



**TOWNSHIP OF SOUTH FAYETTE
ALLEGHENY COUNTY, PENNSYLVANIA**

ORDINANCE NO. 03 OF 2019

AN ORDINANCE OF THE TOWNSHIP OF SOUTH FAYETTE, ALLEGHENY COUNTY, PENNSYLVANIA, REPEALING CHAPTER 183 “PARKS AND RECREATION AREAS” OF THE SOUTH FAYETTE TOWNSHIP CODE OF ORDINANCE IN ITS ENTIRETY AND REPLACING THE SAME WITH A REVISED CHAPTER 183 “PARKS AND RECREATION AREAS”, ESTABLISHING NEW REGULATIONS, POLICIES AND PROCEDURES APPLICABLE TO ALL TOWNSHIP OWNED PARKS, TRAILS AND CONTROLLED PROPERTIES.

WHEREAS, the Township of South Fayette adopted on August 11, 1980, Ordinance No. 321 establishing a Code of Ordinances for the Township; and

WHEREAS, the Township of South Fayette has a vested interest in the safety of its residents and visitors to the parks and recreational facilities; and

WHEREAS, the South Fayette Township Board of Commissioners has recognized the need to update and amend the rules, regulations and procedures regulating all the Township’s parks, trails and controlled property; and

WHEREAS, the Board of Commissioners of the Township of South Fayette desires to repeal in its entirety Chapter 183, Parks and Recreations Areas, of the Township Code and replace the same with revised Chapter 183 Parks and Recreation Areas, establishing new regulations, policies and procedures applicable to Township owned parks, trails and controlled properties.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF SOUTH FAYETTE AND IT IS HEREBY ORDAINED AND ENACTED AS FOLLOWS:

1. The recitals set forth herein above are incorporated herein by reference thereto.
2. Chapter 183, Parks and Recreations, of the South Fayette Township Code is repealed in their entirety and replace by the following:

CHAPTER 183 PARKS AND RECREATION AREAS

ARTICLE I

SCOPE

§ 183-1. Applicability

The following rules and regulations herein contained shall apply to all parks located in the Township and operated by the Township including Sturgeon, Morgan, Fairview, Boys' Home, Preservation Park, Treveskyn, Panhandle Trail and to any park hereafter developed and open to the public.

ARTICLE II

PROHIBITED USES AND ACTS

§ 183-2. Grass areas.

Grass areas must not be used for roadways, parking or other purposes which may injure or destroy the turf or landscaping without expressed written permission from the Township.

§ 183-3. Trees, shrubs and flowers.

Trees, shrubs, hedges, wild flowers or other flowers must not be picked, cut, broken or injured in any way whatsoever.

§ 183-4. Buildings and structures.

Buildings, fences, fountains, statuary, benches or signs must not be injured or defaced in any way.

§ 183-5. Paper or rubbish.

Paper, rubbish or any refuse whatsoever must not be scattered, but must be deposited in receptacles provided for that purpose. Paper, rubbish or refuse not accumulated in the park may not be deposited in any receptacle.

§ 183-6. Gambling, drunkenness and disorderly conduct.

Lotteries or other gambling or games of chance, drunkenness, disorderly conduct, indecent conduct and/or profane/offensive language are prohibited.

§ 183-7. Vehicle repairs.

No person shall, in any park, clean, polish, grease, lubricate or make repairs to any vehicle except those of a minor nature, and then only in cases of emergency.

§ 183-8. Sale of tickets or commodities.

The sale of tickets or any commodity by picnic groups is prohibited. The sale of tickets and/or commodities is permitted during a Township sponsored event.

§ 183-9. Horses.

Horses are not permitted on any park or trail not designated for that use.

§ 183-10. Fireworks.

The discharge, possession and selling of any fireworks other than those authorized by the Township is strictly prohibited in any township park and/or trail. Fireworks include sparklers, smoke bombs, projectiles, bottle rockets or any device with a report.

§ 183-11. Off road motorized vehicles.

Off road motorized vehicles are not permitted to be operated on any Township park or trail.

§ 183-12. Glass containers.

Glass containers of any type are not permitted on any park or trail.

§ 183-13. Obstructing.

Obstructing or interfering with the regular course of Township business and/or operations is prohibited. No person shall block or cause to block any entrance to a park, building, roadway or facility or any other access points.

§ 183-14. Behavior and Conduct.

Illegal behaviors including but not limited to, threats, acts of violence, brandishing a weapon; theft; gambling; consumption of alcoholic beverages in public (except with a permit issued by the Township); being under the influence of, using or selling, alcohol or drugs; and possession of illegal drugs is prohibited. The engaging in conduct which is incompatible or inconsistent with the operation and purpose of the park or which prevents others from using the park or facility for the purpose for which it is deigned is prohibited.

§ 183-15. Hitting Golf Balls.

Hitting, driving or putting of golf balls is prohibited in all parks.

§ 183-16. Dumping.

No person shall deposit any refuse or recyclable materials in a designated trash or recycling receptacle located on park property, unless the trash or recyclable materials are generated as such during the person's lawful presence on that park property.

§ 183-17. Smoking and Tobacco.

South Fayette Township parks are smoke and tobacco free areas.

**ARTICLE III
REGULATED USES AND ACTS**

§ 183-18. Fires.

Fires may not be built or allowed anywhere within the park other than in stoves, grills or fireplaces provided for that purpose. No person shall throw away or discard any lighted match, cigar or cigarette in any park.

§ 183-19. Public meetings.

Public Meetings, assemblages or parades may not take place within the limits of the park without the permission of the Township.

§ 183-20. Selling of articles and service; handbills.

Peddlers, picnic parties or any other person or persons whatsoever may not sell or offer for sale any article or service for hire within the limits of the park or set up therein any stand or booth for such purpose or distribute or display handbills, cards or advertisement of any nature whatsoever unless duly authorized to do so by the Township. See Township "Conducting a For Profit Operation on Township Property". This includes food trucks and/or concession service

§ 183-21. Organized Activities.

Games, contests or sports are permitted only in areas designated for such use, and in no case shall such use be permitted in areas where lawns or plantings may be injured or where such games or contests may interfere with parks regulations. Athletic fields may be closed when conditions warrant, as determined solely by the Parks and Recreation Department.

Organized games, contest or sports beyond fifteen adults (18+), or non-residents groups must have township approval or facility rental permit. See section 8 of this ordinance.

Organized activities/lessons (fitness programs, lessons etc.), free or fee based, on township property is prohibited unless organized through Township Recreation Department or with facility rental permit. Private and instructional lessons, free or fee based and beyond a parent or guardian with child/ren is prohibited. Private lessons must be approved through South Fayette Township or obtain Facility Rental Permit. Fees may apply. If involving children, copies of clearances must be submitted to Township. Proof of insurance with South Fayette Township listed as additional insured must be submitted to Township.

§ 183-22. Consumption and/or possession of alcohol.

Alcohol may be possessed and/or consumed in designated areas by individuals and/or organizations possessing a permit issued by the Township. Permits shall be issued in accordance to the current administrative policy. This policy may be changed at any time by the Township Manager. A copy is available at the Township office

§ 183-23. Picnics.

Picnics are permitted throughout all township parks. However, picnics may not interfere or disrupt the normal, customary and/or regular use, repair, or maintenance of any facility. No group of 15 or more adults (18+) can gather in a park pavilion without a township permit.

§ 183-24. Pavilions, Shelter and other Facilities.

South Fayette Township has established an administrative policy known as "Park Facility Rental Policy", outlining the procedure and permitting of Township facility usage. This policy is made a part of this ordinance and may be changed by the Township manager at

any time. A copy of this policy is available at the Township Office. Parks and recreation facilities are generally available on a first come, first served basis unless, facility reservations permit has been issued by the Parks and Recreation Department. A permit is required for any group of fifteen or more adults (18+) gathering at pavilions or athletic fields. Along with the current "Park Facility Rental Use" Administrative Policy, the following standard shall apply:

1. Permits are required to reserve picnic areas, sports courts, athletic fields and buildings. Permits are available at the Township Office
2. Permits are issued only for the facility(s), time(s) and date(s) outlined on the permit. Usage of surrounding areas, facilities or fields are prohibited unless receive township permission. No set up the day before or clean up the day after.
3. A person or persons representing companies, groups or organizations signing park permits will be held liable.
4. All permits are given for the sole use of the permittee and permits cannot be sublet or given to any other individual, corporation, or organization.
5. All reservations must be paid in full 14 days prior to rental
6. Alcohol by permit only, fee assessed by Township.
7. All refuse must be placed in proper receptacles.
8. Staples or tacks may not be used on tables or seats.
9. All signs, posters or directions must be removed at end of day.
10. No holes or pits may be dug.
11. The person named on reservation form is responsible for clean up and damages. The township may bill them at a later date.
12. Tables must be returned to original positions
13. No supplies or equipment may be stored overnight within park premises.
14. Special equipment and outside contracts (moon bounces, food trucks, etc.) must be approved, insured and noted on the permit. The minimum insurance policy is for \$1,000,000, naming South Fayette Township as an additional insured.

§ 183-25. Loitering.

No person shall, under any circumstances, loiter or remain in the park between 10:00PM and sunrise without the permission of the Township

§ 183-26. Domestic animals.

Pet owners or other persons having such animals will be responsible for the actions of their pets and are required to maintain control at all times. Abandonment of domesticated animals is not permitted. Any animal at found at large may be seized and impounded by the Township or its authorized agent.

1. Pet owners or other persons having such animals will be responsible for the actions of their pets and are always required to maintain control.
2. Pets must remain on a leash at all time unless in the designated "Free Run Zone".
3. Leashes may not exceed twelve (12) feet in length.
4. Pets displaying aggressive behavior towards people and/or other pets will not be permitted to return to the park.
5. Pets are not permitted on any athletic field, court and/or playground.

6. Pet owners or other persons having such animals are required to clean up, remove and dispose of all animal waste in properly marked receptacles or dispersal into high growth fields.
7. South Fayette Township will establish area/s where pets are not required to be on a leash at Fairview Park known as "Free Run Zone".
8. "Free Run Zones" can be added, eliminated and/or location changed as development in the parks occurs.
9. Signs and/or maps at each location will identify "Free Run Zones".

§ 183-27. Free Run Zones.

South Fayette Township has established an administrative policy known as "Free Run Zone", where pets are not required to be on a leash at Fairview Park. Signs and/or maps at each location will identify "Free Run Zones". "Free Run Zones" can be added, eliminated and/or location changed as development in the parks occurs. This policy is a part of this ordinance and may be changed by the Township Manager at any time. A copy of this policy is available at the Township office.

§ 183-28. Taking of wildlife.

Birds, squirrels, rabbits, deer, ducks or any other wild creatures may not be hunted, injured, killed or in any manner molested within the park limits. However, the Township may authorize controlled hunting by permit at the Boy's Home Property refer to Section 13 of this Ordinance on the rules and regulations regarding hunting.

§ 183-29. Hunting on Boy's Home Property.

All hunting on the Boy's Home Property shall be authorized through permits and shall follow all laws set by the Pennsylvania Game Commission and the Pennsylvania Fish & Boat Commission apply. In addition, the following rules shall apply:

1. Authorization to hunt shall be through the issuance of a Special Hunting Permit issued by the Parks and Recreation Department.
2. Permit may be revoked for any violation.
3. Permit holder agrees to sign in and out at the posted boards.
4. Permit must always be carried when hunting on Township property.
5. Permits are valid for the time of the license, not to exceed one year.
6. The Township reserves the right to designate hunting zones.
7. The Township reserves the right to regulate the number of permit holders.
8. Muzzle-loaders may be used in designated areas.
9. Archery may be used in designated areas.
10. Shotguns may be used in designated areas.
11. No hunting on Sunday or after sunset.
12. Hunting may not take place during any special or sporting event.
13. No driving of motorized vehicles in fields.
15. Parking in designated areas only.
16. No building of open fires.
17. There is a 150 Yard safety zone around all playgrounds and all buildings.

§ 183-30. Photography and Film.

Small photo shoots, like those for engagements, weddings and family photos, DO NOT need permission. However, a photographer may be asked to move from an area that has been reserved, or if they interfere with recreational activities. Any large photo shoots or film productions that are beyond home video or commercial in nature, meaning, they are being produced specifically for post-shoot sales (big productions like commercials, TV shows, music videos and movies), MUST have township approval or facility rental permit.

ARTICLE IV

VEHICLES AND TRAFFIC

§ 183-31. Speed Limits.

A rate of speed exceeding 15 miles per hour is prohibited in the parks. Operating a vehicle in a reckless and negligent manner or in excess of the posted speed limit is prohibited. The use of motorcycles, off-road vehicles or any other vehicle on other than paved roadways is strictly prohibited.

§ 183-32. Parking.

The parking of vehicles along roadways is prohibited. Parking should be done only in designated areas.

§ 183-33. Compliance with directions of police officers, signs or park employees.

All state laws governing the operation of vehicles are applicable to the operation of motor vehicles in Township Parks. Park users shall heed and comply with directions of the Township Police Officers and/or authorized township employees. All park users shall comply with directions on traffic signs.

ARTICLE V

ENFORCEMENT AND PENALTIES

§ 183-34. Enforcement.

The above rules and regulations will be enforced by the Township Police and Township Parks and Recreation Director.

§ 183-35. Violation and penalties.

Any person in violation and/or who has received repeated warnings regarding violations of these provision may have their use privileges for any and/or all parks revoked for a specified period of time. All such enforcement shall be approved by the Township Manager with a right to appeal to the Board of Commissioners. Further, any person violating any of the provisions of this chapter shall upon conviction, thereof at a summary proceeding, be sentenced to pay a fine not in excess of \$600, to be paid to the Township, with costs of prosecution, and in default of payment of such fine and costs, to undergo imprisonment for not more than 30 days.

§ 183-36. Construal of provisions

Each violation hereunder shall constitute a separate offense, subject to the penalties provided in the proceeding section.

§ 183-37.

Any Rules, Regulations, Ordinances and Resolutions of South Fayette Township, which conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

§ 183-38. This ordinance shall be effective immediately.

ARTICLE VI

MISCELLANEOUS PROHIBITIONS

§ 183-39. Food and beverages prohibited on playgrounds

Within the limits of properties owned or controlled by South Fayette Township, no person shall place within the confines or borders of any playground, food or beverages or similar items. Playgrounds are those areas that are within a border and/or confine which are utilized for active play on a designed play structure, including but not limited to swings, slides, climbers, rides and/or accompanying fall surface area. Borders are defined as any area that was elevated or constructed for the purpose of separation from surrounding areas. Confines are defined as any fence or barrier to prevent or limit entry.

Violations and penalties. A violation of this section shall be deemed a noncriminal infraction. The penalty for violations of this section shall be fines according to the following schedule: Up to a six-hundred-dollar fine for each offense.

§ 183-40. Bicycles, skateboards, scooters prohibited in certain areas.

Within the limits of properties owned or controlled by South Fayette Township, no person shall place within the confines or borders of any playground, tennis court or basketball court, bicycles, skateboards, scooters or similar items. Playgrounds are those areas that are within a border and/or confine which are utilized for active play on a designed play structure, including but not limited to swings, slides, climbers, rides and/or accompanying fall surface area. Courts are defined as any area within a border and/or confined that includes nets, poles and/or lines. Borders are defined as any area that was elevated or constructed for the purpose of separation from surrounding areas. Confines are defined as any fence or barrier to prevent or limit entry.

Violations and penalties. A violation of this section shall be deemed a noncriminal infraction. The penalty for violations of this section shall be fines according to the following schedule: Up to a six-hundred-dollar fine for each offense.

3. The proper officials of the Township of South Fayette are hereby authorized and directed to do all things necessary to effectuate the purpose of this Ordinance.

4. All Ordinances and parts of Ordinances inconsistent with the terms of this Ordinance are hereby repealed; provided, however, that such repeals shall be only to the extent of such inconsistency, and in all other aspects this Ordinance shall be cumulative of the other Ordinances regulating and governing the subject matter covered by this Ordinance.

5. If any section or provision thereof in this Ordinance shall be adjudged, invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity of the Ordinance as a whole or any other section or provision of the part thereof.

6. This Ordinance shall be in full force and effect from and after its passage and publication as required by law.


ORDAINED AND ENACTED INTO LAW, this 11th day of September 2019.

ATTEST:

TOWNSHIP OF SOUTH FAYETTE:



JOHN BARRETT
TOWNSHIP MANAGER/SECRETARY



RAYMOND PITETTI, CHAIRMAN
BOARD OF COMMISSIONERS