

CHAPTER XX

PARKS AND RECREATIONAL AREAS

Part 1

Parks and Recreation Areas

- Section 101. Title
- Section 102. Purpose
- Section 103. Park Hours
- Section 104. Entrance and Exit
- Section 105. Tables, Benches, Seats and Bleachers
- Section 106. Toilet Facilities
- Section 107. Alcoholic or Intoxicating Beverages; Drugs, Hallucinogenic Materials, Chemicals or Smoking
- Section 108. Gambling; Indecent Acts or Language
- Section 109. Solicitations
- Section 110. Animals
- Section 111. Offensive Matter or Dead Animals
- Section 112. Garbage and Rubbish
- Section 113. Damage or Injury to Property
- Section 114. Wildlife
- Section 115. Signs and Notices
- Section 116. Advertisements
- Section 117. Fires
- Section 118. Appropriate Apparel
- Section 119. Golf
- Section 120. Athletic Equipment
- Section 121. Projectiles
- Section 122. Hunting
- Section 123. Prohibited Uses
- Section 124. Parking
- Section 125. Motorized or Propelled Vehicles
- Section 126. Unauthorized Vehicle Signs
- Section 127. Designated Parking Areas
- Section 128. Permitted Motor Vehicles
- Section 129. Enforcement
- Section 130. Park and Recreations Board Responsibilities
- Section 131. Park Usage Permits
- Section 132. Penalties for Violations
- Section 133. Parental Responsibility for Minors
- Section 134. Severability

Part 2

Skateboard Parks

- Section 201. Establishment of Skateboard Park
- Section 202. Definitions
- Section 203. Skateboard Park Rules
- Section 204. General Park Rules
- Section 205. Signs
- Section 206. Enforcement
- Section 207. Penalties for Violations
- Section 208. Parental Responsibility for Minors
- Section 209. Severability

Part 1

Parks and Recreational Areas

Section 101. Title. This Chapter shall be known and may be cited as the "Amity Township Park Ordinance". Wherever in this Chapter the term "park" is used, it shall be deemed to include playgrounds, recreation areas and open spaces owned and controlled by the Township of Amity. (Ordinance 226, September 5, 2006, Section 1)

Section 102. Purpose. The following provisions of this Chapter are enacted for the protection of the health, safety, welfare and morals of the residents of Amity Township, by promoting the safe and enjoyable use of the public parks, playgrounds, and recreation areas in the Township by members of the community. (Ordinance 226, September 5, 2006, Section 1)

Section 103. Park Hours. No person shall be allowed in the following parks except between the hours set forth below, prevailing local time:

- (a) Amity Community Park - 6:00 a.m. to 11:00 p.m.
- (b) Hill Road Recreational Area - 7:00 a.m. to 10:00 p.m.
- (c) Myron S. Wheeler Recreational Area - 7:00 a.m. to 10:00 p.m.
- (d) Locust Grove Recreational Area - 7:00 a.m. to 10:00 p.m.
- (e) Amity Park Road Recreation Area - 7:00 a.m. to 10:00 p.m.
- (f) Monocacy Hill Recreation Area - Dawn to Dusk
- (g) Lake Drive Recreation Area - 7:00 a.m. to 10:00 p.m.

(Ordinance 226, September 5, 2006, Section 1)

Section 104. Entrance and Exit. No person shall enter or leave a park except by entrances or exits provided for such purposes. (Ordinance 226, September 5, 2006, Section 1)

Section 105. Tables, Benches, Seats and Bleachers. No persons shall stand or lie on a table, bench or seat, or shall move any table, bench or portable bleacher from one location to another without authorization from a designated Township official. (Ordinance 226, September 5, 2006, Section 1)

Section 106. Toilet Facilities. No person shall enter a toilet set apart for the use of the opposite sex, with the exception of a person accompanying and necessarily assisting an individual with a disability. (Ordinance 226, September 5, 2006, Section 1)

Section 107. Alcoholic or Intoxicating Beverages; Drugs, Hallucinogenic Materials or Chemicals, Smoking. Possession, distribution, use or consumption of beer, ale or other alcoholic or intoxicating beverages in, on or about a park or playground is prohibited. No intoxicated person or person under the influence of drugs or hallucinogenic materials shall be permitted in, on, or about a park or playground. The possession, distribution, use or consumption of drugs or hallucinogenic materials or other harmful chemicals in any form in, about or on a park or playground is prohibited. Smoking of any kind is prohibited in Amity Community Park. (Ordinance 226, September 5, 2006, Section 1)

Section 108. Gambling: Indecent Acts or Language. No gambling, or any obscene or indecent act, or any abusive, threatening, indecent or profane language or any conduct that may annoy others shall be allowed in a park. (Ordinance 226, September 5, 2006, Section 1)

Section 109. Solicitations. No person shall solicit alms or subscriptions in a park. (Ordinance 226, September 5, 2006, Section 1)

Section 110. Animals. Animals which may be injurious to persons shall not be permitted in a park. Animals which possess dangerous propensities to human beings shall not be permitted in a park. Animals which are permitted in a park must be under the control of their handlers at all times. No animals are permitted in Amity Community Park. (Ordinance 226, September 5, 2006, Section 1)

Section 111. Offensive Matter or Dead Animals. No person shall leave dead animals or offensive matter of any kind in a park. (Ordinance 226, September 5, 2006, Section 1)

Section 112. Garbage and Rubbish. No person shall scatter, drop or leave any paper, rag, garbage, dead flowers or plants, glass, tin cans, or other rubbish anywhere in a park, except in receptacles provided for such purpose. (Ordinance 226, September 5, 2006, Section 1)

Section 113. Damage or Injury to Property. No person shall injure, damage or deface any buildings, structures, fences, bridges, playground equipment or other property in a park, nor climb any tree or break, cut down, trample upon, remove or in any manner injure or damage any ornament, rock, stone, tree, plant, shrub, fern, blossom, flower or turf, nor foul nor contaminate any stream or water. (Ordinance 226, September 5, 2006, Section 1)

Section 114. Wildlife. No person shall annoy, injure or kill any animals or birds in a park, nor disturb any fish or water fowl in the streams, pools or ponds, nor remove or carry away any birds' nests or eggs. (Ordinance 226, September 5, 2006, Section 1)

Section 115. Signs and Notices. No person shall injure, deface or destroy any public signs or notices posted in a park. (Ordinance 226, September 5, 2006, Section 1)

Section 116. Advertisements. No advertisement, placard or notice except public notices shall be posted in a park. Furthermore, no commercial advertisement, placard, or notice shall be distributed in a park. (Ordinance 226, September 5, 2006, Section 1)

Section 117. Fires. No person shall light or permit a fire to burn in a park except in fireplaces provided for such purpose. (Ordinance 226, September 5, 2006, Section 1)

Section 118. Appropriate Apparel. Persons over twelve (12) years of age shall wear shirts or other proper covering, at all times, in a park. (Ordinance 226, September 5, 2006, Section 1)

Section 119. Golf. The hitting or putting of golf balls and the playing of golf in any park is prohibited. (Ordinance 226, September 5, 2006, Section 1)

Section 120. Athletic Equipment. The use of javelins, arrows, discus or similar athletic equipment dangerous in character is prohibited unless used under the direct supervision of an authorized playground supervisor. There is to be no skateboarding in any park facility except at the Amity Township Skateboard Park.

Roller skating and roller blading are allowed. (Ordinance 226, September 5, 2006, Section 1)

Section 121. Projectiles. The possession or use of firearms, paintball equipment, slingshots, pellet guns, projectiles of any nature or any instrument which fires or discharges any projectile is hereby prohibited. Projectiles such as model aircraft and rockets may be used in Amity Community Park if and only if the use of such items is part of a lesson or extracurricular activity of the Daniel Boone School District and the use of such items is under the supervision of a school faculty member, or for other entities, if said entity has obtained a permit from the Township with proof of insurance and School District as a named insured. The School District or other entity shall notify the Township Manager no less than forty-eight (48) hours prior to the use of said projectiles. Other entities shall also notify the School District. (Ordinance 226, September 5, 2006, Section 1)

Section 122. Hunting. Hunting on park grounds is allowed only on Monocacy Hill, and only in compliance with the regulations and stipulations as set forth in the statutes commonly known as the Game Laws of the Commonwealth of Pennsylvania, Part 3, entitled "Discharge of Firearms" of Chapter XIV, entitled "Health and Safety" of the Township of Amity Code of Ordinances (commonly known as the Township's Gun Ordinance), and only a lawful distance from area picnic grounds, publicly occupied parks and houses. Additionally, the following regulations shall apply:

(a) All firearms are prohibited on Monocacy Hill with the exception of the following:

(1) Shotguns, black powder muzzle loaders, bows and arrows and long, recurve and compound bows.

(b) All use of firearms and bows shall be in accordance with Pennsylvania Game Commission Rules and Regulations as in effect from time to time.

(Ordinance 226, September 5, 2006, Section 1; as amended by Ordinance 228, October 3, 2006, Section 1)

Section 123. Prohibited Uses. The use of a park for any of the following purposes is prohibited unless a permit is first obtained from the Township Secretary as hereinafter provided:

(a) Sale of merchandise;

(b) Use of fireworks;

(c) Musical or theatrical entertainments;

(d) Overnight camping; or,

(e) Parties or gatherings in excess of twenty-five (25) persons for any purpose whatsoever.

(Ordinance 226, September 5, 2006, Section 1)

Section 124. Parking. No person shall park any vehicle in any portion of a park except in spaces definitely set aside and marked for parking purposes, and no person shall occupy a parked vehicle after dark except with the interior lights turned on. (Ordinance 226, September 5, 2006, Section 1)

Section 125. Motorized or Propelled Vehicles. The use of all motor and electrically propelled vehicles, including but not limited to automobiles, buses, trucks, tractors, jeeps, motorcycles, motorbikes, minibikes, snowmobiles, motor scooters, riding lawnmowers and golf carts, are prohibited from being operated, stored, moved or abandoned on any park or playground belonging to the Township of Amity, Berks County, Pennsylvania. (Ordinance 226, September 5, 2006, Section 1)

Section 126. Unauthorized Vehicle Signs. There shall be erected in conspicuous places on or about the park and recreation areas belonging to the Township of Amity, Berks County, Pennsylvania, signs which provide for the prohibition of unauthorized vehicles and which provide the penalty for unauthorized vehicles being operated, stored, moved, or abandoned on any Township park or recreation area. (Ordinance 226, September 5, 2006, Section 1)

Section 127. Designated Parking Areas. Notwithstanding any other provision herein contained, all vehicles required to be licensed by the Pennsylvania Department of Motor Vehicles shall be permitted to be parked by their operators in areas specifically designated as parking areas by the Amity Township Board of Supervisors or their duly authorized representatives. (Ordinance 226, September 5, 2006, Section 1)

Section 128. Permitted Motor Vehicles. Notwithstanding any of the provisions herein contained, the following motor vehicles may be permitted to be operated on any park or recreation area belonging to Amity Township, Berks County, Pennsylvania:

- (a) Fire trucks;
- (b) Police vehicles;
- (c) Township owned trucks and motor vehicles;
- (d) Vehicles of Township officials or their duly authorized representatives when inspecting the park or recreation area.
- (e) Service trucks delivering supplies, servicing equipment or maintaining grounds.
- (f) Other vehicles which may from time to time be given special authorization to be operated on parks or recreation areas belonging to the Township of Amity, Berks County, Pennsylvania, by the Board of Supervisors of Amity Township or their duly authorized representative.

(Ordinance 226, September 5, 2006, Section 1)

Section 129. Enforcement. The Police Department shall enforce the regulations hereinabove set forth and shall exercise general supervision over persons and property in all Township parks and recreation areas. (Ordinance 226, September 5, 2006, Section 1)

Section 130. Park and Recreation Board Responsibilities. The Park and Recreation Board shall have general custody of all parks and all maintenance, repairs and replacements of property and equipment therein, and shall be chargeable with the duty of keeping the Township parks and recreation areas in a clean and sanitary condition at all times. In view of the fact that the parks and recreation areas of the Township have been acquired and are maintained primarily for the use of the residents of the Township, the Park and Recreation Board, or any person or persons designated by it, shall have the right to determine whether park and recreation area users are Amity Township residents and

assess of fee of Two Dollars (\$2.00) on each non-resident of Amity Township. (Ordinance 226, September 5, 2006, Section 1)

Section 131. Park Usage Permits. Special permits for the use of Township parks and recreation areas may be issued by the Township Manager or other designated Township official upon proper application therefor. No permit shall be issued, however, unless an application therefor is made to the Township Manager in writing at least fourteen (14) days before the applicant intends to use the same. Any person or entity to whom a permit is issued shall be liable for any loss, damage or injury sustained by any person by reason of the negligence or fault of the applicant, or the applicant's agents, servants or employees. (Ordinance 226, September 5, 2006, Section 1)

Section 132. Penalties for Violations. Any person violating any of the provisions of this Part shall, upon conviction of the same, be liable to a penalty of not more than Six Hundred Dollars (\$600.00) for each and every offense as may be determined by appropriate proceedings initiated before a District Justice authorized to hear summary proceedings. (Ordinance 226, September 5, 2006, Section 1)

Section 133. Parental Responsibility for Minors. Parents of persons under eighteen (18) years of age shall be held liable for penalties incurred by, and for damages to park or recreation area properties of the Township, caused or committed by their children. (Ordinance 226, September 5, 2006, Section 1)

Section 134. Severability. If any Section of this Part is held invalid, the remainder of this Part, and the application of such provision to other persons or circumstances, shall not be affected thereby. (Ordinance 226, September 5, 2006, Section 1)

Part 2

Skateboard Parks

Section 201. Establishment of Skateboard Park. There is hereby established the "Amity Skateboard Park", located at the Lake Drive Park, Amity Township, Berks County, Pennsylvania. (Ordinance 226, September 5, 2006, Section 1)

Section 202. Definitions. The following terms are hereby defined as used in the Part.

(a) Skateboard Park. The Amity Township Skateboard Park, located at the Lake Drive Park, Amity Township, Berks County, Pennsylvania, and shall be considered a park owned and controlled by the Township of Amity.

(b) User. Any person located inside the fence of the Skateboard Park.

(Ordinance 226, September 5, 2006, Section 1)

Section 203. Skateboard Park Rules. The following rules are hereby established for the Skateboard Park:

(a) Skateboard Park hours of operation are dawn till dusk.

(b) In case of emergency, dial 911 and identify the location as Amity Township Skateboard Park, Lake Drive Park.

(c) Amity Township will not be responsible for personal property or any personal injuries that occur during the usage of the Skateboard Park.

(d) Use of this facility is at the User's own risk.

(e) Use of the Amity Township Skateboard Park is a privilege and can be revoked from anyone who abuses the Skateboard Park and does not obey the rules.

(f) All Lake Drive Park Rules apply.

(g) Helmets, elbow pads and knee pads, rated for skateboarding, biking or other activity as permitted, are recommended.

(h) Spectators are not permitted inside the fence of the Skateboard Park.

(i) No food or drinks are permitted inside the fence of the Skateboard Park.

(j) Profanity and abusive language are prohibited.

(k) No drugs, alcohol or tobacco products are allowed in or around the Skateboard Park.

(l) The Skateboard Park hours and schedule can be changed by the Township as necessary.

- (m) All equipment used must be in good condition and not be harmful to the Skateboard Park or others.
- (n) Respect others, share the space.
- (o) Do not attempt to use apparatus in this facility beyond your own ability.
- (p) No loitering is permitted after the Skateboard Park closes.
- (q) No littering.
- (r) One (1) person per ramp at a time.
- (s) The Skateboard Park will be closed during hazardous weather conditions, particularly when snow and ice are present.

(Ordinance 226, September 5, 2006, Section 1)

Section 204. General Park Rules. All rules and regulations established in Part 1 of this Chapter shall also apply to the Skateboard Park. (Ordinance 226, September 5, 2006, Section 1)

Section 205. Signs. Signs may be posted by the Township stating the rules of the Skateboard Park. (Ordinance 226, September 5, 2006, Section 1)

Section 206. Enforcement. The Police Department shall enforce the regulations hereinabove set forth and shall exercise general supervision over persons and property in the Skateboard Park. (Ordinance 226, September 5, 2006, Section 1)

Section 207. Penalties for Violations. Any person violating any of the provisions of this Part shall, upon conviction of the same, be liable to a penalty of not more than Six Hundred Dollars (\$600.00) for each and every offense as may be determined by appropriate proceedings initiated before a District Justice authorized to hear summary proceedings. (Ordinance 226, September 5, 2006, Section 1)

Section 208. Parental Responsibility for Minors. Parents of persons under eighteen (18) years of age shall be held liable for penalties incurred by, and for damages to the Skateboard Park, caused or committed by their children. (Ordinance 226, September 5, 2006, Section 1)

Section 209. Severability. If any Section of this Part is held invalid, the remainder of this Part, and the application of such provision to other persons or circumstances, shall not be affected thereby. (Ordinance 226, September 5, 2006, Section 1)