

Chapter 16

Parks and Recreation

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Part 1**Regulations for Recreational Facilities****§16-101. Definitions.**

As used in this Part, the following terms shall have the meanings indicated, unless a different meaning clearly appears from the context:

Park or Parks - unless specifically limited, shall be deemed to include all parks, playgrounds, recreation areas, tennis courts, recreation structures and facilities, and also entrances and approaches thereto, and all other land or property or structures under the jurisdiction of the Council of the Borough of North York or its designated department (hereinafter "Council"), now or hereafter owned or acquired by the Borough of North York for park or recreational purposes.

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

Rules and regulations - any rules and regulations hereby or hereafter promulgated by Council.

(*Ord. 89-6, 9/11/1989; as amended by Ord. 89-10, 11/16/1989, §1*)

§16-102. Park Hours.

All parks shall be opened daily to the public from 8 a.m. to 9 p.m. except lighted basketball and tennis courts which may be used until 11 p.m.

(*Ord. 89-6, 9/11/1989; as amended by Ord. 89-10, 11/16/1989, §2*)

§16-103. Prohibited Conduct.

No person in attendance at a 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 designated for such purpose.

C. Kindle or maintain any fire in the park except in fireplaces or areas specifically designated for that purpose and located by authority of the Council.

D. Remove any bench, seat, table or other appliance without permission of the Council.

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

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

G. Operate, stop or park any vehicle, bicycle or other means of conveyance except in areas where permitted or designated by proper authority of Council, or operate the same in a reckless or negligent manner or in excess of 15 miles per hour or in such a manner as to become a nuisance to other area users.

H. Operate commercial vehicles, unless providing authorized services.

I. Bring onto the premises, possess or consume any alcoholic beverage or illegal drugs of any kind; no person shall enter the park in an intoxicated state or otherwise be under the influence of alcohol or illegal drugs.

J. 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 Council in designated areas; police officers in the performance of their duties will be exempt from these provisions.

K. Play ball, swim, golf, pitch horseshoes, engage in archery, camp or launch, dock or land any boat, engage in finding buried objects with special detectors, or participate in any other form of recreation, sporting endeavor or pastime, except in those areas which may be designated from time to time for that purpose by Council.

L. Disrobe or change clothing except in buildings or facilities made available for that purpose.

M. Disturb the peace by any conduct so as to annoy any other person using the park for recreational purposes.

N. Operate a snowmobile, minibike, motorcycle, bicycle, scooter, cart or any vehicle recreational or otherwise except on designated roads, trails, or areas set aside for their use.

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

P. Commit any disorderly or immoral acts.

Q. Hold any public meeting or rally (with more than five persons) or engage in any marching or driving as members of a military, political or other organization without permission of Council, which requires a statement of information, including the name of the organization, its purpose, number of persons expected to be invited, expected duration and name(s) of person(s) in charge.

R. Disobey a proper order of a police officer or the Codes Enforcement Officer, or disobey or disregard or fail to comply with any rule or regulation, warning, prohibition, instruction or direction given by an authorized person and posted or displayed by sign, notice, bulletin, card, poster, or when notified or informed as to its existence by Council or an authorized person. [*Ord. 2006-3*]

S. Hunt for, capture or kill, or attempt to capture or kill, or aid or assist in the 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 in any park, a shotgun or rifle or pistol or firearm of any make or kind unless specific permission is granted for a designated area by authority of Council.

T. Allow pets to run at large out of control.

(*Ord. 89-6, 9/11/1989; as amended by Ord. 89-10, 11/6/1989, §3; and by Ord. 2006-3, 7/10/2006*)

§16-104. Fishing.

All laws pertaining to fishing in the Commonwealth shall apply to fishing in parks and recreation areas, and provisions thereof are hereby incorporated by reference.

(*Ord. 89-6, 9/11/1989; as amended by Ord. 89-10, 11/6/1989, §4*)

§16-105. Reservation for Specific Uses.

The use of all parks shall be on a first come, first served basis unless otherwise reserved:

A. By annual permission granted by Council for the scheduling of various league games, etc.

B. For school or college athletic games, practice, contests, or exhibitions.

C. For regularly scheduled school district or municipal recreation programs.

D. By permission granted by Council for a specific requested use.

E. The fee to reserve the Park Pavilion and New Building Recreation Room for a specific use is a fee as established from time to time by resolution of Borough Council. [*Ord. 2006-3*]

(*Ord. 89-6, 9/11/1989; as amended by Ord. 89-10, 11/6/1989, §5; by Ord. 12/21/2000, §18; and by Ord. 2006-3, 7/10/2006*)

§16-106. Authorization to Promulgate Additional Rules.

The Council may establish additional rules and regulations as deemed necessary.

(*Ord. 89-6, 9/11/1989; as amended by Ord. 89-10, 11/6/1989, §6*)

§16-107. Authority to Close Areas.

Recreation facilities which become hazardous for public use due to weather, water, fire or unforeseeable conditions may be closed only at the discretion of the Code Enforcement Officer.

(*Ord. 89-6, 9/11/1989; as amended by Ord. 89-10, 11/6/1989, §7; and by Ord. 2006-3, 7/10/2006*)

§16-108. Enforcement.

The police officers of the Borough and the Code Enforcement Officer are charged with enforcement of the provisions of this Part and of rules and regulations promulgated by the Council.

(*Ord. 89-6, 9/11/1989; as amended by Ord. 89-10, 11/6/1989, §8; and by Ord. 2006-3, 7/10/2006*)

§16-109. Penalties.

Any person, firm or corporation who shall violate any provision of this Part, upon

conviction thereof, shall be sentenced to a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

(*Ord. 89-6*, 9/11/1989; as amended by *Ord. 89-10*, 11/6/1989, §9; by *Ord. 91-6*, 6/10/1991; and by *Ord. 2006-3*, 7/10/2006)

Part 2**Regulations for the Use and Protection of Parks****§16-201. Hindering Employees.**

No person shall interfere with or in any manner hinder any employee or agent of the Borough in the performance of his official duties.

(*Ord. 91-5, 5/6/1991, §1*)

§16-202. Alcoholic Beverages.

No person shall have in his possession any intoxicating beverages while in or upon any park.

(*Ord. 91-5, 5/6/1991, §2*)

§16-203. Personal Conduct.

1. It shall be unlawful for any person to be under the influence of intoxicants; or, to engage in any violent, abusive, loud, boisterous vulgar, lewd, wanton, obscene or otherwise disorderly conduct; or to disturb or annoy others while in or on any park.

2. It shall be unlawful to conduct or to participate in any form of gambling, lottery or game of chance upon any park.

(*Ord. 91-5, 5/6/1991, §3*)

§16-204. Fireworks.

No person shall fire, discharge or have in his possession any rocket, firecracker, torpedo, squib or other fireworks or any substance of any explosive nature within or upon any park unless the North York Borough Council or its authorized agent shall have authorized same by the issuance of a permit therefor.

(*Ord. 91-5, 5/6/1991, §4*)

§16-205. Firearms.

No person shall at anytime bring into or upon any park, nor have in his possession, nor discharge or set off anywhere upon any park a revolver, pistol, shotgun, rifle, air rifle, air gun, or any gun, rifle, firearm, bow or other weapon that discharges projectiles either by air, explosive substance or any other force.

(*Ord. 91-5, 5/6/1991, §5*)

§16-206. Littering and Pollution of Waters.

1. It shall be unlawful to discard or deposit refuse of any kind or nature in or upon any park except by placing said refuse in containers provided for such purpose.

2. It shall be unlawful to throw, cast, lay, drop or discharge into or leave in waters in any park any substance, matter or thing, liquid or solid, which may or shall result in the pollution of said waters.

3. No glass containers are allowed in any park.

(*Ord. 91-5, 5/6/1991, §6*)

§16-207. Animals to Be Leashed and Controlled.

It shall be unlawful to allow a dog or any other animal or pet to run free in any park or public area. All pets shall be kept on a leash and under control and any excrement deposited by said animal shall be picked up and be deposited in a refuse receptacle by the person in control of said animal.

(*Ord. 91-5, 5/6/1991, §7*)

§16-208. Destruction of Buildings, Markers, Monuments and Other Properties.

No person shall upon any park:

A. Willfully destroy, deface, alter, change or remove any monuments, stone marker, bench mark, stake, post or blaze marking, designating any boundary line, survey line or reference point.

B. Cut, break, mark upon or otherwise injure any building, equipment, drain, wall, fountain, land post, fence, gate, hedge, benches, tables, or other structures.

C. Deface, destroy, or remove any placard, notice or sign, whether permanent or temporary, posted or exhibited within or upon a park.

D. Appropriate, excavate, injure or destroy any historical or prehistorical ruin or any object of antiquity without permission of the North York Borough Council.

(*Ord. 91-5, 5/6/1991, §8*)

§16-209. Hours.

No person shall remain upon any park between dusk and dawn; provided, however, that upon application to the North York Borough Council or its authorized agent said hours may be extended. Such hours may also be amended, from time to time, by resolution of Borough Council. It shall be unlawful for any person to enter upon any portion of park lands or buildings which have been designated as closed or public use or entry.

(*Ord. 91-5, 5/6/1991, §9; as amended by Ord. 2006-3, 7/10/2006*)

§16-210. Peddling and Soliciting.

It shall be unlawful for any person to peddle or solicit business or any nature whatever, or to distribute handbills, or other advertising matter; to post unauthorized signs or any lands, waters, structures or property unless first authorized in writing by the North York Borough Council or its authorized agent.

(*Ord. 91-5, 5/6/1991, §10*)

§16-211. Unlawful Obstruction.

No person, firm or corporation shall by force, threats, intimidations, unlawful fencing, enclosing or by any other means prevent or obstruct any person from entering, leaving, or making full use of any park.

(*Ord. 91-5, 5/6/1991, §11*)

§16-212. Destruction of Plant Life and Natural Surroundings.

No person shall, on any park:

A. Cut, remove or destroy any tree, sapling, bush or shrub, whether alive or dead; or chip, blaze, box, girdle, trim, or otherwise deface or injure any tree or shrub; or pick, gather, uproot, remove or destroy any flower, plant or grass.

B. Remove or cause to be removed any sod, earth, humus, peat, boulders, gravel or sand without written permission of the North York Borough Council.

(*Ord. 91-5, 5/6/1991, §12*)

§16-213. Fires.

1. No person shall willfully set or cause to be set on fire any building, tree, woodland, grassland or meadow within or upon any park.

2. No person shall build any fire upon any park except within the fireplaces or receptacles approved and designated by the Council for such purpose; provided, however, that charcoal and gas stoves shall not be prohibited.

(*Ord. 91-5, 5/6/1991, §13*)

§16-214. Use of Park.

1. No golfing.

2. No bicycles allowed on courts, baseball field, or pavilion area.

3. During the hours of the park's summer program, permission to use any facility must be granted by park director.

(*Ord. 91-5, 5/6/1991, §14*)

§16-215. Groups.

Any group or gathering may use certain areas within property to the exclusion of others only by making application and being granted a permit by the Borough Council of North York Borough.

(*Ord. 91-5, 5/6/1991, §15; as amended by Ord. 2006-3, 7/10/2006*)

§16-216. Fines and Imprisonment.

Any person violating any provisions of the foregoing rules and regulation shall be deemed guilty of a summary offense; and upon conviction thereof, shall be fined not more than \$600 and cost of prosecution, or imprisoned in the County Jail for a period of not exceeding 90 days or both, for each offense or to pay a penalty of \$500 recovered in an appropriate civil action brought before the magisterial district judge service, North York Borough, York County, Pennsylvania.

(*Ord. 91-5, 5/6/1991, §16; as amended by Ord. 91-6, 6/10/1991; and by Ord. 2006-3, 7/10/2006*)

