

CHAPTER 16

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Part 1

Fountain Park

§101. Definitions. As used in this Part, the following terms shall have the meaning(s) indicated, unless a different meaning clearly appears from the context:

BOROUGH - the Borough of Millheim, Millheim Borough Council, its members, officers, employees and designees.

FOUNTAIN PARK - the park, recreation structures and facilities, entrances and approaches thereto now owned by the Borough of Millheim along East Main Street in the Borough of Millheim.

PERSON - any natural person, corporation, organization of persons, company, association, partnership or other legal entity.

RULES AND REGULATIONS - any rules and regulations hereby or hereafter promulgated by the Borough of Millheim by this Ordinance or by Resolution hereafter adopted.

(Ord. 198, 7/10/2001, §1)

§102. Park Hours. Fountain Park shall be open daily to the public at such hours as the Borough may from time to time designate, but in no event shall any person be permitted to be in attendance in the park between 11:00 p.m. and sunrise, unless special permission is granted by the Borough. (Ord. 198, 7/10/2001, §2)

§103. Prohibited Conduct. No person in attendance at the park shall:

A. Injure, deface, remove, cut or damage any of the trees, plants, shrubs, turf, buildings, structures, signs or fixtures or any other property of the Borough located within the park.

B. Litter any area of the park with garbage, paper, bottles, cans or other waste material, nor dispose of the same in any way except in receptacles designed for such purpose.

C. Kindle or maintain any fire in the park.

D. Remove any bench, seat, table or other appliance from the park without permission of the Borough.

E. Injure, deface, destroy or remove any notice, rule or regulation posted at any place within the park by authority of the Borough; nor shall any notice or placard be posted within the park other than by authority of the Borough.

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F. Set up any booth, table or stand for the sale or display of any article or service whatsoever within the limits of the park without permission of the Borough; distribute, sell, service or rent any services or commodity or solicit for any purpose without permission of the Borough.

G. Operate, stop or park any vehicle, bicycle, skateboard, roller blade or other means of conveyance.

H. Bring onto the park property, possess or consume any alcoholic beverage or illegal substance of any kind; no person shall enter the park in an intoxicated condition or otherwise be under the influence of alcohol or illegal substances.

I. Carry or discharge any firearms, 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 Borough in designated areas.

J. Disrobe or change clothing.

K. Disturb the peace by any conduct so as to annoy any other person using the park.

L. Use threatening, abusive, insulting, profane or obscene language or words.

M. Commit any disorderly or immoral acts.

N. Disobey, disregard or fail to comply with any rule, regulation, warning, prohibition, instruction or direction given by an authorized person of the Borough or posted or displayed by sign, notice, bulletin, card or poster.

O. Allow pets to run at large out of control or fail to clean up and properly dispose of animal waste.

(Ord. 198, 7/10/2001, §3)

§104. Authorization to Promulgate Additional Rules. The Borough is authorized to establish additional rules and regulations as deemed necessary by resolution. (Ord. 198, 7/10/2001, §4)

§105. Authority to Close Park. The Borough may close any part of the park which becomes hazardous for public use due to weather, water, fire or unforeseeable conditions. (Ord. 198, 7/10/2001, §5)

§106. Penalties. Any person, firm or corporation who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine of not more than six hundred dollars (\$600.00) and, in default of payment, to imprisonment for a term not to exceed thirty (30) days. (Ord. 198, 7/10/2001, §6)

Part 2

Fountain Park Parking Lot

§201. Definitions. As used in this Part, the following terms shall have the meaning(s) indicated, unless a different meaning clearly appears from the context:

BOROUGH - the Borough of Millheim, Millheim Borough Council, its members, officers, employees and designees.

PARKING LOT - the municipal parking lot, entrances and approaches thereto now owned by the Borough of Millheim adjacent to Fountain Park along East Main Street in the Borough of Millheim.

PERSON - any natural person, corporation, organization of persons, company, association, partnership or other legal entity.

RULES AND REGULATIONS - any rules and regulations hereby or hereafter promulgated by the Borough of Millheim by this Part or by resolution hereafter adopted.

(Ord. 199, 7/10/2001, §1)

§202. Parking Lot Hours. The parking lot shall be open twenty-four (24) hours per day seven (7) days per week to the public for the unmetered parking of vehicles. (Ord. 199, 7/10/2001, §2)

§203. Parking for Certain Types of Vehicles. The parking lot shall be for the use of passenger cars, passenger vans and pickup trucks only, and it shall be unlawful for any person to park any other kind or class of vehicle in the parking lot. (Ord. 199, 7/10/2001, §3)

§204. Manner of Parking. Every vehicle parked in the parking lot shall be parked wholly within the lines bounding or marking the individual parking spaces. It shall be unlawful for any person:

- A. To park a vehicle otherwise than as required by this Section.
- B. To park a vehicle elsewhere than in an individual parking space, the prohibited areas including, but not limited to, the access and exit driveways and turning and maneuvering spaces.
- C. To park a vehicle in the parking lot which is not currently licensed and inspected.
- D. To park any abandoned or unlicensed vehicle in the parking lot.
- E. To repair or perform maintenance on any vehicle parked in the parking lot.

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F. To park any vehicle in a parking space designed for handicapped or for use by handicapped persons or horse and buggy parking.

G. Litter any area of the parking lot with garbage, paper, bottles, cans or other waste material, nor dispose of the same in any way except in receptacles designed for such purpose.

H. Kindle or maintain any fire in the parking lot.

I. Injure, deface, destroy or remove any notice, rule or regulation posted at any place within the parking lot by authority of the Borough, nor shall any notice or placard be posted within the parking lot other than by authority of the Borough.

J. Set up any booth, table or stand for the sale or display of any article or service whatsoever within the limits of the parking lot without permission of the Borough; distribute, sell, service or rent any services or commodity or solicit for any purpose without permission of the Borough.

K. Operate, stop or park any bicycle, skateboard or roller blade.

L. Bring onto the parking lot, possess or consume any alcoholic beverage or illegal substance of any kind; no person shall enter the parking lot in an intoxicated condition or otherwise be under the influence of alcohol or illegal substances.

M. Carry or discharge any firearms, 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 Borough in designated areas.

N. Disturb the peace by any conduct so as to annoy any other person using the parking lot.

O. Use threatening, abusive, insulting, profane or obscene language or words.

P. Commit any disorderly or immoral acts.

Q. Disobey, disregard or fail to comply with any rule, regulation, warning, prohibition, instruction or direction given by an authorized person of the Borough or posted or displayed by sign, notice, bulletin, card or poster.

R. Allow pets to run at large out of control or fail to clean up and properly dispose of animal waste.

S. Injure, deface, remove, cut or damage any of the trees, plants, shrubs, turf, buildings, structures, signs or fixtures, or any other property of the Borough located within the parking lot.

(Ord. 199, 7/10/2001, §4)

§205. Authorization to Promulgate Additional Rules. The Borough is authorized to establish additional rules and regulations as deemed necessary by resolution. (Ord. 199, 7/10/2001, §5)

§206. Authority to Close Parking Lot. The Borough may close all or any part of the parking lot which becomes hazardous for public use due to weather, water, fire or unforeseeable conditions. (Ord. 199, 7/10/2001, §6)

§207. Reserved Spaces for Handicapped and Horse and Buggy. The Borough, at its discretion, may provide, at convenient and suitable locations in the parking lot, reserved parking spaces for handicapped and horse and buggy and shall designate those spaces by appropriate signs. It shall be unlawful, and a violation of this Part, for any person to park in any such reserved parking space, any vehicle unless that vehicle bears or displays either a handicapped registration plate, a handicapped parking placard, a disabled veteran registration plate or a disabled veteran placard, or is a horse and buggy. Provided, that all provisions, requirements and restrictions contained in the other sections of this Part shall apply to all vehicles lawfully parked in reserved parking spaces for handicapped or for horse and buggy. (Ord. 199, 7/10/2001, §7)

§208. Penalties. Any person, firm or corporation who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine of not more than six hundred dollars (\$600.00) and in default of payment, to imprisonment for a term not to exceed thirty (30) days. (Ord. 199, 7/10/2001, §8)

