

Chapter 12
PARKS AND RECREATION

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PART 1

REGULATIONS FOR USE OF PARKS AND RECREATIONAL AREAS

§12-101. 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, beaches, recreation structures and facilities, and also entrances and approaches thereto, and all other land or property or structures under the jurisdiction of the Borough Council, now or hereafter owned or acquired by the Borough for park or recreational purposes.

PERSON – any natural person, corporation, organization or persons, company, association or partnership.

RULES AND REGULATIONS – any rules and regulations hereby or hereafter promulgated by the Borough Council under the authority herein conferred.

(Ord. 494, 11/27/2000)

§12-102. Park Hours

All parks shall be opened daily to the public at such hours as the Borough Council may from time to time designate, but in no event shall any person be permitted to be in attendance in any park between 11:00 p.m. and sunrise, unless special permission be granted by the Borough Council or Recreation Board.

(Ord. 494, 11/27/2000; as amended by Ord. 507, 3/25/2002, §2)

§12-103. 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 specially designated for that purpose and located by authority of the Borough Council.
- D. Remove any bench, seat, table or other appliance without permission of the Borough Council.
- E. Injure, deface, destroy or remove any notice, rule or regulation posted at any place within the park by authority of the Borough Council; nor shall any notice or placard be posted within the park other than by authority of said 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 the Borough Council; distribute, sell, service or rent any services or commodity or solicit for any purpose without permission of the Borough 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 the Borough Council, or operate the same in a reckless or negligent manner or in excess of any posted speed limit or in such a manner as to become a nuisance to other area users.
- H. Operate commercial vehicles, unless providing authorized services.
- I. 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 the Borough Council or Recreation Board. [Ord. 507]
- J. Disrobe or change clothing except in buildings or facilities made available for that purpose.
- K. Disturb the peace by any conduct so as to annoy any other person using the park for recreational purposes.
- L. Operate a snowmobile, minibike, motorcycle or any vehicle, recreational or otherwise, except on designated roads, trails or areas set aside for their use.
- M. Use threatening, abusive, insulting, profane or obscene language or words.
- N. Commit any disorderly or immoral acts.
- O. 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 the Borough 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.
- P. Disobey a proper order of a police officer or Borough Council member or Recreation Board member, 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, bulleting, card, poster or when notified or informed as to its existence by the Borough Council, Recreation Board or an authorized person. [Ord. 507]
- Q. 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.
- R. Allow pets to run at large out of control.
- S. Animals shall be prohibited in the center ward playground bordered by Cherry Street, Alton Street and Milton Street; in the east ward playground bordered by Ogle Street, Triumph Street and Caroline Street; and in Memorial Field bordered by West Street, Ogle Street, Marian Street and the former railroad. This provision shall not apply to a guide dog accompanying any blind person, or to dogs used to assist any other physically handicapped person. [Ord. 507]

(Ord. 494, 11/27/2000; as amended by Ord. 507, 3/25/2002, §§1, 2; as amended by Ord. 571, April 26, 2010)

§12-104. 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. 494, 11/27/2000)

§12-105. 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 the Recreation Board for the scheduling of various league games, etc. [Ord. 507]
- 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 the Recreation Board for a specific requested use. [Ord. 507]

(Ord. 494, 11/27/2000; as amended by Ord. 507, 3/25/2002, §2)

§12-106. Authority to Close Areas

Recreation facilities which become hazardous for public use due to weather, water, fire or unforeseeable conditions may be closed by the Borough Police Department.

(Ord. 494, 11/27/2000)

§12-107. Tobacco-Free Zones

The following areas of parks and playgrounds where children are present be designated tobacco-free and the use of any tobacco product in any form shall be prohibited hereafter.

- A. The entire property at the following sites:
 - 1. East Ward Playground
 - 2. Center Ward Playground
 - 3. Memorial Field
 - 4. Young Peoples Community Center
 - 5. Lions Field
 - 6. Ebensburg Tennis Center
- B. Within fifty (50') feet of the fenced area of Lake Field.

Young Lungs at Play Signs or other appropriate signage will be posted delineating the tobacco-free areas.

(Ord. 624, 07/27/2015)

§12-108. Enforcement

The police officers of the Borough are charged with enforcement of the provisions of this Part.

(Ord. 494, 11/27/2000)

§12-109. 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 \$600 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 shall constitute a separate offense.

(Ord. 494, 11/27/2000)