

Chapter 127. Parks and Recreation Areas

[HISTORY: Adopted by the Board of Supervisors of the Township of Upper Uwchlan 7-16-2001 by Ord. No. 01-03. Amendments noted where applicable.]

§ 127-1. Title; interpretation.

[Amended 8-20-2007 by Ord. No. 07-08; 2-20-2018 by Ord. No. 2018-03]

This chapter shall be known and may be cited as the "Parks and Community Trails Ordinance." Whenever, in this chapter, the term "park" is used, it shall be deemed to be any municipality-owned park or playground. Whenever, in this chapter, the term "trail" is used, it shall be deemed to be any municipality-owned or managed trail.

§ 127-2. Rules and regulations.

[Amended 8-20-2007 by L.L. No. 07-08]

A. No person or persons shall be allowed in a park or on a trail except between dawn and dusk unless a permit has been obtained from the Township.

B. No person shall deface, destroy or remove any public signs, notices, equipment or other property of a park or trail.

C. No hunting is allowed within a park or on a trail; no person shall injure or kill any wildlife within a park or on a trail.

[Amended 2-20-2018 by Ord. No. 2018-03]

D. Possession or consumption of alcoholic beverages in a park or on a trail is prohibited.

E. No gambling or any obscene or indecent act, or any abusive, threatening, indecent or profane language or any conduct that may annoy others, shall be allowed in a park or on a trail.

F. No parking shall be allowed in any portion of a park or trail except in spaces specifically set aside and marked for parking purposes.

G. No person shall operate or cause to operate any vehicle in any portion of Township parks or playgrounds in violation to any posted traffic control devices. Furthermore, all vehicles operated shall be in accordance with the Vehicle Code of Pennsylvania. No motorized recreational vehicles including, but not limited to, go-carts, minibikes, or all-terrain vehicles, shall be permitted in a park or on a trail. Exceptions may apply for special events, provided a permit has been obtained from the Township. Motorized wheelchairs and scooters for handicapped use are permitted on paved trails or wherever the park or trail is handicapped accessible.

[Amended 11-21-2011 by Ord. No. 2011-07]

H. No horses are permitted in a park or on a trail. Exceptions may apply for special events, provided a permit has been obtained from the Township.

I. No person shall litter within a park or on a trail.

J. No person shall light a fire or permit a fire to burn in a park or on a trail, except in fireplaces provided for such purposes.

K. The playing of golf in the park is prohibited.

L. No dogs are allowed in a park or on a trail unless properly restrained on a leash not exceeding six feet in length. All dog waste is to be picked up and disposed of immediately in park or trail trash receptacles.

M. Trail uses are encouraged to follow the recommended guidelines for Township trail usage provided in **Appendix A**^[1] of this chapter.

[1] *Editor's Note: Appendix A is included as an attachment to this chapter.*

N. The Upper Uwchlan Township Board of Supervisors may from time to time establish additional regulations for the use of Township parks and trails.

§ 127-3. Custody and maintenance of parks.

[Amended 2-20-2018 by Ord. No. 2018-03]

The Township shall have general custody of all parks. The Township Park and Recreation Board and Township Manager shall coordinate the maintenance, repair and replacement of property and equipment and shall ensure that the facilities are kept in a clean, sanitary condition.

§ 127-4. Special permits for park use.

Special permits for the use of the parks shall be issued by the Township. Fees for such are established by resolution. Applications for such permits must be completed and presented to the Township at least five business days prior to the event. Any person to whom a permit is issued shall be liable for any loss, damage or injury sustained by any person by reason of the negligence or fault of the applicant, his servants, agents or employees.

§ 127-5. Registration for use of park facilities.

[Amended 2-20-2018 by Ord. No. 2018-03]

The use of the facilities, such as fields, courts, and pavilions, is governed by registration. Applicants wishing to use such facilities shall register with the Township.

§ 127-6. Flag system to restrict facility usage.

In the event of inclement weather, poor field conditions or other situations and circumstances, it is deemed that no play should be allowed on the fields lest damage be done to the grass surface. A "flag" system shall be instituted. Township personnel or Park and Recreation representatives shall hold responsibility to raise a "red colored" flag which shall mean no unauthorized field play shall be allowed. The "red colored" flag shall be conspicuously posted.

§ 127-7. Violations and penalties; parental liability.

- A. Any person who violates or permits a violation of this chapter shall, upon conviction in a summary proceeding brought before a District Justice under the Pennsylvania Rules of Criminal Procedure, be guilty of a summary offense and shall be punishable by a fine of not more than \$1,000, plus costs of prosecution. In default of payment thereof, the defendant may be sentenced to imprisonment for a term not exceeding 90 days. Each day or portion thereof that such violation continues or is permitted to continue shall constitute a separate offense, and each section of this chapter that is violated shall also constitute a separate offense.

[Amended 1-17-2006 by Ord. No. 06-01]

- B. Parents and/or legal guardians of persons under 18 years of age are liable for penalties incurred by, and for damages to park properties of the Township, caused or committed by their children.

PARKS AND RECREATION AREAS

127 Attachment 1

Township of Upper Uwchlan

Appendix A [Added 8-20-2007 by Ord. No. 07-08]

Recommended Guidelines for Township Trail Usage

All Users

- Be courteous to other trail users.
- Stay to the right except to pass. When passing, give a warning such as "on your left" or use a bell or horn.
- Alert others that you are stopping and move off the trail surface if you stop or slow down quickly for any reason.
- Obey all trail signs and posted rules and regulations.
- Respect the privacy and property rights of adjacent property owners. Stay on the trail and park in marked areas only.

Pedestrians

- Be alert when stopping or turning around.
- Expect to be passed from behind.
- Listen for audible signals and allow faster trail users pass.

Bicyclists and In-Line Skaters

- Yield to pedestrians.
- Ride at a safe speed; 15 mph is recommended.
- Stop at all stop signs, and observe all trail traffic signs posted for the safety of users and at road crossings.
- Form a single line, and slow down when entering congested areas.
- Be prepared to stop and give a voice or bell/horn warning before passing.
- Bicyclists are encouraged to wear helmets; state law requires helmets for children under 12.