

ORDINANCE NO. ___

AN ORDINANCE TO AMEND CHAPTER ___ OF THE CODE OF ORDINANCE, PART 1, USE OF PUBLIC PARKS AND PLAYGROUNDS TO ADD RULES AND REGULATIONS GOVERNING THE MULTI-USE TRAIL AT WALKING PURCHASE PARK.

Deletions are Strikethrough
Additions-Bold-Underlined language

Part 1

Use of Public Parks and Playgrounds

§101. Purpose

It is the intent, purpose and scope of this Part 1 to ensure the preservation of outdoor public parklands, outdoor recreation facilities and outdoor playground areas within the Township of Salisbury for the perpetual enjoyment of the residents of the Township of Salisbury, to regulate activities within these areas consistent with the enjoyment of natural settings and park facilities and to prevent any nuisances to the residents of the Township of Salisbury in the use of such public parklands, recreation facilities and playground areas or in the enjoyment of private property adjacent to such areas.

§102. Definition of "Township."

As herein used, "Township" shall mean the Township of Salisbury, Lehigh County, Pennsylvania.

§103. Definitions of "Public Park" and "Public Playground."

As herein used, "public park" and "public playground" shall mean any park or playground owned or leased by the Township of Salisbury and made available to the public for park or recreational purposes, unless otherwise stated.

§104. Park and Playground Hours.

All public parks and playgrounds shall be open only during the period from 1/2 hour after sunrise to 1/2 hour after sunset, and no person shall go into or upon any public park or playground after 1/2 hour after sunset except for special occasions recognized and authorized by a duly authorized Township official or **as noted in the additional park regulations in §112 below**. The recreation places shall be open to the public from **May 1**

April 1 through October 31 November 30 of each year and from dawn till dusk each day. Pavilions shall not be available during the annual summer playground program. The recreation places shall be closed to the public from ~~November~~ December 1 through ~~April~~ March 30 of each year. Any person or persons found within said recreation places when same are closed as provided in this Part 1 shall be guilty of violating this Part 1.

§105. Vehicle Regulations.

No person shall drive or park any automobile, motorcycle, or other type of motor vehicle of any kind in, on, or upon any public park or playground except upon streets, roadways, or parking areas constructed or designated for such driving or parking and not posted with signs providing otherwise. No person shall drive or park any automobile, motorcycle, or other type of motor vehicle of any kind in any part of any public park or playground, including any parking lot or area provided for parking in connection with such public park or playground, at any time when such public park or playground is not open as provided in §104 of this Part 1.

§106. Property Destruction.

No person shall, within any public park or playground, pick any flowers or shrubbery; cut, injure or destroy any trees, shrubbery or plants; or willfully mark, deface, disfigure, injure, tamper with, displace, or remove any building, bridges, tables, benches, fireplaces, fountains, railings, paving or paving material, waterlines, sewer lines, signs, notices or placards (whether temporary or permanent), monuments, stakes, posts, or other boundary markers, or any other equipment, structures, utilities or facilities, or appurtenances thereto, whether real or personal, in or on any public park or playground.

§107. Littering Prohibited.

No person shall bring or leave, dump or deposit any bottles, broken glass, ashes, paper, boxes, cans, dirt, rubbish, paper, waste, garbage, or refuse, or other trash in or on any public park or playground except to place the same in proper receptacles where such are provided. Where receptacles are not so provided or have no remaining unused capacity, all such rubbish or waste shall be carried away from the park or playground by the person responsible for its presence and properly disposed of elsewhere.

§108. Rest Room and Washroom Regulations.

No person shall do anything in or to any rest room or washroom or part thereof at any public park or playground for which the same was not intended and/or which results in an unsanitary condition.

§109. Age Restriction on Use of Rest Room Facilities.

No person over the age of six years shall use or go into any rest room or washroom at any public park or playground designated for use by the opposite sex.

§110. Fires.

No person shall build a fire in or on any public playground, and no person shall build a fire in or on any public park except in fireplaces provided for that purpose or in grills brought to the park for that purpose as approved for use by the Township, and such approval shall be noted on the permit.

§111. Animals.

No person shall bring any animal upon any public park or playground, with the following exceptions:

- A. Dogs necessary for assistance to vision-impaired or otherwise physically disabled individuals who require the aid or assistance of a trained dog.
- B. Animals used in connection with, or participating in, activities or programs sponsored or authorized by the Township as part of its recreation program.
- C. Properly licensed dogs are permitted in specifically designated parks marked with signage when the dogs are controlled by a leash. Owners/handlers of such dogs shall be required to immediately remove any feces caused by the animal and to place it in a non-leaking container for deposit in a trash or litter receptacle.

§112. Rules and Regulations Governing Township Parks and Recreation Areas.

The Salisbury Township recreation places are for the benefit and pleasure of the residents of the Township of Salisbury, Lehigh County, Pennsylvania, and all persons who use the said facilities shall be subject to the rules and regulations as set forth below:

- A. Any of the listed acts are prohibited within any Salisbury Township park or recreation place unless noted otherwise:
 - (1) Committing any disorderly act. A person is guilty of committing a disorderly act if, with intent to cause public inconvenience, annoyance or alarm, or recklessly creating a risk thereof, he/she engages in fighting or threatening, or in violent or tumultuous behavior, makes unreasonable noise, or uses obscene language or makes an obscene condition by any act which serves no legitimate purpose of the actor.
 - (2) Consuming any alcoholic beverages.

- (3) Being visibly intoxicated.
- (4) Carrying, setting off, or discharging any firearms, air rifles, air pistols, slingshots or fireworks, including sparklers.
- (5) Throwing or propelling stones or missiles of any kind.
- (6) Permitting animals of any kind to be within such recreation places, whether or not under control or leash, unless otherwise posted.
- (7) Littering, throwing, depositing or draining any offensive or unwholesome substances or liquids of any kind.
- (8) Writing, painting, carving, or otherwise defacing or disfiguring any tree, bench, structure or notice posted within the recreation places.
- (9) Operating a licensed motorized vehicle on other than the paved roadways of parking areas of said recreation places. On-street parking prohibitions shall be strictly adhered to.
- (10) Operating a licensed motorized vehicle on the paved roadways or parking areas of said recreation places at a speed in excess of 10 miles per hour.
- (11) Operating a bicycle, skateboarding, or rollerblading in playground areas or operating an unlicensed motorized vehicle or remote-control planes and/or cars.
- (12) Obstructing, in any way, either totally or partially, any of the paths or roadways in said recreation places.
- (13) Picking or carrying any flowers, shrubs or trees that are growing or located in the recreation places.
- (14) Possessing any axe, saw, picks, shovels, hoes or spades.
- (15) Building, starting or lighting any fires, except within the grills provided.
- (16) Feeding of any geese or waterfowl or injuring or destroying any wildlife, where applicable.
- (17) Hitting or driving golf balls or playing baseball, tennis, football, or any other game or sport at a place not designated for that purpose.
- (18) Using any sound-amplification devices, **unless specifically authorized in the permit application for the use of fields.**
- (19) Erecting any amusement structure, devices or rides.

- (20) Washing or repairing of motor vehicles.
 - (21) Hunting, unless otherwise specified.
- B. The following additional rules are applicable to the specific parks as noted below:
- (1) River Road Park.
 - (a) The pavilion shall be reserved to parties not to exceed 15 persons.
 - (2) Laubach Park.
 - (a) The pavilion shall be reserved to parties not to exceed 60 persons.
 - (3) Franko Farm Recreation Area.
 - (a) Pavilion No. 1 shall be reserved to parties not to exceed 40 persons.
 - (b) Pavilion No. 2 shall be reserved to parties not to exceed 64 persons.
 - (c) Dogs on a leash are permitted.
 - (d) Hunting is permitted by permit only during periods as approved by the Township.
 - (4) Lindberg Park.
 - (a) The pavilion shall be reserved to parties not to exceed 90 persons.
 - (5) Devonshire Park.
 - (a) The pavilion shall be reserved to parties not to exceed 50 persons.
 - (6) Green Acres Park.
 - (a) The pavilion shall be reserved to parties not to exceed 40 persons.
 - (b) Grills shall not be allowed in the park unless approved by the Township.
 - (c) All garbage shall be disposed of in accordance with §106.
 - (d) Operating a licensed motorized vehicle on other than the paved roadways or parking areas of said recreation places shall be prohibited. On-street parking prohibitions shall be strictly adhered to.

(7) Walking Purchase Park

The following uses apply at Walking Purchase Park:

Allowed Uses:

- **Hiking**
- **Bike Riding**
- **Leashed Dogs**
- **Canoeing(In accordance with State Regulations)**
- **Fishing(In accordance with State Regulations)**

Prohibited:

- **Alcohol**
- **ATV'S**
- **Motorized Bikes**
- **Dumping and Littering**
- **Fires, unless camping**
- **Fire Alarms/Target Shooting**
- **Overnight, unless permitted**
- **Paint ball**
- **Removal of any artifacts**
- **Overnight Parking**
- **Soliciting**

Permit/Approval

- **Camping**
- **Clean ups**
- **Overnight Stay**
- **Bow Hunting(In accordance with State Regulations)**
- **Junior Hunting w/ shotgun(In accordance with State Regulations)**
- **Conservation Projects**
- **Trail Maintenance**
- **Trail Construction Projects (in accordance with WPP Master Plan)**

The following rules shall apply with respect to the use of the approved singletrack trail system currently at Walking Purchase Park, as shown in the attached Exhibit "A", hereinafter referred as the "Trail"

The approved singletrack trail system is available for allowed uses year round.

Bicycle(Including Mountain Bikes)

All bicycle riders shall obey traffic signs, laws, and control devices regulating the operation, stopping, or parking of vehicles. Bicycle riding will be governed further by safe riding practices and consideration for use of park areas by others. Where special parking provisions have been made for bicycles, parking will be limited to that area. Bicycle riding shall be prohibited: on playgrounds, on maintained park areas, including grass (except as authorized and permitted by the Township), in areas of environmental sensitivity, in special display areas, in pavilion or other monument type structures, in any area where other activities are in progress, or in any area where specifically restricted. Bicycles riding shall only be allowed on the Trail system. ~~Only limited off-trail use of bicycles will be permitted in the Walking Purchase Park system, and only where expressly designated and posted.~~

Trail Use and Hours of Operations- The Walking Purchase Park Multi-Use Trail is designated for the enjoyment of all residents and will be open for appropriate use as posted by the Township. Bicycles use are exclusively limited on designated single tracks trails from dawn until Dusk(or 9/10 p.m. in the Fall and Winter months). ~~Bicyclists are required to use an appropriate frontal light throughout their entire visit in the park after dusk.~~

~~“Bushwacking” or riding of bicycles through the wilderness area is forbidden. Bicycles will not be allowed during inclement weather and winter related uses~~

Do not cut switchbacks or create new trails. Stunt building or any other trail manipulation is prohibited. Possession of handsaws, chainsaws, loppers, shovels, rakes, or any other trail clearing or building tool or material is prohibited, ~~except for permitted/approved uses.~~

Visitors assume all risks, and must be reasonably prepared and equipped, take reasonable precautions against endangering themselves or others and must wear appropriate footwear and clothing.

No person may deface, paint, damage, mutilate, or vandalize any natural or cultural object, or any sign or structure within the Walking Purchase Park conservation area. Possession of paint or marking materials, or tampering with, altering, or removing any sign, marker, or structure, is prohibited. Driving nails or permanently installing any object is prohibited.

Visitors are responsible for carrying out all their refuse (including all wrappers, packaging, bottles, cans, cigarette butts, pet waste, etc.) and are encouraged to reduce, reuse, and recycle these items when possible.

All wildlife, plant life, artifacts and any other natural or man-made features are protected and may not be disturbed or removed (unless regulated with permit). Harassment of wildlife is illegal in Pennsylvania; do not approach, follow or feed wildlife. Releasing or introducing any animal is prohibited. Please leave rocks, wildflowers, and other plants or natural objects as you find them. Do not disturb wetlands or vernal pools. Metal detectors are not allowed.

Registration of Bicycles- In order to compile a list of potential bicycle users of the multi-use trail, the Township shall institute a registration program that will allow Emergency personnel to assemble pertinent information on the users of the Trail. The Township shall not charge a fee for this registration. The Township shall work towards the implementation of an Emergency Evacuation Plan to aid emergency personnel in cases of emergency rescues. The owner(s) of the bicycle(s) shall also sign a Waiver of Liability and Release the Township and other co-owners of the Park from any liability associated with this program for personal injury, death or property damage, including attorney's fee.

Rules of the Trail-The Township adopts the following rules of the trail, formulated by IMBA, the International Mountain Bicycling Association. These rules are recognized around the world as the standard code of conduct for mountain bikers. IBMA's mission is to promote mountain bicycling that is environmentally sound and socially responsible.

Ride On Open Trails Only.

Respect trail and road closures - ask if uncertain; avoid trespassing on private land; obtain permits or other authorization as may be required. The way you ride will influence trail management decisions and policies.

Leave No Trace.

Be sensitive to the dirt beneath you. Recognize different types of soils and trail construction; practice low-impact cycling. Wet and muddy trails are more vulnerable to damage. When the trailbed is soft, consider other riding options. This also means staying on existing trails and not creating new ones. Don't cut switchbacks. Be sure to pack out at least as much as you pack in.

Control Your Bicycle!

Inattention for even a second can cause problems. Obey all bicycle speed regulations and recommendations.

Always Yield Trail.

Let your fellow trail users know you're coming. A friendly greeting or bell is considerate and works well; don't startle others. Show your respect when passing by slowing to a walking pace or even stopping. Anticipate other trail users around corners or in blind spots. Yielding means slow down, establish communication, be prepared to stop if necessary and pass safely.

Never Scare Animals.

All animals are startled by an unannounced approach, a sudden movement, or a loud noise. This can be dangerous for you, others, and the animals. Give animals extra room and time to adjust to you. When passing horses use special care and follow directions from the horseback riders - ask if uncertain. Running cattle and disturbing wildlife is a serious offense. Leave gates as you found them, or as marked.

Plan Ahead.

Know your equipment, your ability, and the area in which you are riding -- and prepare accordingly. Be self-sufficient at all times, keep your equipment in good repair, and carry necessary supplies for changes in weather or other conditions. A well-executed trip is a satisfaction to you and not a burden to others. Always wear a helmet and appropriate safety gear.

Gear Up

Always wear a helmet and any other appropriate safety equipment for the riding conditions(cell phones, compass, etc...).

Never Ride Beyond Your Abilities

There is no shame in walking sections of the trail you don't feel confident enough to ride, and don't let anybody tell you otherwise.

Use Appropriate Equipment for the Terrain

Some bikes are better for different situations. Just because you can see tire tracks, doesn't mean you can ride it with your bike.

Keep Your Speed In Check

Always keep your speed at a level that will allow you to adjust to any unforeseen obstacles or changes in trail conditions.

Know The Trail

Never push the limits on a trail you are not familiar with. You need to get to know the trail you are riding at slower speeds before you can ride it like the trails you're used to.

Slow Down for Blind Corners

You never know what or who is around a corner when you can't see past it.

Stop and Look

Stop and look at sections of the trail that look like they may pose a challenge before you ride them.

Plan on the Crash

Always look at the consequences of crashing in a particular section or on a particular stunt before trying to ride through it. Sometimes a section can look easy to ride but can have deadly consequences to a crash.

Start Small, Go Big

Work your way up to obstacles and stunts. Find ways to practice moves in less difficult and dangerous situations or at lower speeds before committing yourself to something more dangerous.

Play It Smart

If you think what you are doing is not the smartest, you are probably right. Think about what you are doing and trust your instincts.

Additional Rules and Regulations may be promulgated by Resolution by the Township Manager and enforceable by the Police Department once approved by the Board of Commissioners and conspicuously posted at entry point to the Walking Purchase Park.

§113. Penalties.

Any person or persons who violate any provision or prohibition of this Part 1 shall be guilty of a summary offense and, upon conviction thereof, shall be sentenced to pay a fine of not more than \$300, together with costs of prosecution, and in default of payment thereof to undergo imprisonment for not more than 90 days.

(Ord. 206, 2/23/1978; as amended by Ord. 11-88-303, 11/22/1988; and by Ord. 08-2009-549, 8/27/2009)