

**CHAPTER 16**  
**PARKS AND RECREATION**

**Part 1**

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## **Part 1**

### **Recreation Facilities**

#### **§101. Definitions.**

As used in this Part, 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 therefor, and all land or property or structures, now or hereafter owned or acquired by the Borough of Hollidaysburg for park or recreational purposes.

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

RULES and REGULATIONS — any rules and regulation hereby or hereafter promulgated by the Borough Council under the authority herein conferred.

(Ord. 749, 8/21/1997, §1)

#### **§102. Park Hours.**

All parks shall be opened daily to the public at such hours as the Borough Manager may from time to time designate, but in no event shall any person be permitted to be in attendance in any park between 10:00 p.m. and sunrise, unless special permission by granted by the Borough Manager. (Ord. 749, 8/21/1997, §2)

#### **§103. Prohibited Conduct.**

No person in attendance at a park shall:

- A. Injure, deface, remove, cut or damage any of the trees, plants, shrubs, turf, buildings, structures, signs, benches, seats, tables, playground apparatus or any other fixtures or any other property of the Borough of Hollidaysburg located within the park.
- B. Litter any area of the park with garbage, paper, bottles, cans or other waste material; nor dispose of the same in any way except in receptacles designated for such purpose.

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- C. Kindle or maintain any fire in the park except in fireplaces or areas specially designated for that purpose and located by authority of the Borough Manager.
- D. Remove any bench, seat, table or other property or equipment or other appliance of the Borough without permission of the Borough Manager.
- E. Injure, deface, destroy or remove any notice, rule or regulation posted at any place within the park by authority of the Borough Manager; nor shall any notice or placard be posted within the park other than by authority of the Borough Manager.
- F. Set up any booth, table or stand for the sale of any article or service whatsoever within the limits of the park without permission of the Borough Manager; distribute, sell, service or rent any services or commodity or solicit for any purpose without permission of the Borough Manager.
- G. Operate, stop or park any vehicle, bicycle or other means of conveyance except in areas where permitted or designated by proper authority of the Borough of Hollidaysburg, or operate the same in a reckless or negligent manner as to become a nuisance to other area users.
- H. Operate commercial vehicles, unless providing authorized services.
- I. Bring onto the premises, possess or consume any alcoholic beverage, except in special instances where lands are leased for the development and operation of public services and accommodation or illegal drugs of any kind; no person shall enter the park in an intoxicated state or otherwise be under the influence of alcohol or illegal drugs. [Ord. 761]
- J. Carry or discharge any firearm, rifle or shotgun, slingshot, firecracker, firework or other missile propelling instrument or explosive or arrow, or other dangerous weapon, to include but not be limited to a knife, cutting tool, numchuka, or any other tool, instrument or implement capable of inflicting serious bodily harm or which have such properties as to cause annoyance or injury to any person or property, unless permission has been granted by the Borough Manager in designated areas; police officers in the performance of their duties will be exempt from these provisions.
- K. Disrobe or change clothing except in buildings or facilities made available for that purpose.
- L. Disturb the peace by any conduct so as to annoy any other person using the park for recreational purposes.
- M. Operate a snowmobile, minibike, motorcycle, or any vehicle, recreational or otherwise, except on designated roads, trails or areas set aside for their use.

- N. Use threatening, abusive, insulting, profane or obscene language, or words or gestures.
- O. Commit any disorderly or immoral acts.
- P. Hold any public meeting or rally with more than five persons or engage in any marching or driving as members of a military, political or other organization without permission of the Borough Council, which requires a statement of information, including the name, of the organization, its purpose, number of persons expected to be invited, expected duration and name(s) of person(s) in charge.
- Q. Disobey a proper order of a police officer, or disobey or disregard or fail to comply with any rule or regulation, warning, prohibition, instruction or direction given by an authorized person and posted or displayed by sign, notice, bulletin, card, posted, or when notified or informed as to its existence by the police officer or any other authorized employee of the Borough of Hollidaysburg.
- R. Hunt for, capture or kill, or attempt to capture or kill, or aid or assist in the capturing or killing of, in any manner, any wild bird or wild animal of any description, either game or otherwise, and to that end, it is unlawful for any persons to carry onto or possess in any park a shotgun or rifle or pistol or firearm of any make or kind unless specific permission is granted for a designated area by authority of the Borough of Hollidaysburg.
- S. Allow pets to run at large out of control or defecate or otherwise commit a nuisance pursuant to Chapter 2, Part 3, §304. [Ord. 761]

(Ord. 749, 8/21/1997, §3; as amended by Ord. 761, 7/1/1999, §§1-3)

#### **§104. Reservation for Specific Uses.**

The use of all parks shall be on a first come, first served basis unless otherwise reserved:

- A. By annual permission granted by the Borough Manager for the scheduling of various league games or similar events. [Ord. 761]
- B. For school or college athletic games, practices, contests or exhibitions.
- C. For regularly scheduled school district or municipal recreation programs or other public purposes by permission granted by the Borough Manager. [Ord. 761]
- D. By permission granted by the Borough Manager for a specific requested use and subject to a fee as set by Borough Council by resolution. [Ord. 761]

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(Ord. 749, 8/21/1997, §7)

### **§105. Authorization to Promulgate Rules.**

The Borough Manager is hereby authorized to establish and promulgate additional rules and regulations as may be necessary to carry out the purposes of this Part 1 of Chapter 16 of the Hollidaysburg Code of Ordinances. (Ord. 749, 8/21/1997, §5; as amended by Ord. 761, 7/1/1999, §7)

### **§106. Authority to Close Areas.**

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 Manager. (Ord. 749, 8/21/1997, §6)

### **§107. Enforcement.**

The Borough Manager of the Borough of Hollidaysburg shall cause the enforcement of the provisions of this Part and of any rules and regulations promulgated pursuant to this Part. (Ord. 749, 8/21/1997, §7; as amended by Ord. 761, 7/1/1999, §8)

### **§108. Penalties.**

Any person, firm or corporation who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine of not more than \$1,000, and/or to imprisonment for a term not to exceed 90 days. (Ord. 749, 8/21/1997, §8)