

BOROUGH OF STRASBURG

Lancaster County, Pennsylvania

ORDINANCE NO. 2006-2

AN ORDINANCE OF THE BOROUGH OF STRASBURG, LANCASTER COUNTY, PENNSYLVANIA, TO ESTABLISH RULES AND REGULATIONS FOR THE USE OF BOROUGH PROPERTY.

BE AND IT IS HEREBY ORDAINED AND ENACTED by the Borough Council of the Borough of Strasburg, Lancaster County, Pennsylvania, as follows:

Section 1. Definitions and word usage. The following terms shall have the meanings indicated:

BOROUGH - Borough of Strasburg, Lancaster County, Pennsylvania.

BOROUGH AUTHORITY – Strasburg, Lancaster County, Borough Authority.

BOROUGH PROPERTY - Any real estate owned or leased by the Borough or Borough Authority.

PARK FOUNDATION – The Board of Directors of the Strasburg Community Park Foundation and the activities authorized by it on its leased ground.

PERSON - Any individual, corporation, association, partnership, firm, trust, estate or legal entity whatsoever which is recognized by the law as the subject of rights and duties.

SPECIAL EVENTS – Activities regulated under Chapter 13, Part 1, of the Code of Ordinances of the Borough.

As used in this Ordinance, words expressed in the singular include their plural meaning, and words expressed in the plural include their singular meaning. Words in the masculine gender include the feminine gender and the neuter.

Section 2. Use of Borough Property. From and after the enactment of this Ordinance, the following regulations shall be effective for the proper conduct or behavior of all persons using any facilities of the Borough or being upon any Borough Property:

1. No person shall permit any dog or other animal except wildlife to run at large on Borough Property except for hunting purposes, in which case such person

shall act in accordance with the Pennsylvania Game Commission hunting regulations for areas opened to hunting. Any person who shall bring any dog or other animal onto Borough Property shall at all times attend to and maintain control of such animal. Any person who brings a dog or other animal onto Borough Property shall remove all feces deposited by the animal.

2. No person shall hunt for, shoot at, chase, catch, or intentionally injure or kill or attempt to shoot at, chase, catch or intentionally injure or kill with or without dogs, any bird or animal. Notwithstanding the foregoing, fishing and hunting are permitted only in designated areas (i.e. Borough Pond or watershed area) if such person is in compliance with the Pennsylvania Fish or Game Commission's regulations.

3. No person shall swim, wade, or bathe on Borough Property unless the area is specifically designated for said purpose.

4. No person shall engage in any unlawful gambling. Lawful gambling which is permitted by the Borough must be appropriately licensed.

5. No person shall carry, have or discharge firearms, explosives, bows and arrows, air or spring rifles or slings unless authorized by the Borough or appropriately licensed. No person shall throw stones, missiles, golf balls, hit golf balls or similar objects.

6. No person shall transport, possess, drink or be under the influence of malt or brewed beverages, spirits, liquors or wine without a Special Events Permit from the Borough.

7. No person shall break, cut, deface, disturb, injure or take any flower, fruit, plant, tree shrub, bench, building, fence, monuments, or other structure, apparatus or property unless authorized by the Borough. This is not intended to limit Park Foundation authorized activity on its leased ground.

8. No person shall gather or remove any wood, turf, grass, soil, rock, sand or gravel unless authorized by the Borough. This is not intended to limit Park Foundation authorized activity on its leased ground.

9. No person shall remove, molest, injure or damage anything natural or physical on Borough Property unless authorized by the Borough. This is not intended to limit Park Foundation authorized activity on its leased ground.

10. No person shall injure, deface or destroy any posted or permanently fixed signs or notices.

11. No person shall smoke in areas where forbidden by signs.

12. No person shall discard matches, cigars or cigarettes in any area.

13. No person shall leave any cans, bottles, broken glass, paper, yard waste, or rubbish of any description. All refuse shall be removed from the site or deposited into an appropriate receptacle by the person or party that generated same before leaving the Borough Property.

14. No person shall discard any refuse, dead animal or offensive matter or substance of any kind.

15. No person shall make or kindle open fires except in picnic stoves or enclosed fireplaces in designated areas. All fires must be extinguished before leaving.

16. No person shall post or erect any bills, notices or advertising matter of any kind. This shall not apply to notices authorized by the Borough.

17. No person shall sell or rent or service or offer for sale any merchandise, article or thing whatsoever. This shall not apply to concessionaires authorized by the Borough's Special Events permitting process. This is not intended to limit Park Foundation authorized activity on its leased ground.

18. No person shall engage in camping unless authorized by the Borough's Special Events permitting process.

19. No person shall stand or park any vehicle except at those places designated therefor.

20. No person shall violate any posted rules for or misuse any picnic area, playfield, or other recreational area.

21. No person shall operate electric generators or chain saws or other powered implements unless authorized by the Borough. This is not intended to limit Park Foundation authorized activity on its leased ground.

22. No person shall wash, polish or repair any motor vehicle, except for emergency repairs.

23. No person shall have or conduct any live musical, theatrical or other entertainment or exhibit, instruct, compete, demonstrate or allow a special event unless authorized by the Borough and all necessary permits have been obtained.

24. No person shall operate any vehicle or bicycle at any place other than authorized roadways or special areas designed for operation of such vehicles. The speed limit shall be no more than 10 miles per hour.

25. No person shall commit noisy, boisterous, reckless, negligent, immoral or indecent conduct, congregate in any area or manner which will hamper the free movement of pedestrians, or commit any public nuisance.

26. No person shall operate snowmobiles, mini-bikes, go-carts or other unregistered motorized land or air vehicles at any place upon the Borough Property unless permitted by the Borough. This is not intended to limit Park Foundation authorized activity on its leased ground.

27. No person shall abandon any vehicle within the limits of any Borough Property.

28. No person shall have any organized group activities of any kind without having first secured a Borough's Special Events permit.

29. No person shall roller skate or roller blade or use a skateboard on any paved areas unless authorized by the Borough. No person shall violate regulations pertaining to skateboards, roller skates or roller blades on Borough Property.

30. No person shall be in any Borough Property one half hour after sunset until one half hour before sunrise without written permission from the Borough, with the exception of those involved in hunting in designated areas following Pennsylvania Game Commission laws.

31. No person shall commit any unlawful act as designated by the Commonwealth of Pennsylvania or the Borough.

32. No person shall horseback ride except on the right (side) berm of roads that are open to public vehicles. All solid waste shall be removed by the equestrian. No equestrian activities shall be permitted unless authorized by the Borough.

33. No person shall create or place fixed or temporary structures unless authorized by the Borough.

34. No person shall use metal detectors.

35. The Borough reserves the right to close any Borough Property for any reason.

Section 3. Enforcement. Any Borough police officer shall have the power to enforce any provision of this Ordinance. Borough Council specifically authorizes any Borough police officer to issue citations to enforce this Ordinance.

Section 4. Penalties.

1. If any police officer determines that a person has committed or has permitted the commission of a violation of this Ordinance, the police officer shall inform such person in writing of the violation, shall notify such person to cease the violation of this Ordinance, and shall inform such person that he or she must pay a penalty to the Borough within the range of amounts set fourth below to settle the violation. The penalty for a first offense shall be twenty-five (\$25.00) dollars; the penalty for a second offense shall be fifty (\$50.00) dollars; and the penalty for a third or greater offense shall be one hundred (\$100.00) dollars. If such person fails or refuses to remit the penalty to the Borough within ten (10) days from the date of the written notice of violation of this Ordinance, the Borough may institute summary criminal proceedings and/or may commence an action in equity.

2. Any person who violates any provisions of this Ordinance shall, upon conviction thereof by summary proceedings, be sentenced to pay a fine of not less than twenty-five (\$25) dollars and not more than six hundred (\$600) dollars plus costs of prosecution for the first violation and a fine of not less than one hundred (\$100) dollars and not more than six hundred (\$600) dollars plus costs of prosecution for the second or subsequent violations. A magisterial district judge or a court shall, to the extent authorized by law, order restitution for injury or damage to Borough Property in addition to the fines and costs prescribed in this Ordinance. The court may also order, in addition to any other sentence imposed, an offender to pay the cost of any reward paid for the apprehension and conviction of the offender.

3. No penalty herein shall prevent the Borough from enforcing this Ordinance by equitable, injunctive and other remedies.

Section 5. Severability. The provisions of this Ordinance are severable, and if any section, sentence, clause, part or provision hereof shall be held to be illegal, invalid or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts or provisions of this Ordinance. It is hereby declared to be the intent of the Borough Council that this Ordinance would have been enacted if such illegal, invalid or unconstitutional section, sentence, clause, part or provision had not been included herein.

Section 6. Effective Date. This Ordinance shall take effect and be in force after its enactment by the Borough Council of the Borough of Strasburg as provided by law.

DULY ORDAINED the 13th day of June, 2006, by the Borough Council of the Borough of Strasburg, Lancaster County, Pennsylvania, in lawful session duly assembled.

BOROUGH OF STRASBURG
Lancaster County, Pennsylvania

Attest: _____
(Assistant) Secretary

By: _____
(Vice) President
Borough Council

[BOROUGH SEAL]

Examined and approved as an Ordinance this 13th day of June, 2006.

Mayor

[For Sign to be Posted at Park]

Reward in the total amount of \$_____ for information leading to the arrest and conviction of any person or persons vandalizing Borough Property.

Strasburg Borough Council

Contact Police: 1-800-957-2677

Borough Office: 687-7732

[For Borough Website]

Reward Offer

A reward in the total amount of \$_____ is being offered for information leading to the arrest and conviction of any person or persons committing vandalism and destroying property in the _____ Park.

Please call the Strasburg Borough Office at 687-7732 or the Police Department at 1-800-957-2677 with information.