

MIDDLESEX TOWNSHIP
CUMBERLAND COUNTY, PENNSYLVANIA

ORDINANCE NO. 4-97

AN ORDINANCE BY THE BOARD OF TOWNSHIP
SUPERVISORS IN AND FOR THE TOWNSHIP OF
MIDDLESEX, CUMBERLAND COUNTY, PENNSYLVANIA
PROVIDING RULES AND REGULATIONS FOR THE USE
OF PARK AND RECREATION FACILITIES OF THE
TOWNSHIP OF MIDDLESEX AND PROVIDING PENALTIES
FOR VIOLATIONS THEREOF.

BE AND IT IS HEREBY ENACTED AND ORDAINED by the Board of
Township Supervisors in and for the Township of Middlesex,
Cumberland County, Pennsylvania, as follows:

SECTION 1: PREAMBLE

The Township of Middlesex owns and maintains park and
recreation areas for the use and benefit of its residents and the
public at large. In the interest of promoting the health,
welfare and safety of the users of the park and recreation areas,
it is deemed to be in the best public interest to promulgate
rules and regulations for the protection and use of park and
recreation areas. It is intended that the rules and regulations
herein shall govern all park and recreation areas of the Township
of Middlesex.

SECTION 2: DEFINITIONS

The following terms when used in this Ordinance shall have
the meanings set forth as follows:

"Park and Recreation Areas": the various playgrounds,
playing fields, parks, picnic facilities and open spaces owned
by the Township of Middlesex and open for public recreation use.
The term "Park and Recreation Areas" shall include lands and
facilities as described above presently owned by the Township of

Middlesex and those owned or leased by the Township of Middlesex for such purposes in the future.

"Township": The Township of Middlesex, Cumberland County, Pennsylvania. For purposes of this Ordinance, the term "Township" shall include the duly authorized Recreation Board of the Township of Middlesex to the extent its delegated power and authority authorizes said Board to act on behalf of the Township in any matters described herein.

SECTION 3: HOURS

Park and Recreation Areas shall be open between the hours of 8:00 A.M. and 10:00 P.M. No one shall be permitted in or on Park and Recreation Areas between the hours of 10:00 P.M. and 8:00 A.M. except with prior written authorization of the Township.

SECTION 4: PROHIBITED ACTS

The following acts, activities and conduct are prohibited in all Park and Recreation Areas:

- A. Possession or use of alcoholic beverages.
- B. Boisterous, immoral or indecent conduct.
- C. Depositing or discharging of trash, garbage, recyclable material or other litter, except when same has been generated as a result of proper use and activity at the Park and Recreation Area and then only into containers provided for such purpose.
- D. Damaging, defacing, destroying or removing any Township sign, structure, equipment or other material.
- E. Damaging or defacing any trees by any means, including,

but not limited to, driving nails or other hardware or carving.

- F. Posting of signs; distributing, selling, servicing or renting of any supplies, equipment, material or commodity whatsoever, or soliciting for any purpose without prior written authorization of the Township.
- G. Operating, stopping or parking any vehicle, bicycle, snowmobile or motorcycle except on designated roads, trails or parking areas, unless otherwise authorized by prior consent of the Township.
- H. Operating any vehicle or bicycle in a reckless or negligent manner, in excess of the posted speed limit of 10 miles per hour or in areas of prohibited parking, as posted by the Township.
- I. Commercial vehicular traffic, unless providing authorized service.
- J. Possession of any type of firearm, bows and arrows, air guns, slingshots, fireworks or lethal or dangerous weapons, unless authorized by the Township.
- K. Hunting or trapping.
- L. Camping, or the use of fires or combustible fuel or materials, except in designated areas and facilities. No fires shall be left unattended nor charcoal deposited or discarded in the Park and Recreation Areas.
- M. Bicycles, skateboards, roller skates and roller blades are not permitted in any courtyard area or on

playing courts, such as, but not limited to, tennis and basketball courts.

- N. Standing on picnic tables and climbing fences.
- O. Meetings, rallies or assemblages for purposes other than pick-up athletic games except with prior written authorization of the Township. An application must be made in writing at least seven (7) days in advance of the event, setting forth the name of the organization, purpose, number of persons, the expected duration and the names of the persons to be responsible for the activity, together with such other information that the Township in its discretion may from time to time require.
- P. All dogs shall be kept on a leash no longer than six (6) feet in length, except where designated to run while under the control of a handler. All animal waste is to be cleaned up by the handler immediately. Field training is not permitted except with prior approval by the Township in writing.
- Q. Any activity involving the use of horses except with prior approval of the Township in writing.

SECTION 5: AUTHORITY TO SCHEDULE AND ESTABLISH PRIORITY OF EVENTS

The Township shall have the authority to schedule all events in designated areas and to establish priorities for uses and events in designated areas.

SECTION 6: AUTHORITY TO CLOSE AREAS AND CHANGE HOURS

The Township reserves the right to close, temporarily or permanently, any part or all of the Park and Recreation Areas or modify the hours during which Park and Recreation Areas are open due to the presence or existence of hazardous conditions or for any other reason or circumstance which the Township, in exercise of its discretion, shall decide.

SECTION 7: ENFORCEMENT AND COLLECTION OF FINES

Any person who shall violate any of the provisions of this Ordinance shall, upon conviction thereof by summary proceeding before a district justice having jurisdiction, be sentenced to pay a fine not to exceed \$1,000.00 for each violation hereof. A separate offense shall arise for each section of the Ordinance which is found to have been violated and with respect to Section 4, a separate offense shall arise for each designated paragraph which is found to have been violated.

Nothing in this Ordinance shall preclude the Township from enforcing this Ordinance through an action in equity brought in the Court of Common Pleas in Cumberland County, Pennsylvania.

All fines collected for the violation of this Ordinance shall be paid to the Township Treasurer. Police Officers of the Township are charged with the enforcement of the provisions of this Ordinance.

SECTION 8: SEVERABILITY

If any section, paragraph, provision, regulation, limitation, restriction, sentence, clause, phrase or word in this Ordinance is declared by any reason to be illegal,

unconstitutional or invalid by any Court of competent jurisdiction, such decision shall not affect or impair the validity of the Ordinance as a whole, or any other section, paragraph, provision, regulation, limitation, restriction, sentence, clause, phrase, word or remaining portion of the Ordinance. The Township hereby declares that it would have adopted this Ordinance and each section, paragraph, provision, regulation, limitation, restriction, sentence, clause, phrase or word thereof, irrespective of the fact that any one or more of the sections, paragraphs, provisions, regulations, limitations, restrictions, sentences, clauses, phrases or words may be declared illegal, unconstitutional or invalid.

SECTION 9: EFFECTIVE DATE

This Ordinance shall take effect in accordance with applicable law.

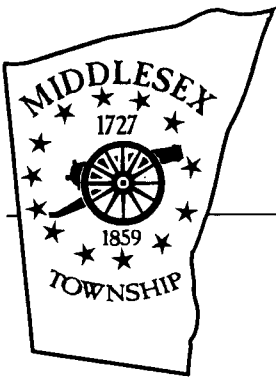
ENACTED AND ORDAINED this 2nd day of April, 1997.

TOWNSHIP OF MIDDLESEX

By: Robert M. Eggle
Chairman, Board of Township
Supervisors

ATTEST:

Garett J. Smith
Township Secretary
(Township Seal)



MIDDLESEX TOWNSHIP

350 N. MIDDLESEX ROAD, SUITE 1 • CARLISLE, PA 17013 • 249-4409 or 795-9631 • FAX 249-8564

Board of Supervisors:
Robert M. Eppley, Joseph V. Capuano, Charles W. Shugart

Municipal Secretary:
Gail Jensik

Zoning Officer:
Frank Gail Jr.

CERTIFICATION

I, Gail W. Jensik, Township Secretary, Middlesex Township, and current legal custodian of the Township's records, do hereby certify and attest that the attached documents are full, true and correct photostatic copies of Ordinance 4-97, enacted on the 2nd day of April, 1997, by the Middlesex Township Board of Supervisors.

Attested to on the 25th day of April, 1997,

By:

Gail W. Jensik, Township Secretary