

**TOWNSHIP OF LOWER FREDERICK
MONTGOMERY COUNTY, PENNSYLVANIA**

ORDINANCE NO.: 2021-05

**AN ORDINANCE OF THE TOWNSHIP OF LOWER FREDERICK,
MONTGOMERY COUNTY, PENNSYLVANIA, AMENDING CHAPTER
103, PARKS AND RECREATION, OF THE TOWNSHIP CODE TO SET
FORTH REVISED RULES AND REGULATIONS CONCERNING THE
USE OF GROUNDS AND FACILITIES AND ALLOWABLE CONDUCT
WITHIN ALL TOWNSHIP PARKS AND PROVIDING FOR PENALTIES
FOR THE VIOLATION THEREOF.**

NOW THEREFORE, be it, and it is hereby ORDAINED by the Board of Supervisors of the Township of Lower Frederick, Montgomery County, Commonwealth of Pennsylvania, and it is hereby ENACTED and ORDAINED by authority of same as follows:

ARTICLE I. RULES

Chapter 103, Parks and Recreation, of the Lower Frederick Township Code is hereby amended to read as follows:

Chapter 103. Parks and Recreation

§103-1. Statement of purpose.

- A. All Township outdoor public parklands, outdoor recreational facilities, and outdoor playground areas ("**Parks**") are owned and maintained by the Board of Supervisors of Lower Frederick Township for the benefit of all persons desiring to utilize such parks and recreation facilities.

- B. It is the intent, purpose and scope of this chapter to ensure the preservation of Parks within Lower Frederick Township for the perpetual enjoyment of the residents of the Township; to regulate activities within these Parks consistent with the enjoyment of the natural settings and facilities located within these areas; to prevent any nuisances to the residents of the Lower Frederick Township arising out of the use of such Parks; and to ensure that the use of these Parks does not impinge upon the use and enjoyment of neighboring private property.

§103-2. Use of grounds and facilities.

- A. Unless otherwise provided and published in advance, the normal hours of operation for all Parks shall run from dawn to dusk.
- B. Each person, firm, or corporation using any Park shall clean up all debris created or caused by such use and shall leave the Park and related facilities in good order and in a neat and sanitary condition.
- C. Permission, permits, and reservations for group activities involving use of the Township's baseball and softball fields and/or pavilions must be applied for and obtained from Lower Frederick Township at least two (2) business days in advance of such activities commencing.

§103-3. Prohibited conduct.

- A. All Parks, including, but not limited to, playgrounds, fields, courts, trails, and pavilions, shall be used only for their intended purpose and no other unless authorized by the Township. The following acts and activities are not permitted in or on any Park:
 - (1) Any act which endangers the safety of another person, including, but limited to, an assault, battery, or fighting;
 - (2) Disorderly conduct; Gambling;
 - (3) Possession, use, and/or being under the influence of alcoholic beverages or illegal substances;
 - (4) Creating or emitting unreasonable sound or noise or otherwise disturbing the peace;
 - (5) Use of indecent language;
 - (6) The purposeful breaking of glass bottles or containers;
 - (7) Building, lighting, or maintaining fires, except for cooking as provided in this chapter;
 - (8) Removing, picking, digging up, cutting, mutilating, or otherwise damaging any tree, shrub, flower, or other plant or mushroom;
 - (9) Removing, picking up, or otherwise disturbing any wood, rocks, or soil;
 - (10) Pumping water out of rivers, creeks, ponds, or other water bodies;

- (11) Altering, defacing, or otherwise damaging any structure, building, vehicle, equipment, sign, poster, or other Township property;
- (12) Littering, dumping, or disposal of any kind of trash, garbage, debris, or waste, including, but not limited to, yard waste (leaves, grass, etc.) or household, construction, commercial, or landscape trash and debris, other than trash produced while at the Park which shall be disposed of in the Township-provided receptacles or carried out;
- (13) Throwing, discharging, or otherwise placing or causing to be placed, in the waters of any drain, storm sewer, fountain, pool, pond, lake, stream, river, or other body of water, or in or upon the land adjacent to such waters, any substance, matter, or thing, liquid or solid, which may result in the pollution of said waters;
- (14) Posting, pasting, fastening, painting, writing, drawing, carving, tacking, or affixing any placard, bill, notice, sign, advertisement, sticker, inscription, picture, or other message or image upon any structure, building, road, trail, tree, stone, fence, pole, equipment, enclosure, or similar fixture;
- (15) Hunting, trapping, harming (killing, striking, injuring, or maiming), or otherwise harassing or annoying any animal;
- (16) Feeding wildlife;
- (17) Releasing or abandoning any animal;
- (18) Operation of motorized vehicles, except in those areas designated for parking by the Township;
- (19) Overnight parking;
- (20) Washing or repair of motor vehicles;
- (21) Solicitation or sale of any goods or food or the conduct of any commercial activity, except for concessions authorized by the Township;
- (22) Landing an airplane or helicopter, except as authorized by the Township;
- (23) The use or flying of drones
- (24) Skateboarding, rollerblading, skating, biking, or the use of similar equipment in or upon playgrounds or courts;
- (25) Camping and related activities, unless authorized by the Township;

- (26) The use or possession of fireworks;
- (27) Swimming, ice skating, bathing, snorkeling, or scuba diving;
- (28) Playing or practicing golf;
- (29) Horseback riding; and
- (30) Undertaking any activity that negatively impacts the ability of other visitors to fully use and peacefully enjoy a Park and/or prevents neighboring property owners the peaceful use and enjoyment of their private property.

§103-4. Foy Park Dam.

No Person is permitted to access the Dam at Foy Park. All portions of this Dam are strictly off-limits, and anyone intruding into the Dam area shall be considered and treated as a trespasser.

§103-5. Smoking.

No Smoking or vaping shall be allowed in, on, or within one hundred (100) feet any playgrounds, basketball courts, pavilions, equipment, or any flammable structures.

§103-6. Speed limit.

The speed limit for all Park access drives and parking lots is five (5) miles per hour.

§103-7. Cooking fires.

Any cooking fire must be confined to the predesignated cooking area or confined in portable cooking grills. Any cooking fire must utilize charcoal briquettes as the source of fuel for cooking fire. No burning of wood is permitted. Extreme care must be taken by all users of the Parks when utilizing fires for cooking purposes. All fires must be monitored at all times and fully extinguished when no longer being used or monitored. Each user shall be responsible for seeing that all fires are fully extinguished prior to departure from the area of the Park where the fire is burning.

§103-8. Dogs and other domestic animals.

- A. Dogs and other domestic animals are allowed in the Parks but must be leashed at all times. All such animals must be cleaned up after, and any fecal matter and other similar waste shall be picked up and disposed of in a proper and sanitary manner.
- B. Dogs are permitted to be off leash in the Cuddy Park Dog Park and any other area so designated by the Township, so long if done so in compliance with the applicable Township rules and regulations.

§103-9. Fishing.

Fishing is permitted, provided this chapter and all applicable state laws, including licensing laws, are followed.

§103-10. Violations and penalties.

- A. The violation of any of the above-mentioned rules is cause for immediate eviction from the Park and/or formal legal prosecution. Any person who violates or permits a violation of this chapter shall, upon conviction in a summary proceeding brought before a District Justice, be guilty of a summary offense and shall be punishable by a fine of not less than \$60 nor more than \$600, plus costs of prosecution.
- B. Each day or portion thereof that a violation continues or is permitted to continue shall constitute a separate offense. Each section of this chapter that is violated shall also constitute a separate offense.
- C. Where a violator has removed, destroyed, damaged, defaced, or befouled an area of a Park or a structure, equipment, vehicle, plant, or other item located therein, the cost of the maintenance, repair, or replacement of such area or item shall be charged to the violator, in addition to any fine. Further use of Township Parks may be denied to a violator, in addition to the imposition of fines or costs.
- D. In the case where the violation is committed by a minor (herein defined as an unmarried person under the age of 18 years), the parent, parents, guardian, or any other person having lawful custody and control over said minor and who knowingly permits the violation of this chapter shall be considered, separately and individually, in violation of this chapter, in addition to the minor who committed the actual violation.

ARTICLE II. REPEALER

All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

ARTICLE III. SEVERABILITY

If any section, paragraph, subsection, clause or provision of this Ordinance shall be declared invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole or any part thereof other than that portion specifically declared invalid.

ARTICLE IV. EFFECTIVE DATE

This Ordinance shall become effective five (5) days after final enactment.

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**LOWER FREDERICK TOWNSHIP
PARK AND RECREATION RULES**

Ordinance No. 2021-05

ENACTED and ORDAINED this 7 day of December, 2021.

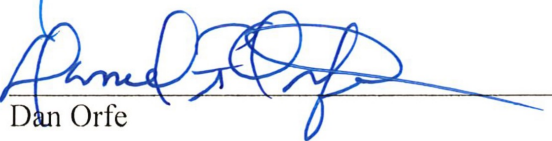
**LOWER FREDERICK TOWNSHIP
BOARD OF SUPERVISORS**


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Noelle Halter


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ATTEST:


Mark Hudson, Manager