

**EAST PROSPECT BOROUGH
YORK COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2006- 1

**AN ORDINANCE OF EAST PROSPECT BOROUGH, YORK
COUNTY, PENNSYLVANIA, REGULATING THE USE OF
BOROUGH PROPERTY AND PRESCRIBING PENALTIES
FOR VIOLATION OF SUCH REGULATIONS.**

WHEREAS, the Borough Council of East Prospect Borough had determined a need to provide for regulation of park and recreational areas within its limits to further promote the general welfare of the residents of the Borough; and

WHEREAS, by virtue of Section 2701 of the Pennsylvania Borough Code, as amended, (53 P.S. §2701), the Borough Council is authorized to enact ordinances to regulate public parks, parkways and playgrounds, playfields and other recreation areas.

NOW THEREFORE, BE IT ENACTED AND ORDAINED, by the Borough Council of East Prospect Borough, York County, Pennsylvania, as follows, to wit:

Section 1. Definitions. As used in this Ordinance, the following terms shall have the meanings indicated, unless a different meaning clearly appears from the context:

PARK OR PARKS – unless specifically limited, shall be deemed to include all parks, playgrounds, recreation areas, tennis courts, beaches, recreation structures and facilities, and also entrances and approaches thereto, and all other land or property or structures under the jurisdiction of the Borough Council, now or hereafter owned or acquired by the Borough for park or recreational purposes, as well as the Municipal Building and any other Borough property.

PERSON – any natural person, corporation, organization of persons, company, association or partnership.

RULES AND REGULATIONS – any rules and regulations hereby or hereafter promulgated by the Borough Council.

Section 2. Park Hours. All parks shall be open daily to the public at such hours as the Borough Council may from time to time designate, but in no event shall any person be permitted to be in attendance in any park between 11:00 P.M. and sunrise, unless special permission shall have been granted by the Borough Council in advance.

Section 3. Rules and Regulations. The Borough Council shall establish Rules and Regulations as deemed necessary for the use and occupancy of Parks within the Borough. Any Rules and Regulations established shall be adopted by Resolution of the Borough Council from time to time. Upon adoption of Rules or Regulations, or amendments thereto by Borough Council, the same shall be posted upon Park property. Borough Council reserves the right to exclude or suspend privileges to use and occupancy of any Park if any person fails to observe the Rules and Regulations promulgated hereunder.

Section 4. Reservation for Specific Uses. The use of all Parks shall be on a first come, first served basis unless otherwise reserved:

1. by annual permission granted by the Borough Council for the scheduling of various league games, etc;
2. for school or college athletic games, practice, contests, or exhibitions;
3. for regularly scheduled school district or municipal recreation programs;
4. by permission granted by the Borough Council for a specific requested use.

Section 5. Authority to Close Areas. Parks or Recreation facilities which become hazardous for public use due to weather, water, fire or unforeseeable conditions may be closed only at the discretion of the Borough Council.

Section 6. Enforcement. The police officers of the Borough of East Prospect charged with enforcement of the provisions of this Ordinance and of rules and regulations promulgated by the Borough Council.

Section 7. Penalties. Any person, firm or corporation who shall violate any provision of this Ordinance or any Rules or Regulations promulgated hereunder, shall, upon conviction thereof, be sentenced to pay a fine of not less than Fifty Dollars (\$50.00), not more than Six Hundred Dollars (\$600.00), and/or to imprisonment for a term not to exceed thirty (30) days.

Section 8. Severability. The provisions of this ordinance are severable, and if any section or part thereof is found to be unconstitutional or unenforceable, then such finding shall not affect the validity of the remaining sections or parts thereof.

Section 9. Effective Date. This Ordinance shall take effect immediately upon enactment.

ENACTED AND ORDAINED this 3 day of October, 2006.

ATTEST:

BOROUGH COUNCIL OF
EAST PROSPECT BOROUGH




SECRETARY



PRESIDENT

Approved this 3 day of October, 2006.



Mayor