

**WEST NANTMEAL TOWNSHIP**  
**CHESTER COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 1-2018**

AN ORDINANCE OF WEST NANTMEAL TOWNSHIP,  
CHESTER COUNTY, PENNSYLVANIA, ESTABLISHING  
RULES AND REGULATIONS FOR TOWNSHIP LAND,  
PARKS AND RECREATION AREAS SITUATED UPON  
LANDS OWNED BY WEST NANTMEAL TOWNSHIP.

BE IT ENACTED AND ORDAINED, by the Board of Supervisors of West Nantmeal Township that the following ordinance titled, "Parks and Recreation Ordinance" shall be adopted and provided as set forth below.

**SECTION 1.** The Parks and Recreation Ordinance designating and establishing rules and regulations for parks and recreation areas within West Nantmeal Township shall read as follows:

**WEST NANTMEAL TOWNSHIP**  
**PARKS AND RECREATION ORDINANCE**

**1. PURPOSE.**

The purpose of this Ordinance is to establish rules and regulations governing the use of Township owned park and recreation areas.

**2. RULES AND REGULATIONS.**

The following rules and regulations are hereby established for the management and protection of the Township's parks and recreation areas (collectively referred to herein as the "Park" or "Parks"). These regulations apply to all real property, including land, waters, structures, buildings and all other facilities, owned by West Nantmeal Township and used, operated and maintained by it for park and recreation purposes.

- A. Hours of operation. The Parks shall be open daily to the public from sunrise to sundown. At sundown, all activities in the Parks, with the exception of those activities under the direct supervision of the Township or police, or by those persons issued validly existing permits or other written authorization by the Township as hereinafter provided, shall cease; and all unauthorized persons in the Parks shall promptly leave. Except as above provided, no

person, other than authorized Township employees, shall be in the Parks between the hours of sundown and sunrise.

- B. Protection of Park property. No person shall injure, deface, remove, cut, dig or damage any of the trees, plants, shrubs, turf, earth, sand, buildings, structures, fixtures or other facilities located within the Parks.
- C. Removal of Park equipment. No person shall remove any bench, seat or table or other recreational equipment or facility from the Parks or change the location thereof without the written permission of the Township.
- D. Disorderly conduct prohibited. No person shall conduct himself/herself within the Parks by making or causing to be made any loud, boisterous or unseemly noise or disturbance which annoys or has the consequence of annoying any other person lawfully in the Parks. Any person violating this provision or who violates any provision of the Pennsylvania Crimes Code or any Township ordinance proscribing disorderly conduct, harassment, disturbance of the peace or other crime against persons or property may be immediately expelled from the Parks by Township staff or a police officer.
- E. Park Use Application and Approvals required.
  - (1) Any group or organization composed of 25 or more persons are required to meet with a Township representative no less than one week prior to holding an organized function within the Parks, and also complete the Park Use Application and comply with the additional requirements (including fees and deposits) for reservations as set forth in the Park Use Application which may be updated from time to time by the Township.
  - (2) Park Use Applications shall be used to reserve certain facilities within the Parks, and in order to better manage and accommodate larger gatherings at the Parks. Park Use Applications shall specify location or locations within the park where such gathering, meeting or activity will be held. Use of any park facilities or areas not authorized shall constitute sufficient grounds for expulsion of the activity from the Parks. In the event that refuse containers have been provided by the Township within the Parks, they may be utilized for disposal of such refuse by larger groups if they are sufficiently empty to accommodate the amount of refuse produced by the activity. In no event shall refuse be allowed to spill from Township-provided containers or left in and around the containers or at other locations in the Parks.

- F. Vehicular restrictions. Except in designated parking areas, with the exception of motorized wheelchairs, motor vehicles, and motorized equipment of any kind shall not be allowed on Park grounds without prior written permission of the Township, provided that this preclusion shall not apply to Township vehicles used for Park maintenance or other necessary activity approved by the Township.
  
- G. Aircraft prohibited. No person shall operate, take off, fly, or land any manned or unmanned aircraft, including but not limited to, ultralight vehicles/aircrafts, drones, model airplanes, or hot air balloons, within, on, or over any parks or other Township owned lands.
  
- H. Sound equipment. Sound-amplification equipment shall be permitted in the parks only by prior written permission of the Township.
  
- I. Sales and structures prohibited. No person shall set up any booth, table, stand, vehicle or other structure whatsoever within the Parks without the prior written consent of the Township, which shall have authority and discretion to refuse such consent in any instance. No person shall sell or offer for sale any object or merchandise or any other object of value, whether corporeal or incorporeal, in the Parks, unless so specified by a permit which is first obtained for such purpose from the Township.
  
- J. Disposal of waste materials. No person shall dispose of any organic or inorganic waste, garbage, hazardous substances or other refuse (hereafter "waste materials") in the Parks, except in the township-supplied receptacles designated for that purpose, provided that no such waste materials shall be disposed of in such receptacles unless resulting from activities by persons lawfully using the Parks for their intended purpose. All persons using the Parks shall dispose of all such waste materials left by them in such Township-supplied receptacles. No person shall bring into, leave in or throw, cast, lay, drop or cause to be discharged into or on the Parks or their waters any waste materials or sick, diseased or dead animals.
  
- K. Restriction of animals. No person shall allow any animal owned by him, in his custody or under his control to run at large in the Parks. All dogs in the Parks must be restrained by a leash. All persons exercising control of animals in the Parks shall be responsible for immediately cleaning up and disposing of any animal waste resulting from their presence in the Parks. Horses are strictly prohibited from the Parks unless otherwise approved in writing by the Township.

- L. Posted rules and regulations. All persons shall adhere to the rules and regulations established by the Board of Supervisors, which are posted by the Township in the Parks and which govern and restrict conduct therein. No person shall injure, deface or destroy any notice, rule or regulation posted at any place within the Parks. Any person violating this subsection shall be subject to expulsion from the Parks and to prosecution, if warranted under the law.
- M. Distributing or displaying advertising materials prohibited. No person shall distribute advertising materials in the Parks or post, place or distribute any handbill, sign, notice, placard or other device on any tree, fountain, post, railing, fence, building or any other structure in or surrounding the Parks nor display any advertising material of any kind on any vehicle within the Parks.
- N. Setting of fires prohibited. No person shall ignite, start, set or maintain any fire or perform or conduct any cooking activities in the parks except in stoves, grills or fireplaces provided and maintained by the Township for that purpose.
- O. Certain fireworks prohibited. No person shall fire, discharge or set off any fireworks or firecrackers of any nature whatsoever in the Parks. Special fireworks displays may take place under the auspices and direction of the Township or upon issuance of a special permit by the Township to a person authorized by state law to conduct such display.
- P. Intoxicating beverages prohibited. Intoxicating beverages are prohibited in the Parks. No person shall bring any intoxicating beverages into the Parks, either for his own use or for the use of any other person. Violation of this provision shall subject the violator to expulsion from the Parks.
- Q. Recreational activities. Activities, such as baseball, football, soccer, tennis, volleyball and other games and recreational activities, may be played in the Parks in locations designated by the Township and posted for such purposes. Such activities may be required to adhere to rules and regulations as may be prescribed by the Board of Supervisors from time to time. Notwithstanding any of the foregoing, golf and golfing activities are strictly prohibited.
- R. Smoking shall be prohibited in the Parks. No smoking is permitted with the Parks. Violation of this provision shall subject the violator to expulsion from the Parks.

- S. Hunting. No hunting or hunting activities, including but not limited to bow hunting, black powder, and other firearms, shall be permitted in the Parks.
  
- T. Additional regulations. The Board of Supervisors shall have the authority to establish such additional rules and regulations, from time to time as necessary in its opinion for the proper governance of the Parks. Such regulations shall become effective when approved by resolution duly adopted by the Supervisors, without the necessity of inclusion in this Ordinance.

3. **VIOLATION AND ENFORCEMENT PROVISIONS.**

Any person who violates or permits the violation of any provision of this Ordinance shall, upon conviction thereof in a summary proceeding brought before a District Justice under the Pennsylvania Rules of Criminal Procedure, be guilty of a summary offense and shall be subject to the payment of a fine of not less than \$100 and not more than \$1,000, plus the costs of prosecution. In default of payment thereof, the defendant may be sentenced to imprisonment in the county prison for a term of not more than 30 days. Each section of this Ordinance violated shall constitute a separate offense, and each day or portion thereof in which a violation of this Ordinance is found to exist shall constitute a separate offense, each of which violations shall be punishable by a separate fine imposed by the District Justice of not less than \$100 and not more than \$1,000, plus the costs of prosecution or, upon default of payment thereof, the defendant may be sentenced to imprisonment in the county prison for a term of not more than 30 days. All fines and penalties collected for the violation of this Ordinance shall be paid to the Township Treasurer.

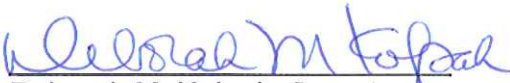
**SECTION 2. Severability.** If any sentence, clause, section, or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts hereof. It is hereby declared as the intent of the Board of Supervisors of West Nantmeal Township that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

**SECTION 3. Repealer.** All Ordinances or parts of Ordinances conflicting with any provision of this Ordinance are hereby repealed insofar as the same affects this Ordinance.

**SECTION 4. Effective Date.** This Ordinance shall become effective five days after its enactment as law provides.

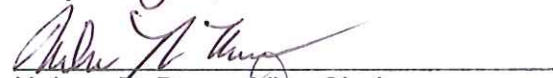
ENACTED AND ORDAINED this 12<sup>th</sup> day of February, 2018.

ATTEST:

  
Deborah M. Kolpak, Secretary

**WEST NANTMEAL TOWNSHIP  
BOARD OF SUPERVISORS**

  
Gary C. Elston, Chairman

  
Nelson R. Beam, Vice Chairman

  
Frank V. Daniel, Member  
JR.