

Chapter 16

Parks and Recreation

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Part 1**Rules and Regulations****§16-101. Title, Authority, Purpose.**

This Part is adopted by the Supervisors of Hepburn Township in order to regulate the use and enjoyment of Hepburn Township park and public grounds and recreational areas, as follows:

A. This Part shall be known and may be cited as the, “Regulating the Use and Enjoyment of Hepburn Township Parks, Public Grounds and Recreational Areas and providing for the adoption of rules and governing such use and enjoyment and providing penalties for violation thereof in the Township of Hepburn, Lycoming County, Pennsylvania Ordinance.”

B. This Part is adopted under the authority of the Second Class Township Code, 53 P.S. §65101 *et seq.*, for the purposes of regulating by ordinance and by resolution from time to time adopted in the future by the Supervisors of Hepburn Township the use the enjoyment by the public of any and all parks and recreational grounds owned and operated by the Township or by other charitable organizations for the use by the public without charge and is intended to give authority to the Supervisors to prescribe rules for use of the public of such parks and recreational grounds and facilities and amusements connected therewith by resolution adopted from time to time and to make any violation of such rules when posted at a conspicuous place or places in such parks and recreational grounds punishable in a summary proceeding as provided by the laws of the Commonwealth of Pennsylvania.

(Ord. 1991-6, 12/16/1991)

§16-102. Definitions.

The following definitions shall apply to this Part:

Board - the Board of Supervisors, Hepburn Township, Lycoming County, Pennsylvania.

Municipality - Hepburn Township, Lycoming County, Pennsylvania.

Owner - the legal or beneficial owner or owners of land including the holder of an option or contract to purchase (whether or not such option or contract is subject to any condition), a lessee if the lessee is authorized under the lease to exercise the rights of the owner, or other person have a proprietary or legally recognizable interest in land which is served by or is required to be served by an on-lot sewage disposal system.

Park or recreational grounds - any lands or portions thereof used or designated for use as a park or recreational area are open to the public for their amusement and enjoyment owned by Hepburn Township or by any other charitable organization and open to use of the public without charge where the owners thereof have requested the Township to adopt rules and regulations governing the use thereof.

Person - any individual, association, public or private corporation for profit or

not for profit, partnership, firm, trust, estate, department, board, bureau or agency of the Commonwealth, political subdivision, municipality, district, authority, or any other legal entity whatsoever which is recognized by law as the subject of rights and duties. Whenever used in any clause prescribing and imposing a penalty, fine or imprisonment, the term person shall include the members of an association, partnership or firm and the officers of any local agency or municipal, public or private corporation for profit or not for profit.

Supervisors - the Board of Supervisors of Hepburn Township, Lycoming County, Pennsylvania.

Township - Hepburn Township, Lycoming County, Pennsylvania.

(Ord. 1991-6, 12/16/1991)

§16-103. Rules and Regulations to Be Adopted by Resolution.

Hepburn Township Supervisors shall hereafter, from time to time, adopt by appropriate resolution rules and regulations governing the use and enjoyment by the public, or any particular segment of the public, of any park or recreational grounds and may prescribe rules for the use by the public of such parks and recreational grounds and the facilities and amusements connected therewith.

(Ord. 1991-6, 12/16/1991)

§16-104. Posting of Rules and Regulations and Advertisement Thereof.

The Supervisors shall cause all rules and regulations subsequently adopted to be posted in a conspicuous place or places in such parks and recreational grounds; however, it shall not be a defense during the prosecution of a violation of this Part that the person accused of violating the same did not see or read the rules or regulations or that the same had been removed after having been properly posted by the Supervisors. The Supervisors may, as they deem appropriate, publish an appropriate advertisement of such rules and regulations in a newspaper of general circulation within Hepburn Township or in a Township newsletter or may give other notice as the Supervisors may deem to be appropriate to communicate the rules and regulations to the public.

(Ord. 1991-6, 12/16/1991)

§16-105. Penalty for Violation.

Any who violates any such rules or regulations hereafter adopted by resolution of the Supervisors, upon conviction thereof in an action brought before a magisterial district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense. [Ord. 8.5.2008]

A. The Supervisors may from time to time designate an appropriate official of the Township to institute prosecutions for violation of this Part.

B. In the event the Supervisors fail to designate an appropriate Township official to commence prosecutions as set forth above, the Zoning Officer of the

Township shall have the authority to institute prosecutions for violations of this Part.

(Ord. 1991-6, 12/16/1991; as amended by Ord. 8.5.2008, 8/5/2008)

Part 2**Vehicle Restrictions in Parks, Playgrounds,
Recreation Areas and Bike Path****§16-201. Restrictions.**

1. Operating, parking or use of a licensed and/or nonlicensed motor vehicle in an area that is not designated as a cartway, or for parking, is prohibited unless the same is specifically authorized and permission is given by Hepburn Township.

2. For the purpose of this Part a motorized vehicle shall include, but not be limited to, snowmobiles, mini bikes, ATV's, automobiles, trucks, tractors and any other type of vehicle other than bicycles.

3. The use of motorized and nonmotorized vehicles by personnel of Hepburn Township, Old Lycoming Township Police, Pennsylvania Department of Transportation, other law enforcement departments or authorized personnel is hereby exempt from this Part.

4. Wheelchairs and motorized wheelchairs operated by handicapped individuals are exempt from the restrictions of this Part.

(Ord. 11.1.05, 11/1/2005, §I)

§16-202. Violations and Penalties.

Any person or persons who violated any provision of this Part, upon conviction thereof in an action brought before a magisterial district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not less than \$50 nor more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

(Ord. 11.1.05, 11/1/2005, §II; as amended by Ord. 8.5.2008, 8/5/2008)

