadways and Parked in Approved Areas.* No person shall operate any vehicle in any part of a park except on roadways established for the operation of vehicles, nor shall any person park any vehicle in any area except those specifically designated for parking purposes.

(Ord. 873, 11/20/2006, §5)

§16-106. Regulated Uses.

1. *Permits.* A permit to do any act shall authorize the same only insofar as it may be performed in strict accordance with the written terms and conditions thereof. Any violation of any law, ordinance, or rule or regulation by the holder or agents of the holder of any permit shall constitute grounds for revocation, which action shall be final. In case of revocation, all moneys paid therefore shall, at the option of the Centre Region Department of Parks and Recreation, be forfeited and shall leave the violator liable for all damages or loss suffered in excess of such forfeited or retained money, and such moneys retained or damage paid, or both, shall not relieve such person from liability to punishment for violation of any law, ordinance, rule or regulation.

2. *Public Events.* No person shall conduct, operate, present or manage in any park, a parade, drill, maneuver, public meeting, ceremony, speech, address, public contest, exhibit, dramatic performance, spectacle, play, motion picture, fair, circus, or show of any kind or nature, band, choir, glee club, orchestra, without a permit.

3. *Picnics.* All organized picnics or outings shall be authorized by permits obtained previous to entering any park.

4. *Baseball and Softball Fields.* All organized teams, leagues, agencies, schools, churches and other groups must obtain a permit for these facilities before announcing schedules.

5. *Selling Concessions.* No person shall in any park exhibit, sell, or offer for sale, hire, lease or let out any object, service or merchandise or anything whatsoever, whether corporal or incorporeal, except under a permit issued by the Centre Region Department of Parks and Recreation.

6. *Advertising.* No person shall advertise in any park in any manner whatsoever for any reason whatsoever, except by permit issued by the Centre Region Department of Parks and Recreation.

7. *Games in Designated Areas.* No person shall throw, cast, catch, kick, play with, or strike any gameball whatsoever or engage in any sport, game, or competition except in places and during the time designated therefore. Nor shall a person engage in or play a game or other sport or contest of a nature different from the one for which the designated area was created, except in such areas as are officially set aside for diversified games.

(Ord. 873, 11/20/2006, §6)

§16-107. Centre Region Parks and Recreation Department.

In order to provide for equitable use of park facilities, preserve park areas, and facilities, and protect the safety of users of the parks and their facilities, the Director of the Centre Region Parks and Recreation Department shall have the following authority, the enumeration of which shall not restrict the general authority and control of the Director over parks:

A. *To Fix Time.* To fix times when the parks or parts thereof shall be open to public use.

B. *To Restrict Use.* To designate parks and parts thereof as restricted to the use of certain portions of the public at certain times as he sees fit.

C. *To Issue Permits.* Under uniform conditions to be prescribed by him, to issue permits for regulated uses as hereinbefore enumerated.

D. *To Fix, Charge and Collect Fees.* To fix, charge and collect such fees and deposits for the use of park areas or facilities or privileges as he deems advisable to help defray the expense of the parks and their facilities.

(Ord. 873, 11/20/2006, §7)

§16-108. Enforcement and Penalties.

1. Police officers of the Township or State, or Township or park employees appointed as special park police, shall have the authority to enforce these rules and regulations.

2. Any person, firm or corporation who shall violate any provision of this Part shall, upon conviction thereof in a proceeding commenced before a district justice pursuant to the Pennsylvania Rules of Criminal Procedures, be sentenced to a fine of not less than \$100 nor more than \$1,000 plus costs and, in default of payment of said fine and costs, a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues shall constitute a separate offense.

3. The Township may maintain a civil action, in addition to any prosecution under subsection .2 hereof, to recover from any party responsible therefore damages for injury to park and recreation equipment and property.

(*Ord. 873, 11/20/2006, §8*)