

ORDINANCE NO. 695

AN ORDINANCE OF THE BOROUGH OF MONROEVILLE PRESCRIBING
 RULES AND REGULATIONS FOR THE USE OF PUBLIC PARK, RECREATION
 AND CONSERVATION LANDS AND BUILDINGS, PROVIDING PENALTIES FOR
 VIOLATION OF SUCH RULES AND REGULATIONS, AND DESIGNATING
 THE ENFORCEMENT AUTHORITY

BE IT ORDAINED and enacted by the Borough of Monroeville, in Council assembled, as follows:

Section 1. Purpose of Ordinance. It is the intent, purpose, and scope of this Ordinance to insure the preservation of public park lands, recreation facilities, and conservation areas within the Borough of Monroeville for the perpetual enjoyment of the residents of the Borough of Monroeville, to regulate activities within these areas consistent with the enjoyment of unspoiled natural settings and park facilities, and to prevent any nuisances to the residents of the Borough of Monroeville in the use of such public park lands, recreation facilities, and conservation areas or in the enjoyment of private property adjacent to such areas.

Section 2. 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, befoul 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 any tree, flower, shrub, plant 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 Section 4 (b).
- (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 such waters, any substance, matter or thing, liquid or solid, which may result in the pollution of said 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 these are provided, and where receptacles are not so provided, all such materials shall be carried away from the park by the person responsible for its presence, and properly disposed of elsewhere.

Section 3. 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 said park during any hours in which the park is not open to the public. Permits must be obtained for use after official sunset for specific 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 such periods of time, it shall be unlawful to enter upon or occupy such areas or portions thereof contrary to posted regulations.

(b) Group Activity; Possession and Consumption of Alcoholic Beverages.

Whenever any Monroeville 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 said group, association or organization shall first obtain a permit for such use in specially designated areas from the Director of Recreation and Parks. The Borough Council may adopt an application form to be used by the Director of Recreation and Parks 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 Director of Recreation and Parks 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, 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, except as a member of a Monroeville group, association or organization granted a permit for particular activities in specially designated areas as set forth in this section.

(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, picnics, the operation of motorscooters, motorcycles, mini-bikes, go-carts, snowmobiles and similar vehicles shall be permitted only at locations or trails specifically designated for such use and at times established.

(d) Motor Vehicles. Licensed motor vehicles shall be permitted only on designated roadways. The speed limit for such vehicles on such roadways shall be fifteen (15) miles per hour. Motorscooters, motorcycles, mini-bikes, go-carts and snowmobiles 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 such 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) Fees. The Borough Manager 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. Such revenue shall be used for recreation, park and conservation purposes within the general fund.

Section 4. 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 for fires to be maintained after closing time.

(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 six (6) feet long. 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) Gambling. Gambling is prohibited on recreation, park and conservation lands.

(d) 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 Director of Recreation and Parks by application and permit.

(2) Announce, advertise, or call the public attention in any way to any article or service for sale or hire.

(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 Department of Recreation and Parks may place informational signs within such areas.

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

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

(1) Disturb the peace or use 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 except as otherwise permitted under Section 3(b).

(5) Violate any rule for the use of the park, made or approved by the Department of Recreation and Parks.

(6) Prevent any person from using any park, or any of its facilities, or interfere with such use in compliance with this Ordinance and the rules applicable to such use.

(7) Act in an unlawful, disorderly or disruptive manner or against the best interests of the areas or other people.

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Section 5. Enforcement Authority. The Borough Manager and agents designated by him, primarily the Director of Recreation and Parks, shall administer the provisions of this Ordinance 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 this Ordinance and all other decisions relative thereto. When acts or conduct of individuals or groups is determined to be in violation of this Ordinance or rules and regulations promulgated by the authority of this Ordinance; or not to be in the best interests of the recreation, park and conservancy area; or when such acts or conduct endangers other people, private or public property; or when such acts are deemed to be disruptive to the surrounding neighborhood, the Borough Police, Director of Recreation and Parks or his agent assigned to such area or program shall have the authority to cause such acts to be terminated, or to expel the perpetrators of such acts from the area, or to call the Borough Police to arrest and detain such individual or individuals, or to file a complaint for the violation of this Ordinance with a Justice of the Peace.

Section 6. Penalties. Any person violating any of the provisions of this Ordinance and convicted of same shall be liable to a fine of not less than \$10.00 nor more than \$100.00. Where such 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 such person or group in addition to any fine. Further use of recreation and park facilities may be denied to violators of this Ordinance in addition to the imposition of fines or costs.

Section 7. Repealer. Any Ordinance or part of an Ordinance in conflict with any of the provisions of this Ordinance is hereby repealed insofar as the same affects this Ordinance.

ORDAINED in Council this 14th day of July, 1970.

BOROUGH OF MONROEVILLE

ATTEST:

S/ Carrol F. Pickens
Secretary

By S/ George C. Dale
President of Council

(SEAL)

APPROVED this 17th day of July, 1970.

S/ John J. Duncan
Mayor

Entered in Legal Book July 21, 1970