

Upper Mount Bethel Township  
*PARKS AND RECREATION*

**RULES AND REGULATIONS**

The purpose of this document is to provide rules and regulations for the use or conduct in the parks and recreation areas of the Township.

**Applicability**

This document shall apply in all parks and recreation areas under the jurisdiction of the Township unless expressly exempted. For the issuance of permits, temporary designations, authorizations, granting of the approval, and other actions, the approving governing agency would be the Board of Supervisors upon recommendation of the Parks and Recreation Board (Chairman of Parks and Recreation Board or designee).

Any reference in these rules and regulations to "parks" and "recreation area(s)" shall mean all of the parks and recreation areas under the possession, ownership and/or control of the Township and not any one specific area.

**Construction.**

No provision hereof shall make unlawful any act necessarily performed by any officer of employee of the Township in line of duty or work as such, or by any person, their agent, or employees, in the proper and necessary execution of the terms of any agreement with the Township.

**Definitions.**

As used in this chapter, the following terms shall have the meanings indicated:

***ELECTRIC POWER-DRIVEN MOBILITY DEVISE (EPDMD)*** – Any mobility devise powered by batteries, whether designed primarily for use by individuals with mobility disabilities, that is used by individuals with mobility disabilities for purposes of locomotion, including golf carts, electronic personal assistance mobility devises (EPAMDs) such as the Segway PT, or any mobility devise designed to operate in areas without defined pedestrian routes, but that is not a wheelchair.

***INFORMAL GROUP*** – Casual. Unstructured, spontaneous gathering, i.e., a pickup game.

***MULTI-USE SHARED PATH*** – A path that has been designed primarily for use by bicyclists, equestrians, pedestrians, including pedestrians with disabilities, for transportation and recreation purposes.

***NOTICE OF VIOLATION*** – A written document issued to a person in violation of a Township ordinance that specifies the violation and contains a directive to take corrective action within a specified time frame or face further legal action.

***PERSON*** – Any natural person, corporation, company, association, joint-stock association, firm, or partnership.

**PICKUP GAME** – In sports, a game that has been spontaneously started by a group of random people or with friends. Pickup games are played without official notice. There are no officials, team names, leagues, or uniforms.

**POSTING** – Any written, digital signage or metal post signage.

**PUBLIC OFFICER** – Any police officer, authorized inspector, constable or public official sworn to enforce the Township ordinances.

**TRAIL/ROADS** – A wide way leading from one place to another, especially one with a prepared surface that vehicles can use.

**STOPPING or STANDING** – When prohibited means any cessation or movement of a vehicle, occupied or not, except when necessary to avoid conflict with pedestrians or other traffic including horses and bicycles.

**VEHICLE** – Any conveyance, except baby carriages and motorized wheelchairs, including motor vehicles, buses, trailers of all types, campers, tricycles, bicycles, motorized or not, sleds, sleighs, snowmobiles, all-terrain vehicles (ATV), electric power-driven mobility devices (EPDMDs), pushcarts, or vehicles, propelled by other than muscular power. Also, any horse or horse-drawn conveyance.

**VENDING** - Selling or trading any item or service.

**VIOLATION TICKET** – A ticket issued by a police officer, constable or public officer to a person who violates a provision of this document.

**Structures, plants, trees, earth, rubbish.**

It shall be unlawful for any person in a park or recreation area to:

- A. Except by permit, mark, deface, disfigure, injure, tamper with, or displace or remove any buildings, bridges, tables, benches, fireplaces, railings, paving or paving materials, water lines, or other public utilities or parts of appurtenances thereof, signs, notices, or placards, whether temporary or permanent, monuments, sculptures, stakes, posts, or other boundary markers, or other structures or equipment, facilities or park property or appurtenances whatsoever, either real or personal.
- B. Fail to cooperate in maintaining restrooms and washrooms in neat and sanitary condition.
- C. Except by permit, dig or remove any soil, rock, sand, stones, trees, shrubs or plants or other wood or materials, or make any excavation by tool, equipment, blasting, or other means or agency.
- D. Construct or erect any building or structure of whatever kind, whether permanent or temporary, or run or string any public service utility into, upon, or across such lands, except on a special written permit issued hereunder.
- E. Except by permit, damage, cut, carve, mark, transplant or remove any plant or injure the bark, or pick flowers or seed of any tree or plant, dig in or otherwise disturb grass areas, or in any other way injure the natural beauty or usefulness of any area.

- F. Climb any tree or walk, climb, stand or sit upon monuments, sculptures, vases, planters, fountains, railings, fences or upon any other property not designated or customarily used for such purpose.
- G. Except by permit, attach any rope or cable or other contrivance to any tree, fence, railing, bridge, bench, or other structure.
- H. Throw, discharge, or otherwise place or cause to be placed in the waters of any fountains, pond, lake, stream, or other body of water in or adjacent to any park or any tributary, stream, storm sewer, or drain flowing into such water, any substance, matter or thing, liquid or solid, which will or may result in the pollution of said waters.
- I. Take into, carry through, or put into any park any rubbish, refuse, garbage, or other material. Such refuse and rubbish shall be deposited in receptacles so provided. Where receptacles are not provided, all such rubbish or waste shall be carried away from the park by the person responsible for its presence, and properly disposed of elsewhere.
- J. Hunt, molest, harm, frighten, kill, trap, pursue, chase, tease, shoot or throw missiles at any creature; nor shall one remove or have in one's possession the young of any wild animal, the eggs or nest, or young wild creature.
- K. Ride a horse except on designated bridle trails; horses shall be thoroughly broken and properly restrained, and ridden with due care, and shall not be allowed to graze or go unattended.
- L. Dig for fishing bait.
- M. Operate any motorized model aircraft or boats except by permit.
- N. Operate a snowmobile.
- O. Hunt for items below or above ground except by permit.
- P. Remove water from park areas.

**Feeding of waterfowl is prohibited.**

No person shall feed any waterfowl or birds in the Township's parks.

**Release of birds, animals, or fish is prohibited.**

No person shall release domestic waterfowl or any other bird, animal, or fish except homing pigeons in the Township's parks.

**Dogs.**

It shall be unlawful for any person in a park or recreation area to walk a dog without a leash in parks or areas within parks where dogs are permitted unless designated for specific activities. Any leash utilized is to be no longer than six feet.

**Vehicles.**

It shall be unlawful for any person in a public park or recreation area to:

- A. Drive any vehicle on any area except the paved park roads or parking areas, or such areas as may on occasion be specifically designated as temporary areas.

- B. Drive or operate any vehicle in a careless or reckless manner beyond the access roads leading to parking areas.
- C. Drive or operate any vehicle that emits excessive or unusual noise, noxious fumes, dense smoke, or other pollutants.
- D. No person shall operate any vehicle on any of the paved roads within the parks at a rate of speed more than 20 miles per hour or more than any designated lesser speed where the same is so marked. Any person driving a vehicle in the parks shall drive in a careful and prudent manner so as not to endanger the life, limb, or property of any person, or cause any injury or damage to the shrubbery, trees, lawns, birds, or animal life or any property within the parks.
- E. No power-driven vehicles may be used, including but not limited to any gas or similarly powered combustible vehicles, ATVs, golf carts, or dirt bikes. Persons with a mobility disability may use any electric power-driven mobility device (EPDMD), on multi-use shared paths in the parks and recreation areas that is no heavier than 500 pounds and does not exceed a noise level of 60 dBA and is no wider than 36 inches. All power-driven wheelchairs are permitted. Segways are permitted. For safety purposes, and in consideration of public enjoyment, the speed limit on multi-use shared paths shall be 12 mph for all mobility devices operated on the paths, regardless of whether the device is power-driven or non-power-driven. Users operating any of the above-mentioned permitted vehicles on multi-use shared paths must observe the speed limit at times and must yield to oncoming pedestrians.
- F. Park a vehicle anywhere except in a designated parking area.
- G. Leave a vehicle standing or parked in established parking areas or elsewhere in the park and recreation areas during hours when the park and recreation areas are closed, or as otherwise posted, including overnight, without written Township approval. Further, any vehicles standing or parked for more than 72 hours (whether consecutively or not) without written permission of the Township shall be considered abandoned and will be towed and removed at the owner's expense.
- H. Ride a bicycle without reasonable regard for the safety of others.
- I. Drive or operate within the parks any commercial vehicle, truck or tractor, or vehicle used for advertising, except for local delivery of commercial goods or products to established residences, occupied buildings, authorized public events, or the stocking of fish in any waterway within the park.
- J. Use the parks, park drives, parking places, or parkways for the purpose of demonstrating any vehicles, or for the purpose of instructing another to drive or operate any vehicle, except by Township permit; nor shall any person use any park area, including parking places, for the repairing or cleaning of any vehicle, except in an emergency.
- K. Bring or park any charter or school bus into a park in areas other than approved for charter/school buses.
- L. Bring food trucks or ice cream trucks into a park without a valid Health

- Bureau license, business license, and permit.
- M. Operate a snowmobile.
- N. Operate any all-terrain vehicle (ATV).

**Weapons, tools.**

It shall be unlawful for any person to bring into or have in his possession in any park or recreation area:

- A. Burglar tools or devices that can be used to assist a person in committing burglary.
- B. BB gun, air gun, spring gun, slingshot, bow, or other weapons in which the propelling force is a spring or air.

**Explosives and fireworks.**

It shall be unlawful for any person to:

- A. Have in his possession or set off any fireworks. Permits may be given for conducting properly supervised fireworks in designated park areas.

**Advertising, assemblages, entertainment.**

- A. No person shall post, paint, affix, distribute, deliver, place, cast, or leave about any bill, billboard, placard, ticket, handbill, circular, or advertisement except by permit.
- B. No person shall do any of the following without a permit, provided that no permit shall be required for any action or event sponsored by the Township.
- C. Display any advertising signs or other advertising matter, provide that a sign attached to a vehicle to identify the vehicle, or a sign lawfully on a taxi or bus, is not prohibited.
- D. Operate for advertising purposes any musical instrument, soundtrack, or drum.
- E. Hold public assemblages.
- F. Conduct exhibitions.
- G. Any and all parades are considered recreation and must be permitted and routes approved by Park Recreation and Board of Supervisors.
- H. Drink or possess alcoholic beverages. Permits may be granted only for specifically designated areas of certain parks.

**Sale of merchandise prohibited.**

No person shall expose or offer for sale any article in any park or recreation area without a permit and a license as a vendor.

**Fires; are ignitable and combustible materials.**

No person shall kindle, build, maintain or use a fire except in Township provided fireplaces or grill boxes designed for such purpose. Bonfires are not permitted without a permit. Any fire shall be continuously under the care and direction of a competent

person from the time it is kindled until it is extinguished. No person shall throw away or discard any lighted match, embers, cigar, cigarette, tobacco, paper, or other material within or against any building or vehicle, or under any tree, or in the underbrush. Embers must be removed or disposed of properly in designated ash containers.

**Alcoholic beverages controlled dangerous substances, solicitation, and gambling.**

While in a public park or recreation area, all persons shall conduct themselves in a proper and orderly manner, and no person shall:

- A. Bring alcoholic beverages, drink, or use the same at any time without a permit nor shall any person be under the influence of intoxicating liquor or a controlled dangerous substance in a park or recreation area.
- B. Solicit contributions for any purpose, whether public or private, except by permit.
- C. Play any game of chance or have possession of any instrument or devise for gambling except by permit.
- D. Play, engage, or take part in any game or a competitive sport for money, or other valuable things, without a written permit.

**Miscellaneous conduct.**

It shall be unlawful for any person in a park or recreation area to:

- A. Camp or stay overnight anywhere in a tent or recreational vehicle.
- B. Enter an area posted as "closed to the public".
- C. Engage in threatening, abusive, insulting, or indecent language or engage in any disorderly conduct or behavior tending to breach the public peace.
- D. Fail to produce and exhibit any permit one claims to have, upon request of any authorized person who shall desire to inspect the same for the purpose of enforcing compliance with any ordinance or rule.
- E. Disturb or interfere unreasonably with any person or party occupying any area or participating in any activity under the authority of a permit.
- F. Erect or occupy any tent, stand or other structure in any park or playground, or sell or give away from any such tent, stand, or other structure any food, drink, or other things, without a permit.
- G. Hit golf balls.
- H. Bring a generator to a park without a permit.
- I. Bring amplifiers, speakers, and other sound-amplification devices without a permit.
- J. Registered sex offenders may only have access to parks or recreation areas as permitted by law.

**Closing hours.**

No person shall be in any park during the hours the park is closed. The parks are closed from sunset to sunrise except where permitted activities are taking place or otherwise designated by Township Parks & Recreation Board. Closing hours will be posted at all parks.

**Permits.**

Permits for special events in parks and recreation areas including but not limited to picnics, egg hunts, ice cream festivals, road races, fishing contests or sports, or for the sale of items, or for the use or possession of alcoholic beverages, shall be obtained by application to the Parks and Recreation Board or the Board's designee in accordance with the following procedure:

A person seeking issuance of a permit hereunder shall file an application stating:

- A. The name and address of the applicant.
- B. The name and address of the person, persons, corporation, or association sponsoring the activity if any.
- C. The day and hours for which the permit is desired.
- D. The park or portion thereof for which the permit is desired.
- E. Any other information reasonably necessary for a determination as to whether a permit should be issued hereunder.

Standards for issuance of a use permit shall include the following findings:

- A. That the proposed activity or use of the park will not unreasonably interfere with or detract from the general public's enjoyment of the park.
- B. That the proposed activity and use will not unreasonably interfere with or detract from the promotion of public health, welfare, safety, and recreation.
- C. That the proposed activity or uses that are reasonably anticipated will not include violence, crime, or disorderly conduct.
- D. That the facilities desired have not been reserved for other users on the date and hour requested in the application.
- E. The fee for such permits shall be established and published in accordance with the provisions as set forth for rules and regulations in the Administrative Code and Home Rule Charter.
- F. A permittee shall be bound by all park rules and regulations and all applicable ordinances fully as though the same were inserted in said permits.
- G. An applicant for any permit may be required to submit evidence of liability insurance covering injuries to members of the general public arising out of such permitted activities in such amounts as may be from time to time determined prior to the commencement of any activity or issuance of any permit.

**Revocation.**

The Chairman of Parks and Recreation or designee shall have the authority to revoke a permit upon a finding of a violation of any rule or ordinance or upon good cause shown, such as but not limited to providing false information on an application.

Exhibit permits. All permittees must be prepared to produce and exhibit any permit from the Parks and Recreation Board or designee he/she claims to have upon request of any

authorized person who desires to inspect the permit for the purpose of enforcing compliance with any ordinance or rule.

**Reservations.**

Any person may reserve any park, shelter, playground area, or sports playing field for a specific time and date, in accordance with the terms of this section.

Each person shall pay a scheduling reservation fee to be established and published in accordance with the provisions as set forth for rules and regulations.

Nothing in this section shall prohibit any informal group from occasionally using park facilities without a permit. Such use shall not interfere with the use of facilities by a person having a reservation.

**Authority to close.**

The Township Manager, Chairman of Parks and Recreation Board, his/her designee, or police may close the public parks or parkways within the Township on days when weather conditions make the use of the area unsafe or resulting injury to the same or when the public use would interfere with work being done in the park or in the interest of public safety.

**Enforcement.**

Enforcement. The Township Manager is hereby authorized to designate certain supervisory employees of the Township to enforce the provisions of these rules and regulations. These special appointees shall have the power to issue citations and, when appropriate, to institute summary proceedings for violations. These employees shall not, however, have the power of arrest.

The Township employees, the Police, the Township Constable and the Park Recreation Board shall have the authority to order any person or persons acting in violation of these rules and regulations to leave the park or recreation area.

**Citation fines.**

Any person, firm, corporation or other entity who shall fail, neglect, or refuse to comply with any of the terms or provisions of these rules and regulations shall, upon conviction in a summary proceeding, be ordered to pay a fine not less than \$100 nor more than \$1,000 on each offense or imprisoned for no more than 90 days, or both.

The Magisterial District Judge may order the violator to make restitution for damage to any real or personal property or for any remediation or abatement expense.

**Severability.**

If any provision, paragraph, word, section, or subsection of this chapter is invalidated by any court of competent jurisdiction, remaining provisions, paragraphs, words, sections, or subsections shall not be affected and shall remain in full force and effect.