

CHAPTER 92: PARKS AND RECREATION

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GENERAL PROVISIONS

§ 92.01 VOLUNTEER ORGANIZATIONS; USE OF BOROUGH FACILITIES.

(A) Effective upon the passage of this section, all volunteer organizations that use borough facilities for sports activities or other organized events shall comply with Pennsylvania Act 33 requirements.

(B) The proper borough officials are hereby authorized and directed to implement rules and regulations and a policy to force the requirements of Act 33 as it pertains to the volunteer organizations.

(Ord. 714-03, passed 11-10-2003) Penalty, see § 92.99

REGULATION OF PUBLIC PARKS, RECREATION FACILITIES, AND CONSERVATION LANDS

§ 92.15 PURPOSE.

It is the intent, purpose, and scope of §§ 92.15 *et seq.* to:

(A) Insure the preservation of public park lands, recreation facilities, and conservation areas within the Borough of Plum for the perpetual enjoyment of the residents of the Borough of Plum;

(B) Regulate activities within these areas consistent with the enjoyment of unspoiled natural settings and park facilities; and

(C) Prevent any nuisances to the residents of the Borough of Plum in the use of the public park lands, recreation facilities, and conservation areas or in the enjoyment of private property adjacent to the areas.

(Ord. 562-96, passed 6-10-1996)

§ 92.16 PRESERVATION OF PROPERTY, NATURAL RESOURCES, AND WILDLIFE.

No person, except those authorized by the borough and conducting borough business, shall, in recreation, park, or conservation areas:

(A) Injure, deface, disturb, defoul, nor in any manner destroy or cause to be destroyed any part of any recreation, park, or conservancy site owned by the borough, nor any building, sign, structure, equipment, utility, or other property found therein;

(B) Remove, injure, or destroy trees, flowers, shrubs, plants, or growing thing, or any rock or other mineral;

(C) Kill, trap, hunt, pursue, or in any manner deliberately disturb or cause to be disturbed any wild bird or animal within the recreation, park, and conservancy sites owned by the borough, except as permitted in § 92.18(B); and/or

(D) Throw, discharge, or otherwise place or cause to be placed in the waters of any fountain, pond, lake, or other body of water in or adjacent to any park or any tributary, stream, storm sewer, or drain flowing into the waters, any substance, matter, or thing, liquid or solid,

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which may result in the pollution of the waters; nor to dump, deposit, or leave any bottles, broken glass, paper, boxes, cans, dirt, rubbish, waste, garbage, refuse, or trash anywhere within the park and conservancy sites owned by the borough; but rather to make use of proper receptacles where they are provided, and where receptacles are not so provided, all the materials shall be carried away from the park by the person responsible for its presence, and properly disposed of elsewhere.

(Ord. 562-96, passed 6-10-1996) Penalty, see § 92.99

§ 92.17 OPERATING POLICY.

(A) *Hours of operation.* Recreation, park, and conservation areas shall be open daily to the public from official sunrise to official sunset; and it shall be unlawful for any person, or persons, other than borough personnel conducting borough business therein, to occupy or be present in the park during any hours in which the park is not open to the public. Permits must be obtained for use after official sunset for special activities. Any section, or part of the recreation, park, and conservation areas, may be declared closed to the public at any time and for any interval of time, either temporarily or at regular or stated intervals. During the periods of time, it shall be unlawful to enter upon or occupy the areas or portions thereof contrary to posted regulations.

(B) *Group activity; possession and consumption of alcoholic beverages.* Whenever any Plum group, association, or organization desires to use recreation or park facilities for a particular purpose, such as picnics, parties, or theatrical or entertainment performances, a representative of the group, association, or organization shall first obtain a permit for the use in specially designated areas from the Public Works Department. The Borough Manager may adopt an application form to be used by the Public Works Department which may require an indemnity bond or other security to protect the borough from any liability of any kind or character and to protect borough property from damage. The Public Works Department shall grant the permit if it appears that the group association or organization will not interfere with the general use of the park by the individual members of the public or leaseholders, and if the group, association, or organization meets all other conditions contained in the application. It shall be unlawful for any person to have in his or her possession, custody, or control any alcoholic beverage, including beer, of any kind whatsoever.

(C) *Use of facilities.* Facilities and areas in borough recreation, park, or conservancy sites shall be used only for the purposes designated or implicit in their character. Special activities including flying model airplanes, games, bicycle riding, and picnics shall be permitted only at the locations or trails specifically designated for the uses and at times established. Golf activities shall be prohibited in all parks.

(D) *Motor vehicles.* Licensed motor vehicles shall be permitted only on designated
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roadways. The speed limit for the vehicles on the roadways shall be 15 mph. Motor scooters, motorcycles, mini-bikes, go-carts, snowmobiles, and all terrain vehicles shall not be permitted on roadways designated for licensed vehicular traffic unless licensed for travel on the public roads of the Commonwealth of Pennsylvania. All vehicles shall be parked in areas or places so provided and designated. Parking in places contrary to posted regulations and times is prohibited, and the vehicles may be removed by the borough at the owners' expense. All parking is prohibited after regular closing time. It shall be unlawful to clean, wash, repair, or do any work whatsoever on private vehicles within recreation, park, and conservation areas except for emergency repairs.

(E) *Other motorized vehicles and equipment.* Motor scooters, motorcycles, minibikes, go-carts, snowmobiles and all terrain vehicles shall not be permitted on grass areas, fields, playgrounds, wooded areas, and trails designated for bicycles and pedestrians.

(F) *Fees.* The Borough Council shall have the authority to issue a fee schedule for permits, set the amount of deposits and prescribe conditions under which deposits are collected or forfeited. The revenue shall be used for recreation, park, and conservation purposes within the general fund.

(Ord. 562-96, passed 6-10-1996) Penalty, see § 92.99

§ 92.18 ACTS PROHIBITED.

(A) *Fires and fireworks.* Fires may not be built or allowed anywhere in recreation, park, or conservation areas except in stoves, fireplaces, or designated areas provided for that purpose. Permits must be secured for any fireworks at any time and proof of liability insurance coverage for fireworks must be provided to the borough.

(B) *Animals.* It shall be unlawful for owners of domesticated animals to permit same within recreation, park, or conservation areas without being controlled by a leash not more than 6 feet long. All pet owners are responsible for removing pet droppings and residue from the parks. Permits may be obtained for the training and/or exhibition of animals in designated areas. It shall be unlawful to bring any dangerous animal into any recreation, park, or conservation area.

(C) *Merchandising, advertising, and signs.* No person shall in recreation, park, or conservation areas:

(1) Offer for sale any article or thing, nor station or place any stand, cart, or vehicle for the transportation, sale, or display of any such article or thing except under the authority of the Public Works Department by application and permits;

(2) Announce, advertise, or call the public attention in anyway to any article or

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service for sale or hire; and/or

(3) Post, paste, fasten, paint, write, draw, carve, tack, or affix any placard, bill, notice, sign, advertisement, or any inscription whatever upon any structure, tree, stone, fence, thing, or enclosure within any recreation, park, or conservation area or on any public lands or highways or roads adjacent to any recreation, park, or conservation area, except that the Public Works Department may place informational signs within the areas.

(D) *Aircrafts.* It shall be unlawful to land a private or commercial airplane or helicopter on recreation, park, and conservation lands.

(E) *Personal conduct.* It shall be unlawful for any person in any recreation, park, or conservation area to:

- (1) Disturb the peace or use of profane or obscene language;
- (2) Endanger the safety of any person by any conduct or act;
- (3) Commit any assault, battery, or engage in fighting;
- (4) Carry, possess, or drink any alcoholic beverage including beer;
- (5) Violate any rule for the use of the park, made or approved by the Public Works Department;
- (6) Prevent any person from using any park, or any of its facilities, or interfere with the use in compliance with §§ 92.15 *et seq.* and the rules applicable to the use; and/or
- (7) Act in an unlawful, disorderly, or disruptive manner or against the best interest of the areas or other people.

(Ord. 562-96, passed 6-10-1996) Penalty, see § 92.99

§ 92.19 ENFORCEMENT AUTHORITY.

The Borough Manager and agents designated by him or her, primarily the Public Works Director, shall administer the provisions of §§ 92.15 *et seq.*, including the establishment and collection of fees, preparation of application forms, issuance and revocation of permits, promulgation of rules and regulations to implement the provisions of §§ 92.15 *et seq.*, and all other decisions relative thereto. When acts or conduct of individuals or groups is determined to be in violation of §§ 92.15 *et seq.* or rules and regulations promulgated by the authority of §§ 92.15 *et seq.*; or not to be in the best interests of the recreation, park, and conservancy area; or when the acts or conduct endangers other people, private or public property; or when the acts are

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deemed to be disruptive to the surrounding neighborhood, the Borough Police, Director of Public Works or his or her agent assigned to the area or program shall have the authority to cause the acts to be terminated, or to expel the perpetrators of the acts from the area, or to call the Borough Police to arrest and detain the individual or individuals, or to file a complaint for the violation of §§ 92.15 *et seq.* with a Magistrate.

(Ord. 562-96, passed 6-10-1996)

§ 92.99 PENALTY.

(A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to § 10.99.

(B) Any person violating any of the provisions of §§ 92.15 *et seq.* and convicted of same shall be liable to a fine of not less than \$10 nor more than \$100. Where the violator has removed, destroyed, damaged, defaced, or befouled the recreation, park, and conservation area or the contents thereof, the cost of maintenance, repair, or replacement shall be charged to the person or group in addition to any fine. Further use of recreation and park facilities may be denied to violators of §§ 92.15 *et seq.* in addition to the imposition of fine or costs.

(Ord. 562-96, passed 6-10-1996)