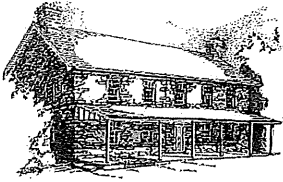


West Caln Township Board of Supervisors  Chester County Pennsylvania	<b>ORDINANCE # 2019-01</b>  <b>PARKS AND RECREATION  RULES AND REGULATIONS  ORDINANCE</b>	
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**AN ORDINANCE OF WEST CALN TOWNSHIP,  
CHESTER COUNTY, PENNSYLVANIA,  
ESTABLISHING RULES AND REGULATIONS FOR  
TOWNSHIP LAND, PARKS AND RECREATION  
AREAS SITUATED UPON LANDS OWNED BY  
WEST CALN TOWNSHIP.**

**WHEREAS**, the Board of Supervisors seeks to amend and replace all previous ordinances, including Ordinance No. 2-99 and Ordinance No. 05-3, which previously established rules and regulations governing parks and open space owned by the Township in order to adopt the below revised and updated rules and regulations;

**BE IT ENACTED AND ORDAINED**, by the Board of Supervisors of West Caln Township that the following ordinance adopting revised Park and Recreation Rules and Regulations for West Caln Township shall be adopted and provided as set forth below.

**SECTION 1.** This Ordinance designating and establishing rules and regulations for parks and recreation areas within West Caln Township shall read as follows:

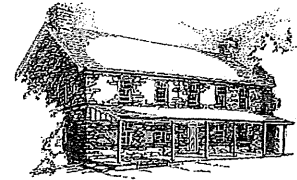
**“WEST CALN TOWNSHIP**

**PARKS AND RECREATION RULES AND REGULATIONS”**

**1. 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 passive open space, land, waters, structures, buildings and all other facilities, owned by West Caln Township and used, operated and maintained by it for park and recreation purposes.

**ORDINANCE # 2019-01**  
  
**PARKS AND RECREATION  
RULES AND REGULATIONS  
ORDINANCE**



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

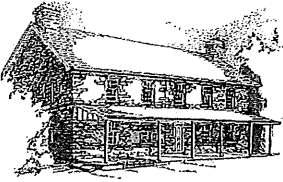
No person shall injure, deface, remove, cut, dig or damage any of the trees, plants, shrubs, turf, earth, sand, buildings, structures, fixtures or other facilities located within the Parks.

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

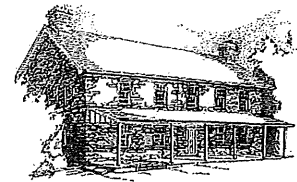
No person shall conduct himself/herself within the Parks by making or causing to be made any loud, boisterous or unseemly noise or disturbance which annoys or has the consequence of annoying any other person lawfully in the Parks. Any person violating this provision or who violates any provision of the 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.

<p>West Caln Township Board of Supervisors</p> <p>Chester County Pennsylvania</p>	<p><b>ORDINANCE # 2019-01</b></p> <p><b>PARKS AND RECREATION RULES AND REGULATIONS ORDINANCE</b></p>	
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E. Park Use Reservations, Approvals and Insurance Required

- (1) Athletic fields and space may be reserved by completing the required forms on file at the Township offices. Ball fields may be reserved on a “first come first served” basis commencing January 1st of each year. Reservations shall not be made prior to January 1st of any year. Reservation forms and a schedule of fees, as established by resolution of the Board of Supervisors, are available at Township offices.
- (2) Park Use reservation forms 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 reservations 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.
- (3) The following requirement should be met prior to the use of any sports field of the Township by any competitive sports league: A policy of public liability insurance in an amount of not less than \$2,000,000 in a form and with an insurer acceptable to the Township of West Caln shall be delivered to the Township prior to the use of any ball field. The Township of West Caln shall be named as an additional insured on the policy. A certificate of insurance may be delivered in lieu of the policy. Such policy shall not be terminated without providing not less than 30 days prior notice to the Township.

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ORDINANCE**



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. No go-carts, mini-bikes, off road motorized or similar type vehicles shall be allowed on Park grounds, and no parking shall be permitted upon Water Works Road.

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 unless written permission for such use is given by the Township.

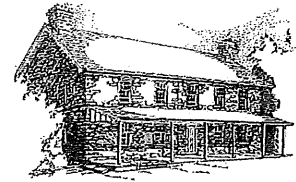
H. Sound equipment

Sound-amplification equipment shall be permitted in the parks only by prior written permission of the Township.

I. 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.

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ORDINANCE**



J. 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; however, horse drawn vehicles and horses used as a mode of transportation to and from the Park shall be permitted in designated parking areas.

K. 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. Posted rules and regulations may include the rules and regulations contained herein as well as other rules and regulations. 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.

L. Setting of fires prohibited

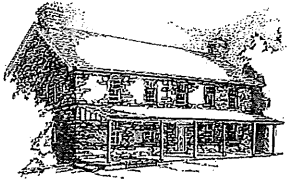
No person shall ignite, start, set or maintain any fire or perform or conduct any cooking activities in the parks except in stoves, grills or fireplaces provided and maintained by the Township for that purpose. Extra grills may be allowed to be brought into the Parks for special occasions with permission of the Township.

M. 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>West Caln Township Board of Supervisors</p> <p>Chester County Pennsylvania</p>	<p><b>ORDINANCE # 2019-01</b></p> <p><b>PARKS AND RECREATION RULES AND REGULATIONS ORDINANCE</b></p>	
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- N. Alcohol, Drug and Smoking prohibited  
Alcohol use, drug use and smoking are prohibited in the Parks. No person shall bring any alcoholic beverages or drugs into the Parks, either for his own use or for the use of any other person. No smoking is permitted in the Parks. Violation of this provision shall subject the violator to expulsion from the Parks.
  
- O. 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. No use of dangerous sports equipment – such as javelins or arrows – shall be permitted in the Parks unless expressly permitted by the Township.
  
- P. Hunting  
No hunting or hunting activities, including but not limited to bow hunting, black powder, and other firearms used for hunting, shall be permitted in the Parks.
  
- Q. Liability  
The Township shall not be responsible for any accidents or damage to any person or property in connection with the use of the Parks for any purpose.
  
- R. 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.

West Caln Township Board of Supervisors  Chester County Pennsylvania	<b>ORDINANCE # 2019-01</b>  <b>PARKS AND RECREATION  RULES AND REGULATIONS  ORDINANCE</b>	
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**2. 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**

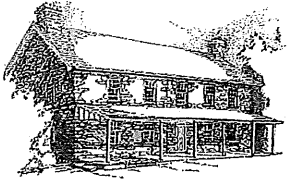
If any sentence, clause, section, or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts hereof. It is hereby declared as the intent of the Board of Supervisors of West Caln 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.

<p>West Caln Township Board of Supervisors</p> <p>Chester County Pennsylvania</p>	<p><b>ORDINANCE # 2019-01</b></p> <p><b>PARKS AND RECREATION RULES AND REGULATIONS ORDINANCE</b></p>	
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ENACTED AND ORDAINED this 13<sup>th</sup> day of March, 2019.


ATTEST:



Township Secretary

**WEST CALN TOWNSHIP  
BOARD OF SUPERVISORS**

\_\_\_\_\_  
Donald W. Martz, Chairman



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Allen R. Martin, Vice Chairman



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Joseph G. Hutton, Member