

## **CHAPTER 120**

### **PARKS AND RECREATION**

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**[HISTORY: Adopted by the Borough Council of the Borough of South Greensburg 7-15-1996 as Ord. No. 96-6. Amendments noted where applicable.]**

### **GENERAL REFERENCES**

**Animals - See Ch. 53.**  
**Circuses and carnivals -**  
**See Ch. 69. Firearms and**  
**weapons - See Ch. 76.**  
**Littering - See Ch. 108.**  
**Peddling and soliciting - See Ch. 122.**

#### **§ 120-1. Definitions. [Amended 2-6-2020 by Ord. No. 2020-02.]**

As used in this chapter, 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, 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 of South Greensburg for park or recreational purposes.

PERSON - Any natural person, corporation, organization of persons, company, association or partnership.

RECREATION DIRECTOR- An employee of the Borough of South Greensburg, as approved and appointed by Council. The Recreation Director shall supervise all recreation activities and programs in the Borough, subject to the supervision of the Borough Secretary and Borough Council.

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

**§ 120-2. Park Hours. [Amended 3-8-10 by Ord. No. 2010-03.]**

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 sunset and sun rise, unless special permission is granted by the Borough Council.

**§ 120-3. Prohibited conduct. [Amended 2-6-2020 by Ord. No. 2020-02.]**

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 of South Greensburg 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 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 Borough 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 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. Operated commercial vehicles, unless providing authorized services.

I. Bring onto the premises, possess or consume any alcoholic beverage, without the issuance of a Park Alcohol Permit form the Borough, or illegal drugs of any kind; no person shall enter the park in an intoxicated state or otherwise be under the influence of illegal drugs. Council shall, from time to time, set forth by way of Resolution, the fee for the permit for, and any rules or regulations regarding, the responsible possession and consumption of alcoholic beverages.

1. No glass containers shall be permitted
2. All refuse shall be deposited in the appropriate garbage or recycling receptacles. Should the receptacles be filled, the Permit Holder shall be responsible for the disposal of the solid waste that does not fit in the receptacles.
3. There shall be no littering
4. Visibly intoxicated individuals shall not be served alcohol.
5. Applicants for the Park Alcohol Sale Permit shall be at least 21 years of age.
6. No person shall furnish alcoholic beverages to persons under the age of 21.
7. No persons under the age of 21 may possess or consume alcohol.
8. All persons consuming alcohol must have a photo ID on their person.
9. Alcohol may not be consumed in any parking lot, within ten feet of a roadway or in a vehicle.
10. Persons consuming alcoholic beverages do so at their own risk and shall indemnify and hold the Borough harmless regarding the same.
11. All State and Federal laws regarding the use of alcoholic, intoxicating, and controlled substances shall be observed by patrons of the Borough Parks.
12. No persons shall, on Borough Park property, consume, be under the influence of, possess solicit or offer for sale alcohol or intoxicating or controlled substances in violation of Local State or Federal Law.

J. Disrobe or change clothing except in buildings or facilities made available for that purpose.

K. Play ball, swim, golf, pitch horseshoes, engage in archery, camp, 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.

L. Disrobe or change clothing except in building or facilities made available for that purpose.

M. Disturb the peace by any conduct so as to annoy any other person using the park for recreational

purposes.

N. Operate a snowmobile, minibike, motorcycle or any vehicle, recreational or otherwise, except on designated roads, trails or other areas set aside for their use.

O. Use threatening, abusive, insulting, profane or obscene language or words.

P. Commit any disorderly or immoral acts.

Q. Hold any public meeting or rally with more than five (5) 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.

R. Disobey a proper order of a police officer or Recreation Board member, or the Recreation Director 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, bulletin, card, poster, or when notified or informed as to its existence by the Borough Council or an authorized person.

S. 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, and, to that end, it is unlawful for any person to carry onto or possess in any park, a shotgun or rifle or pistol or firearm of any make or kind unless specific permission is granted for a designated area by authority of the Borough Council.

T. Allow pets to run at-large out of control. Further, no person having possession, custody or control of any animal shall knowingly or negligently permit any dog or other animal to commit any nuisance, i.e., defecation or urination upon any gutter, street, driveway, alley, curb or sidewalk in the Borough of South Greensburg or upon the floors or stairways of any building or place frequented by the public or used in common by the tenants or upon the outside walls, walkways, driveways, alleys, curbs or stairways of any building abutting on a public street or park or upon the grounds of any public park or public area or upon any private property other than the property of the owner of such animal. Further, no person having possession, custody or control of any dog or other animal, shall permit any dog or other animal to be present on any Borough recreational area, including playgrounds and parks, except that dogs or other animals within the possession, custody or control of any person shall, subject to the provisions as above provided, be permitted to be present within the park located on Huff Avenue, South Greensburg, Pennsylvania, and known as "South Greensburg Community Park."

#### **§ 120-4. Reservation for specific use. [Amended 3-8-10 by Ord. N. 2010-03]**

The use of all parks shall be on a first-come, first serve basis unless otherwise reserved:

- A. By annual permission granted by the Borough Council for the scheduling of various league games, etc.
- B. For school athletic games, practices, contests or exhibitions.
- C. For regularly scheduled school district or municipal recreation programs.
- D. By permission granted by the Borough Council for a specific requested use.

#### **§120-5. Authorization to promulgate additional rules. [Amended 3-8-10 by Ord. No. 2010- 03.]**

The Recreation Director is authorized to prepare and propose additional rules and

regulations, which shall not be effective unless and until approved by Council for the Borough of South Greensburg, by way of Ordinance and incorporated in §120-3 herein.

**§120-6. Authority to close areas. [Amended 3-8-10 by Ord. No. 2010-03.]**

Recreation facilities which become hazardous for public use due to weather, water, fire or unforeseeable conditions may be closed only at the discretion of the Council for the Borough of South Greensburg. Emergency closures may be authorized by the Recreation Director on a temporary basis, subject to review, ratification or discontinuance by Council.

**§120-7. Enforcement. [Amended 10-13-10 by Ord. No. 2010-03.]**

The police officers of the Borough of South Greensburg are charged with enforcement of the provisions of this Ordinance<sup>3</sup> and of the rules and regulations promulgated by the Borough Council.

**§120-8 Violations and penalties. [Amended 9-15-14 by Ord. No. 2014-07.]**

- A. With the exception noted below in § 120-8. B., any person, firm or corporation who shall violate any provision of this chapter shall, upon conviction thereof, be sentenced to pay a fine of not more than six hundred (\$600.) dollars, and, in default of payment, to imprisonment for a term not to exceed thirty (30) days.
- B. Any person, firm or corporation who shall violate § 120-3.A. of this chapter by injuring, defacing, removing, cutting or damaging any tree located within any park of the Borough of South Greensburg, unless specifically authorized by the Borough of South Greensburg to do so, shall, upon conviction thereof, be sentenced to pay a fine of not more than six hundred (\$600) dollars, and, in default of payment, to imprisonment for a term not to exceed thirty (30) days. If the violation results in the cutting of or irreparable damage to any tree, then the person, firm or corporation also shall be required to pay to the Borough the full value of any such tree.

**§120-9 Powers and duties of Recreation Director**

The Recreation Director, at the request of Council, shall have the power and shall be required to:

- A. Prepare plans for the conservation, maintenance and development of the South Greensburg recreation facilities and programs and present them for consideration by the Borough Council.
- B. Maintain and keep on file records of its actions. All records and files shall be the property of and in the possession of Council.
- C. Prepare and present to Council recommendations on proposed amendments to ordinances relating to recreation facilities and programs.
- D. Make recommendations to the Council for capital improvement programming.
- E. Promote public interest in, and understanding of, the Borough's recreation programs and facilities.
- F. Make recommendations to governmental, civic, and private agencies and individuals as to the effectiveness of their proposals relating to enhancement of the Borough's recreation facilities and programs.
- G. Review the designated Parks Map, provisions for planned park development and such other regulations governing the development of the Borough's recreation facilities, and make

recommendations to the Council.

- H. Perform such other acts or make such studies as may be necessary to fulfill the duties and obligations imposed by this chapter pertaining to the Borough's recreation facilities and programs.

**§120-10. Other Commissions and Boards. [Amended 2-6-20 by Ord. No. 2020-02.]**

Nothing in this chapter shall supersede the authority of the Shade Tree Commission or any other Commission or Board of the Borough of South Greensburg.

