

**ORDINANCE NO. 2011-01**

**AN ORDINANCE OF THE COUNTY OF BUTLER REPEALING ORDINANCES NO. 20 AND 20-A AND PROVIDING FOR RULES AND REGULATIONS GOVERNING THE USE OF THE BUTLER COUNTY PARK SYSTEM**

**WHEREAS**, the Board of Commissioners of Butler County wishes to provide a safe and enjoyable atmosphere for the uses of County parks, picnic areas, monuments, and historical parks; and

**WHEREAS**, the Board of Commissioners of Butler County wishes to amend said previously established rules and regulations and to provide for additional rules and regulations for the proper control, management and use of County parks, picnic areas, monuments, and historical parks; and

**WHEREAS**, on July 30, 1968, the Board of Commissioners of Butler County enacted Ordinance No. 20, which set forth the rules and regulations of the Butler County Park System; and

**WHEREAS**, on September 25, 1975, the Board of Commissioners of Butler County enacted Ordinance 20-A, an amendment to Ordinance 20 which deleted Paragraph F, Section IV, and substituted a new Paragraph F and Paragraphs N and O under Section IV.

**WHEREAS**, the County of Butler desires to revise and update provisions of the rules and regulations for the Park System; and

**WHEREAS**, the County wishes to repeal Ordinance No. 20 of 1968 in its entirety, and any amendment thereto, including those set forth above, and adopt the rules and regulations as set forth in this Ordinance.

**NOW THEREFORE, BE IT ENACTED AND ORDAINED BY THE** Board of County Commissioners of the County of Butler, Pennsylvania, as follows:

Ordinance No. 20 of 1968, and amendment No. 20-A thereto, are repealed in their entirety effective December 1, 2011. Ordinance No. 2000-02 (Prohibiting the possession or consumption of any alcoholic beverage in a County Recreational Facility) remains in force and effect.

**NOW THEREFORE, BE IT FURTHER ENACTED AND ORDAINED BY THE** Board of County Commissioners of the County of Butler, Pennsylvania, as follows:

**Section 1: Title**

This document shall be known as "The Butler County Department of Parks & Recreation Rules and Regulations."

## **Section 2: Purpose**

These regulations are established to govern the conduct of the members of the public in parks and recreational facilities established and maintained by Butler County Department of Parks and Recreation and to protect the public property. Enforcement of these rules and regulations are delegated to the Director or his designee.

## **Section 3: Definitions**

Except where the context clearly indicates otherwise, the following terms used in this Ordinance shall have the following meanings:

- A. The term "County" shall mean the County of Butler.
- B. The term "Park System" shall mean any lands or facilities owned or leased by the County of Butler and designated or used by the County for park or open space purposes.
- C. The term "Department" shall mean the Butler County Department of Parks and Recreation.
- D. The term "Director" shall mean the Director for the Butler County Parks and Recreation Department as designated by the Butler County Board of Commissioners.

## **Section 4: Hours**

- A. The park system and recreational facilities established, maintained and operated by the Department is open to all members of the public.
- B. Alameda Park shall be open to the public between the hours of 9:00 a.m. to 9:00 p.m. of each day unless different hours are established by general or specific notification made by the Director.
- C. Diamond Park shall be open to the public from sunrise to sunset each day unless different hours are established by general or specific notation made by the Director.
- D. Any section or part of any park or recreational facility may be declared closed to the public by the Director at any time and for any interval of time, either temporarily or at regular and stated intervals and either entirely or for certain uses, as the Director may find necessary. Any aggrieved party may appeal to the Director in writing within ten (10) business days.

## **Section 5: Permits**

Permits are required for the following purposes:

- A. Use of shelters/pavilions.
- B. Use of athletic fields.
- C. An event or activity which 50 or more people are expected to attend.
- D. Any other purpose as set forth in this Ordinance.

## **Section 6: Application for Reservations/Permits**

- A. In each calendar year, reservations/permits for shelter/pavilion rental will be taken the last Friday in February from 8:30 a.m. to 12:00 Noon in the public meeting room of the Butler County Government Center, 124 West Diamond Street, Butler, PA. From 1 p.m. to 4:00 p.m. reservations will be taken at the Alameda Park Office, 184 Alameda Park Road, Butler, PA.
- B. Each working day thereafter, any person or association of persons desiring to obtain a reservation/permit shall make the request at the office of the Parks and Recreation Department in person Monday through Friday 9:00 a.m. to 4:00 p.m.
- C. When a fee is required, permits will not be issued until payment is received. The Director may make periodic or monthly payment arrangements with groups requiring additional department services, with ball field leagues, and with other groups, where a single payment is not practical for proper accounting procedures established by the Department.
- D. No person under the age of eighteen (18) years of age shall be issued a permit to use the Park System. No Alcohol Permit will be issued to anyone under the age of twenty-one (21) years.
- E. The holder of any permit issued by the Department shall be held responsible for the actions and conduct of all persons using the facility under his/her permit.
- F. A one hundred (\$100) dollar security deposit is required and will be held until after the rental of the Carousel Shelter, Masonic Shelter, and Odd Fellow Gazebo. The amount of the security deposit and/or the shelters included may increase in the future, as is necessary. In order for the security deposit to be refunded, the following requirements must be met:
  - 1. All tables must be returned to their original position.
  - 2. All trash must be placed in the containers provided.
  - 3. The shelter should be left the way it was when you arrived.
  - 4. Refer to Section 14 for restrictions for attachments to any Park System property, including picnic shelters/pavilions/picnic tables.
- G. All permit holders for park facilities must also comply with all other rules governing the use of the Park System where applicable.
- H. The Butler County Parks and Recreation Department has a NO-REFUND policy in effect for all shelter rentals.

## **Section 7: Guidelines for Issuance of Permits**

- A. The Department shall issue a permit hereunder when it is satisfied that:
  - 1. The proposed use will not unreasonably interfere with or detract from the general public use and enjoyment of the Park System.
  - 2. The proposed use does not present a substantial or unwarranted safety hazard.
  - 3. The facilities desired have not already been reserved.
  - 4. The proposed use will not cause damage or injury to property.

5. The proposed use complies with all applicable provisions of the Parks and Recreation Rules and Regulations.
- B. The Department shall take the following additional considerations into account in considering permit requests to fairly determine as to whether a permit should be issued hereunder or may require the requester to complete a special event application to aid in its determination.
1. The size and purpose for which the park is normally used.
  2. The location of the park and the area surrounding it.
  3. The facilities available to accommodate the intended use.
- C. Any person or association of persons denied the issuance of a permit or a fee waiver may appeal to the Board of Commissioners of Butler County in writing within ten (10) business days of being notified of said denial.

### **Section 8: Operation and Parking of Motorized Vehicles**

The County of Butler hereby exercises its power to control traffic within the physical boundaries of the Park System pursuant to 75 Pa.C.S.A. § 6102 (b) and § 6109. In accordance with this authority.

- A. No person shall:
1. Park a vehicle in the Alameda Park System between the hours of 9:00 p.m. to 9:00 a.m. unless different hours are established by general or specific notifications or by permit or written permission from the Director.
  2. Operate a vehicle and stop, stand or park said vehicle in any place marked as a passenger or loading zone, other than for expeditious loading or unloading of passengers, or the unloading and delivery or pickup of loading of materials.
  3. Operate and stop, stand or park a vehicle upon any roadway or in any parking area in such a manner as to form an obstruction to traffic thereon.
  4. Drive upon or park upon any lawn in any park unless specifically authorized to do so by the Department.
  5. Operate and stop, stand, or park a vehicle in such a manner as to block or restrict the use of a pavilion/shelter access road, maintenance road, gate, or a bike/hiking trail.
  6. Operate a vehicle or park in any place where “No Parking”, “Do Not Enter”, “Road Closed” or “Authorized Vehicles Only” signs or any sign and/or barricades have been erected that would indicate that the area is not open to the general public without first obtaining permission from the Department.
  7. Operate or park a vehicle in such a manner as to block the exit or removal of another vehicle.
  8. Operate or park a vehicle in such a manner as to take up more than one designated parking space.
  9. Park in an area designated for handicapped persons only without displaying a placard or license plate legally issued to the operator.

10. Operate a vehicle in excess of fifteen (15) M.P.H. within the Park System unless a higher rate of speed has been posted.
  11. Operate a vehicle in any park or place other than park roadways open to the general public except vehicles authorized by the Department for the purpose of park maintenance, improvement, or patrol functions, or to areas set aside as special use areas.
  12. Operate any vehicle within the Park System carelessly disregarding the rights and safety of others or in a manner so as to endanger any person or property.
  13. Operate any type of mini bike, scooter, dirt bike, ATV, snowmobile or other motorized vehicle that is not authorized for operation on the public highways.
  14. Wash, wax or make mechanical repairs on vehicles except in cases of emergency.
  15. Fail to yield the right of way to any person hiking, walking or biking on designated trails where such trails cross streets or roadways.
  16. Disobey the direction of traffic control device or a duly authorized Park employee or designee.
  17. Operate a vehicle in a manner that causes damage or injury to turf, lawn or Park property.
  18. Continuously cruise or ride in or on any motor vehicle in, through, or around any Park System property.
- B. In conjunction with this section, the Motor Vehicle Code of Pennsylvania shall apply to all park roadways within the Park System.
- C. Specific to Diamond Park: No one is permitted to drive or park any vehicle, trailer, concession stand, or similar conveyance on any part of Diamond Park, or to cook or prepare servings of food in Diamond Park.

### **Section 9: Operation of Bicycles**

No person shall:

- A. Ride a bicycle upon any property within the Park System except on specifically designated areas or trails and paved roads.
- B. Ride a bicycle in a careless, negligent or reckless manner so as to create a nuisance or to endanger the life or property of persons within the Park System.
- C. Ride a bicycle in a careless, negligent or reckless manner causing damage to a trail or property within the Park System.

### **Section 10: Littering**

- A. No person shall bring any waste paper, sweepings, ashes, household waste, glass, metal, yard waste, animal waste or carcass, refuse or rubbish or any dangerous or detrimental substance into the Park System and deposit the same, either in a receptacle or any other place.
- B. Nothing in this section prohibits trash or waste generated in the park from a picnic or similar activity to be put into receptacles supplied for that purpose.

## **Section 11: Vandalism**

No person shall:

- A. Climb upon or in any way injure any statue, fountain, wall banister, ledge, fence, balustrade, railing, pavilion, tree, athletic equipment, bridge or other equipment or structure or play on wet grounds in a manner injurious to turf.
- B. Tamper with, mar, remove or destroy any official or authorized sign.
- C. Deposit any bodily waste or fluids in or on any portion of any restroom or similar facility or other public structure except directing into such particular fixtures as may be provided for that purpose.
- D. Place any bottle, can, rag, and cloth, metal, wood or stone substance in any of the plumbing fixtures in any restroom or similar facility or any other structure.
- E. Cut, deface, mar, destroy, break, write on or scratch any walls, floor, ceiling, partition, tree, rock, fixture, or furniture.
- F. Use paper towels, toilet paper or waste soap in any improper manner.
- G. Cause damage to any park facilities, including restrooms, buildings, structures, property or equipment.
- H. Engage in any form of graffiti activity within the Park System.
- I. Erect any type of structure within the Park System.

## **Section 12: Other Prohibited Activities in Parks**

No person shall:

- A. Tamper with drinking fountains, hydrants, or other water system facilities or use water other than for drinking or cooking unless otherwise designated.
- B. Bring glass containers of any type into any area of the Park System.
- C. Fly model powered planes except in officially designated areas and with written permission from the Director.
- D. Launch model rockets.
- E. Gamble in any form.
- F. Pour or cause to spill or permit to escape in any area any oil, gas, salt, acid, or other harmful or noxious substance whether liquid, solid or gas, except pursuant to the provisions of an official permit.
- G. Urinate or defecate anywhere in the Park System except in a restroom or other facility provided for such purposes.
- H. Engage in any form of golfing activity.
- I. Throw rocks, stones or other objects from any overlook or cliff.
- J. Fail to obey a posted park sign.
- K. Use a skateboard, in-line skates, or similar wheeled apparatus or equipment except within an area designated as a skate park or on paved roadways.
- L. Overnight camping anywhere within the Park System is prohibited.
- M. Erect any type of structure within the Park System.

## **Section 13: Destruction of Plant Life and Natural Surroundings**

No person shall:

- A. Cut, remove or destroy any tree, sapling, seedling, bush or shrub, living or dead, or chip, blaze, box, girdle, trim or otherwise deface or injure any tree or shrub, or break or remove any branch, foliage, tree or shrub, or pick, gather, uproot, remove, cut or destroy any flower, fruit, berry, plant or grass, or chisel, drill or remove any natural stone deposit except with written permission from the Director.
- B. Remove or cause to be removed or to dig any sod, earth, humus, peat, boulder, rock, gravel, or sand except with written permission from the Director.

#### **Section 14: Attachments**

No person shall hitch, tie, fasten, nail, anchor, screw, staple or otherwise attach any wire, cable, chain, rope, card, sign, poster, advertisement, notice, announcement, handbill, board or other articles or device to any post, tree, shrub, rock outcropping, traffic or park sign or structure, including picnic shelters/pavilions, and picnic tables except in accordance with a special event permit issued by the Department.

#### **Section 15: Metal Detecting**

Metal Detecting will be allowed within Alameda Park with a Permit only for a specific limited date and time period. Permits can be obtained in the Alameda Park Office, 184 Alameda Park Road, Butler, PA, Monday to Friday, from the hours of 9:00 a.m. to 4:00 p.m. No more than three (3) permits will be given at any time. Permits will be for one (1) week from Monday through Sunday. All permits must be returned to the Park Office upon expiration. There is no fee for the permit.

All permit holders must obey the following:

- A. Metal detecting will not be permitted where the activity would conflict with any facility use such as occupied shelters/pavilions, ball games, etc.
- B. Metal detecting is not permitted within the fenced areas of Alameda Pool, Kids Zone Playground or adjacent area.
- C. From May 1<sup>st</sup> through September 30<sup>th</sup>, metal detecting will not be permitted within the additional following areas of Alameda Park:
  - 1. Upper Park Level Ball fields and Volleyball Courts.
  - 2. Lower Park Area Playground area, Grass Volleyball Court and ball field.
- D. Shovels, spades, garden trowels and other similar tools may not be used to dig into or turn over ground areas that are covered by turf, vegetation, shrubs, or trees. Permissible digging tools are screwdriver or other similar narrow pronged devices.
- E. Any disturbance to the ground during metal detecting must be returned to its original condition.
- F. Since areas of Alameda Park have the potential for the recovery of historical objects, all items found must be reported to the Alameda Park Office before removal from the park property. Butler County Parks and Recreation Department will determine the historical significance of a found object. Items recovered

become the property of the finder, except items determined to have historical value to the County of Butler.

### **Section 16: Geo-Game/Geo-caching**

Geocaching involves the placement of “caches” (usually small containers) in natural areas. The general location and geographic coordinates of these caches are shared on the Internet, i.e., at [www.geochaching.com](http://www.geochaching.com). Global Positioning System (GPS) users can then use the location coordinates to search for and discover the caches. Caches contain a variety of items and the visitor is asked to leave a new item to replace the one they removed. Cache owners monitor the cache they placed with logbooks in the cache box, as well as on Internet sites.

Any person desiring to place a geocache in the Park System must:

- A. Apply for a permit at the Alameda Park Office. There is no fee to obtain a permit.
- B. A permit letter or denial letter will be issued to the applicant within ten (10) days. A permit for a specific site will be valid for twelve (12) consecutive months. *After that time, a renewal request must be submitted by the geocacher or the cache must be removed within fourteen (14) days of the permit expiration date, with notification to the Alameda Park Office that the cache has been removed.*
- C. The Cache/Box owner is responsible for care and monitoring of the cache/box while on municipal park property. The Butler County Park System is not responsible for lost, stolen, or damaged items.
- D. Cache must be physically checked monthly by the Permit Holder.
- E. All Park System rules and regulations must be followed, including the use of the park only during the posted hours.
- F. When choosing a location for a geocache, owners should be aware of the perception of other park visitors and non-geocachers. Caches that interfere with current park activities, shelter/pavilion reservations, or other recreational park activities will not be approved.
- G. Cache locations should not pose any danger to those searching for the cache or to other visitors. Butler County Parks and Recreation Department reserves the right to remove a cache in the interest of protecting the park environment and/or visitor safety.
- H. No archaeological, historic or ecologically sensitive sites should be used for cache locations.
- I. No burying or digging is permitted.
- J. Cutting trees, shrubs or plants is prohibited.
- K. Geocaches must be clearly labeled “Official Geocache” with the permit number on the outside of the container. Inside the container must be a log book, owner contact information, and a brief information sheet about geocaching for unexpected discoverers to understand the cache process.
- L. Non-permitted caches may be removed and destroyed by the Director or his designee.
- M. The Department will issue permits for “Micro” caches (such as a 35 mm film container), “Regular” caches (such as a plastic kitchen container), and “Virtual”



- caches (no cache container is the cache itself). No “large” caches (i.e. ammo cases, pipe containers) are permitted. Multi-state caches are generally discouraged.
- N. Cache site permits will be limited to two (2) current caches in the Park System. It will not be the responsibility of the Department to maintain any type of “wait list” for permit slots in the Park System.
  - O. The Cache owner must provide all application information and be available to accompany the reviewer to the proposed cache location, if requested. A photo of the site and of the proposed cache container should be furnished with the application.
  - P. A list of container contents must also be submitted with the permit application. No firearms, weapons, ammo, food, alcohol, drugs, explosives, or adult items may be included in the cache. Cache contents must be suitable for all ages.
  - Q. Caches placed in the Park System should be available to the public via the public website ([www.geocaching.com](http://www.geocaching.com)) Caches for private access will not be accepted.

### **Section 17: Mushroom Hunting Guidelines**

- A. Mushroom hunters will be permitted to gather mushrooms off-trail, provided excessive trampling of natural areas does not occur.
- B. Mushroom hunters are expected to otherwise adhere to all current park rules and regulations.
- C. Mushrooms are to be collected in open weave baskets or equivalent collection device to increase the potential for spore dispersal as mushrooms are moved through the property.
- D. Mushroom hunters may not make a total harvest of mushrooms at any given collection site. An ample number of representatives of each species harvested must be left behind at each collection site.
- E. Digging out mushrooms is permitted only to identify those species that cannot be safely identified above ground. Digging is to be done to the minimal amount necessary.
- F. Mushroom hunters are to practice good natural area stewardship by ensuring that their outerwear, gloves, and boots are free of mud and hitch-hiking seeds before hunting mushrooms on park property.
- G. Any coarse woody debris (logs, stumps, etc.) moved during the mushroom collection process should be returned to its original resting spot to preserve the integrity of insect and herptile microhabitat.
- H. Mushrooms collected on park property are intended for personal consumption and are not to be sold.
- I. Butler County Parks and Recreation Department does not assume responsibility for the identification of any mushroom species on its property and is not responsible for any illness which may result from the ingestion of a wild mushroom.

### **Section 18: Alcoholic Beverages**

- A. No person shall:
1. Consume or possess an alcoholic beverage while in or on property within the Park System unless they possess a Shelter Rental and Alcohol Beverage Permit previously issued by the Park Department of the County of Butler.
  2. Enter or remain within the Park System while under the influence of alcohol to the degree that they may be a danger to themselves or other persons or property.
  3. Sell any alcoholic beverage, for any event, even though they might possess an Alcohol Beverage Permit issued by the Park Office.
  4. Bring any glass containers onto any Park property.
- B. Any person violating any of the provisions of this Section shall, upon summary conviction thereof before any district justice, be sentenced to pay a fine of not more than three hundred (\$300) dollars, with costs of prosecution, or to be imprisoned for not more than ten (10) days, or both.
- C. The Park Director or his designee shall confiscate alcoholic beverages in any person's possession while in or upon property within the Park System without the aforementioned Alcohol Beverage Permit.

### **Section 19: Illegal Drugs and Controlled Substances**

- A. No person shall:
1. Consume or possess any illegal drug, drug paraphernalia or controlled substance, as listed and defined in the act of April 14, 1972 (P.L. 233, No. 64),. 35 P.S. §780-101 et. seq., known as the Controlled Substance, Drug Device and Cosmetic Act, while in or upon any property within the Park System.
  2. Enter or remain within the Park System while under the influence of any illegal drug or controlled substance to the degree that they may be a danger to themselves or other persons or property.
- B. Nothing in this section shall prohibit or interfere with the use or possession of a controlled substance pursuant to a lawful order of a practitioner as defined by the Controlled Substance, Drug, Device and Cosmetic Act.

### **Section 20: Personal Conduct**

While in or on any property administered by or under the jurisdiction of the Department within the Park System, no person shall:

- A. With the intent to cause a breach of peace, disturb or annoy others, public inconvenience, annoyance or alarm, or recklessly creating a risk thereof:
1. Engage in fighting or threatening, violent, lewd, vulgar, wanton, obscene or otherwise disorderly, abusive or tumultuous behavior.
  2. Make unreasonable loud, boisterous, noise; or

3. Engage in any other behavior which would constitute the offense of disorderly conduct.
- B. Engage in any form of sexual activity.
- C. Appear in public in a manner that exposes their genitalia or buttocks.
- D. Appear in public in a manner that exposes the female breast, including but not limited to topless sunbathing.
- E. Commit any indecent or immoral act tending to debauch the morals or manners of the public.

### **Section 21: Peddling and Soliciting**

No person shall:

- A. Peddle or solicit business of any nature whatsoever or collect any fund for any service or charity, or distribute handbills or post other advertising matter including unauthorized signs on property within the Park System unless first obtaining permission in writing from the Director.
- B. Display or post political signs or engage in any form of electioneering on property within the Park System.

### **Section 22: Use of Audio Equipment**

No person shall:

- A. Use a loudspeaker, public address system or amplifier within or upon property within the Park System without a special event permit issued by the Department.
- B. Play or cause to play any radio, audio device, television or stereo equipment, or similar device, at a volume which is reasonably anticipated to disturb or annoy others.
- C. Possess any radio, phonograph, stereo tape, or television while using the Outdoor Education areas unless a permit is issued; tape recorders may be used for the purpose of recording only within the Park System.

### **Section 23: Fires**

Open fires of any kind are not permitted within the Park System.

No person shall:

- A. Set or cause to be set on fire any tree, woodland, brush, grassland or meadow.
- B. Set or cause to be set on fire any material, item, or property within the Park System which is not intended for such purposes.
- C. Build any fire except:
  1. Fires in open spaces may be allowed with a Permit from the Park Office and only in the area designated by the Director for such purposes.

- D. Drop, dump, throw or otherwise scatter lighted matches, ashes, burning cigars, cigarettes, tobacco paper or other flammable material.
- E. Leave fires unattended at any time or not fully extinguished before being abandoned within the Park System.
- F. Ignore the “No Smoking” zones within the Park System.

#### **Section 24: Fireworks and Explosives**

The possession or discharge of any fireworks or explosives on property within the Park System is prohibited except with written permission from the Director.

#### **Section 25: Animals, Birds and Reptiles**

No person shall:

- A. Pursue, catch, attempt to catch, strike, molest, wound or kill any bird, animal or reptiles or disturb any nest, lair, den, burrow or the like of any animal, except in such limited areas which the Department may from time to time designate as authorized hunting areas.
- B. Drive or pursue any wild bird or animal from the confines of the Park System.
- C. Spotlight or use vehicle headlights to view animals except in accordance with the Pennsylvania Game and Wildlife Code and the rules and regulations of the Pennsylvania Game Commission.
- D. Leave or abandon any animal in the Park System.

#### **Section 26: Hunting and Trapping**

- A. By permit only, first come, first served to a limit of ten (10) permits per year.
- B. Deer hunting only will be permitted in the Park System, using bow and arrow only in accordance with Pennsylvania Game Commission rules and regulations.
- C. Use of Crossbows and any firearm within all property within the Park System is prohibited.
- D. All other hunting is prohibited on all property within the Park System.
- E. Small game hunting and trapping within the Park System is prohibited.

#### **Section 27: Dogs, Pets and Other Animals**

- A. Dogs, pets and other animals must be under control of the owner at all times.
- B. No person shall:
  - 1. Bring, drive, lead or carry any dog, animal or domesticated pet which is **unleashed** or on a leash more than six (6) feet in length. Animals must be under immediate control of a competent person.
  - 2. Permit dogs, cats or other domesticated animal within 100 feet of any picnic shelter/pavilion, picnic table, play equipment or other areas as posted.

3. Bring a dog, cat, or other domesticated animal into the Park System unless said animal holds a current year's license and up-to-date rabies/inoculation/vaccination tags.
  4. Bring, drive, or lead any farm animal into the Park System without specific written event permission by the Director.
  5. Torture, abuse or neglect any animal.
  6. Permit his dog or other pet to pursue, catch, wound or kill any bird, animal or reptile or disturb the nests, dens, home or place of refuge of any other animal or bird.
  7. Have a pet in attendance while riding a bicycle or other non-powered conveyance in any park area.
- C. No dog, cat or other domesticated animal will be permitted inside of any fenced area i.e., pool area, kids zone playground, etc. The only exception is for the Special Event (Doggie Paddle Pool Party and Fun Day) where Event rules will apply.
- D. All persons must remove any feces deposited by dogs, cats or other domesticated animal.
- E. Nothing in this section or this Ordinance shall prohibit or interfere with the use of guide, signal, or service animals as defined by the Americans with Disabilities Act.

### **Section 28: Trespass**

No person shall:

- A. Enter upon any grounds or enter into any fenced-in area that have been posted by the Department with "No Trespassing" signs or any sign that would indicate that the area is not open to the general public without first obtaining a permit issued by the Department.
- B. Enter any building or area that is not open to the public.
- C. Enter upon any construction site or disturb any construction equipment on property within the Park System except authorized personnel.
- D. Enter upon any grounds or any building in violation of an expulsion order issued by the Department.
- E. Overnight camping anywhere within the Park System is prohibited.

### **Section 29: Unlawful Obstruction**

- A. No person shall force, threaten, intimidate, fence, enclose, or by any other means, prevent or obstruct any person from:
  1. Entering, leaving, or making full use of the Park System.
  2. Accessing their personal property while within the Park System.
- B. this section shall not apply to lawful activities of authorized employees of the Department consistent with the terms of this ordinance and other applicable statutes, rules and regulations.

### **Section 30: Hindering Employees**

No person shall:

- A. Interfere with, use profanity towards or in any manner hinder any Park employee or designee in the performance of their official duties.
- B. Fail or refuse to obey any lawful command by a Park employee or designee.
- C. Provide false information to a Park employee or designee.

### **Section 31: Firearms and Weapons**

- A. Possession of a firearm within the Park System shall be in accordance with the Pennsylvania Uniform Firearms Act (18 Pa.C.S.A. §6101 et seq.).
- B. Discharge of a firearm is prohibited, except in the following circumstances:
  - 1. By any law enforcement officer or military personnel while carrying out the duties and responsibilities of his/her position;
  - 2. In defense of human life or residence or place of business of the person discharging the firearm in accordance with applicable state laws;
  - 3. In accordance with a special event permit granted in accordance with these Rules and Regulations.
- C. Possession or use of a weapon is prohibited within the Park System unless specifically excepted as set forth in Title 18 of the Pennsylvania Statutes and Consolidated Statutes Annotated.
- D. Use or possession of an electric or electronic incapacitation device shall be in accordance with Title 18 of the Pennsylvania Statutes and Consolidated Statutes Annotated.
- E. No person shall use a firearm or weapon in a manner which places another in fear of imminent serious bodily injury.
- F. Use or discharge of an air rifle, air gun, paintball gun, BB gun, sling-shot, cross bow, bow and arrow, or any other tension/air-propelled device is prohibited unless in connection with a permissible special event permit granted in accordance with these Rules and Regulations.
- G. A Park employee or designee shall confiscate any firearm or weapon in the possession of any person in violation of this section while in or upon property within the Park System.
- H. For purposes of this section, "firearm" shall be defined in accordance with the Pennsylvania Uniform Firearms Act.
- I. For purposes of this section "weapon" shall mean:
  - 1. Any bomb, grenade, blackjack, sandbag or metal knuckles;
  - 2. any dagger, knife, razor or cutting instrument the blade of which is exposed in an automatic way by switch, push-button, spring mechanism, or otherwise or the blade is three (3) inches or longer and serves no common lawful purpose; or
  - 3. Other implement for the infliction of serious bodily injury which serves no common lawful purpose.

### **Section 32: Fees and Charges**

The Department may establish and, from time-to-time, revise fees and/or charges associated with the use of the Park System.

### **Section 33: Natural Areas**

Natural Areas in the Park System will be specific sites set aside where no buildings or structures are permitted. These areas are to be used by the public for their intended purpose and shall remain as nearly as possible uninfluenced by man, excepting accommodations for visitors for passive recreational uses.

### **Section 34: State Statutes, Other Applicable Regulations**

All applicable statutes, rules and regulations of the Commonwealth of Pennsylvania shall have full force and effect upon any property within the Park System and shall be enforced by those having appropriate jurisdiction.

### **Section 35: Penalties**

Any person who violates any provisions of this Ordinance shall, for every such offense, upon conviction thereof in a summary proceeding before a magistrate or district justice or other appropriate judicial official, be sentenced to pay a fine not more than three hundred (\$300.00) dollars, as well as the costs of restitution, as applicable, and/or to undergo imprisonment for a term not exceeding ninety (90) days. In addition, such person shall be liable to the full extent for any damage that he or she causes. Furthermore, any violation of this Ordinance may, at the discretion of the Director, or his designee, result in an expulsion from all County Park properties or any portion thereof for a minimum of six (6) months but not to exceed two (2) years depending on the severity of the violation.

### **Section 36: Severability**

The provisions of this Ordinance are severable. If any sentence, clause or section of this ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not invalidate the remainder of this ordinance, and it is hereby declared to be the intention of the County Commissioners of the County of Butler that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause or section not have been included herein.

### **Section 37: Repealer**

All Ordinances and Resolutions or parts thereof which are inconsistent herewith and hereby repealed insofar as they are inconsistent.

**Section 38: Effective Date**

This Ordinance shall become effective on December 1, 2011.

**ENACTED AND ORDAINED BY** the Board of County Commissioners of the County of Butler, Pennsylvania, this 16<sup>th</sup> day of November 2011.

**ATTEST:**

**BOARD OF COUNTY COMMISSIONERS**

\_\_\_\_\_  
William S. O'Donnell  
Director of Admin/Chief Clerk

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A. Dale Pinkerton, Chairman

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William L. Patterson

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James C. Lokhaiser