



Township of Concord

DELAWARE COUNTY

COUNCIL: Dominic A. Pileggi, John J. Gillespie, John L. Crossan,

Thomas J. Mahoney, Michael R. Harding, Dana M. Rankin, Peter B. Pagano, Jr.

ORDINANCE NO. 393 CONCORD TOWNSHIP

DELAWARE COUNTY, PENNSYLVANIA TRAILS, PARKS & OPEN SPACE REGULATIONS

AN ORDINANCE OF CONCORD TOWNSHIP, DELAWARE COUNTY, PENNSYLVANIA, TO AMEND THE CODE OF CONCORD TOWNSHIP AS HERETOFORE AMENDED, TO ADD THERETO A NEW CHAPTER 173, "**TRAILS, PARKS & OPEN SPACE REGULATIONS**," TO PROVIDE FOR THE RULES AND REGULATIONS OF CONCORD TOWNSHIP OWNED PARKS, TRAILS AND OPEN SPACE, ESTABLISHING PENALTIES FOR VIOLATIONS OF THE ORDINANCE AND THE EFFECTIVE DATE OF THE ORDINANCE.

SECTION I.

The Council of Concord Township, Delaware County, hereby amends the Code of Concord Township, as heretofore amended, by adding thereto a new Chapter 173, "**Trails, Parks & Open Space Regulations**," to read as follows:

CHAPTER 173 TRAILS, PARKS & OPEN SPACE

ARTICLE 1 Purpose

This Ordinance establishes rules and regulations for the use of and conduct in municipal recreational facilities, trails, parks and open space in order to properly provide for the public health, safety and welfare. The Township reserves the right to, and may from time to time, amend or enact rules and regulations by Resolution of the Township Council which the Council considers necessary and proper to implement the provisions of this Chapter to ensure the proper care and maintenance of each park/facility.

ARTICLE 2 Rules and Regulations

The following rules and regulations apply to all visitors to Concord Township owned facilities, parks, trails, open space lands and easements:

- A. **Hours.** Parks, trails and open space lands are open daily to all Township residents and guests from sunrise to sunset. These areas are closed to all users from sunset to sunrise, except when special events have been authorized by Township Council.

- B. **Reserved Uses.** The use by reservation of Township parks such as recreation fields and other facilities by organized groups or individuals shall be scheduled at the discretion of the Township; a permit shall be issued specifying the date, time and location of the reserved use and such use shall be subject to any additional conditions that may be imposed thereunder.
- C. **Facilities.** Council may by Resolution from time to time as the need arises, establish rules for individual facilities or parks which will be posted at the facility as well as on the Township website.
- D. **Personal conduct.** No individual or group shall engage in improper conduct within the parks so as to disturb the peace or risk injury to any other person using the parks or occupying adjacent property.
- E. **Pets/Animals.** All pets and other animals must be on a leash at all times held by a responsible person, except in any specially designated dog park, subject to the rules and regulations posted in said area. Pet owners are required to clean up after their pets and deposit any used pet waste bags in a trash receptacle.
- F. **Parking.** Parking is restricted to the designated parking areas.
- G. **Prohibited Activities.**
- i. Disorderly conduct, including the use of indecent language, excessive noise or sound amplification equipment, is prohibited. Any noise shall be deemed excessive and in violation of this regulation if it reasonably disturbs the peace of any individual or impedes the peaceful use of the park or any adjacent residence or business. Sound amplification equipment is permitted only with a special events permit.
 - ii. Barbecues, cookouts, grilling and open fires are prohibited, except in facilities designated for such use provided by the Township.
 - iii. Discharge of firearms or other types of projectiles is prohibited. Slingshots, air-soft and paintball guns, BB and pellet guns, air rifles, sling shots, archery equipment, rockets, fireworks, explosives and all other dangerous materials are prohibited unless a special permit has been issued by Concord Township.
 - iv. Hunting is prohibited on and across Township owned property unless it is part of a Township-approved wildlife management program. Driving whitetail deer as defined by the Pennsylvania Game Commission within or from park property is considered disturbing wildlife and is prohibited. Additionally, baiting/feeding wildlife or placing wildlife attractants within park property is specifically prohibited.

- v. Golfing is prohibited.
- vi. Gambling is prohibited.
- vii. The use of any moped, minibike, all-terrain vehicle, snowmobile or any type of motorized vehicle is prohibited, except for Township official business, emergencies, or power-driven mobility devices for use by persons who have mobility impairments.
- viii. Radio-controlled devices and vehicles, including but not limited to cars, trucks, airplanes, drones and helicopters are prohibited.
- ix. The use of tobacco products and smoking are prohibited on all Township property.
- x. Metal detecting is prohibited.
- xi. Alcoholic beverages and/or drugs are prohibited, except where a special event permit that includes the sale or distribution of alcoholic beverages, with the approval of the PA Liquor Control Board, has been issued by the Township.
- xii. Littering is prohibited, and all refuse shall be placed in trash receptacles (if provided) or removed by the person(s) generating the refuse. Recycling is required within all parks. Recycling bins should be used when provided, or, alternatively, recycling should be removed and disposed of off the premises.
- xiii. Vandalism to park property, signage, and facilities, including defacing or damaging park property, unauthorized trail construction, and destroying/removing vegetation, is prohibited.
- xiv. Vehicle repairs or maintenance of any kind is prohibited on Township property.
- xv. Overnight parking and camping are prohibited on Township property.
- xvi. Soliciting. No soliciting of any kind, including, but not limited to, the sale or vending of food, on any Township owned properties or facilities is permitted except where a permit/approval for such has been issued by the Township.
- xvii. Advertising. No advertisement, placard or notice, except public notices approved by the Township, shall be posted or distributed in any Township owned property.

ARTICLE 3. Undeveloped parkland.

In addition to the rules set forth in Article 2, Township-owned undeveloped open space is open to residents for passive recreational uses only. These uses are limited to: hiking, birding, fishing (with valid Pennsylvania license), cross-country skiing, and snowshoeing. Any other activity is prohibited. Undeveloped parkland and open space is not regularly maintained by the Township, and as such, anyone accessing the land must be aware that they do so at their own risk.

Article 4. Violations and Penalties.

Any person, firm, corporation or other entity which violates any of the provisions of this Chapter shall, after a hearing before a District Justice, be subjected to a fine not exceeding \$500, plus all court costs, including reasonable attorney’s fees, incurred by the Township in the enforcement of this Ordinance. Each day a violation exists shall constitute a separate offense. Further, the appropriate officers or agents of the Township are hereby authorized to seek equitable relief, including injunctive relief, to enforce compliance with this Ordinance.

SECTION II. REPEALER

All ordinances, or parts of ordinances, conflicting with any provision of this Ordinance are hereby repealed insofar as the same conflict with this Ordinance.

SECTION III. SEVERABILITY

Should any section or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the whole or any part hereof.

SECTION IV. EFFECTIVE DATE

This Ordinance shall become effective five (5) days after it is enacted by the Township Council.

ENACTED and **ORDAINED** by the Council of Concord Township, Delaware County, Pennsylvania this 4th day of August, 2020.

CONCORD TOWNSHIP COUNCIL



Dominic A. Pileggi, President

Attest:



Amanda Serock, Township Manager/Secretary