

WHITPAIN TOWNSHIP

ORDINANCE NO. 421

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF WHITPAIN AT PART II [GENERAL LEGISLATION] AMENDING CHAPTER 108 [PARKS AND PLAYGROUNDS] TO REVISE REGULATIONS FOR SPECIFIC ACTIVITIES ON TOWNSHIP PROPERTY

CERTIFICATION

I, ERIC TRAUB, BEING DULY SWORN ACCORDING TO LAW, DEPOSE AND SAY THAT I AM THE TOWNSHIP MANAGER IN WHITPAIN TOWNSHIP, MONTGOMERY COUNTY, PA AND THAT ATTACHED HERETO IS A TRUE AND COMPLETE CORRECT COPY OF ORDINANCE NO. ___.



Eric Traub, Township Manager

Aug. 21, 2024

ENACTED: 8.20.24

WHITPAIN TOWNSHIP

ORDINANCE NO. 421

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF WHITPAIN AT PART II [GENERAL LEGISLATION] AMENDING CHAPTER 108 [PARKS AND PLAYGROUNDS] TO REVISE REGULATIONS FOR SPECIFIC ACTIVITIES ON TOWNSHIP PROPERTY

WHEREAS, The Board of Supervisors of Whitpain Township is duly empowered by the Second Class Township Code, 53 P.S. § 65101, *et seq.*, to enact certain regulations relating to the public health, safety, and welfare of the residents of Whitpain Township;

WHEREAS, The Second Class Township Code authorizes the Board of Supervisors to make, amend and adopt amendments to the Whitpain Code of Ordinances, as amended, that are consistent with the Constitution and laws of the Commonwealth that it deems necessary for the proper management and control of the Township and the best interests of its residents; and

WHEREAS, The Board of Supervisors of Whitpain Township have determined that Chapter 108 – “Parks and Playgrounds” Section 4 “Rules and regulations for specific activities,” should be amended for the orderly administration of the laws of Whitpain Township.

NOW, THEREFORE, IT IS HEREBY ENACTED AND ORDAINED by the Whitpain Township Board of Supervisors that the Township’s Code is amended as follows:

SECTION 1. Amending Chapter 108-4.

The Code of the Township of Whitpain, Part II [General Legislation], Chapter 108 [Parks and Playgrounds] is hereby restated and amended to delete the struck-through language (~~example~~) and add the underlined language (example) as follows:

§ 108-4. Rules and regulations for specific activities.

- A. Alcoholic beverages. Possession or use of alcoholic beverages is prohibited in all Township parks, open spaces and trails, ~~with the exception of specifically authorized use in designated areas within the licensed premises of the Manor House at Prophecy Creek Park.~~

(1) Exceptions

- (a) A person may distribute, sell or otherwise convey alcoholic beverages in a Township park or other Township-owned property when such person has applied for and obtained a permit from the Township, as described in Section 108-2, and the event is operated by the Whitpain Township Board of Supervisors or as part of a specifically authorized use in designated areas within the licensed premises of the Manor House at Prophecy Creek Park.
- (b) A person may have, possess, carry, transport, or consume alcoholic beverages in an open container in a Township park or other Township-owned property if such possession, transportation or consumption is in or at a permitted event, as outlined in Section 108-2, and such event is operated by the Whitpain Township Board of Supervisors or as part of a specifically authorized use in designated areas within the licensed premises of the Manor House at Prophecy Creek Park.

SECTION 2. Repeal and Ratification.

All ordinances or parts of ordinances inconsistent herewith or in conflict with any of the specific terms enacted hereby, to the extent of said inconsistencies or conflicts, are hereby specifically repealed. Any other terms and provisions of the Township's Code unaffected by this Ordinance are hereby reaffirmed and ratified.

SECTION 3. Severability.

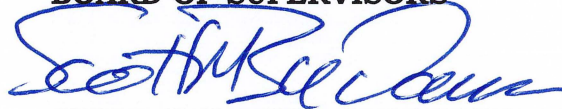
Should any section, paragraph, sentence, clause, or phrase in this Ordinance be declared unconstitutional or invalid for any reason, the remainder of the Ordinance shall not be affected thereby and shall remain in full force and effect, and for this reason the provisions of this Ordinance shall be severable.

SECTION 4. Effective Date.

This Ordinance shall become effective immediately.

ORDAINED AND ENACTED this 20th day of August 2024, by the Whitpain Township Board of Supervisors.

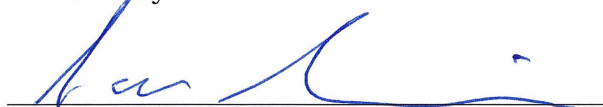
**WHITPAIN TOWNSHIP
BOARD OF SUPERVISORS**



SCOTT M. BADAMI, *Chair*

[Seal]

Attested by:



SARA S. SELVERIAN, *Assistant Secretary*