

ORDINANCE NO. 316
DUBLIN BOROUGH
BUCKS COUNTY, PENNSYLVANIA

AN ORDINANCE OF THE DUBLIN BOROUGH COUNCIL DEFINING AND ESTABLISHING REGULATIONS FOR THE USE OF PARKS AND RECREATIONAL FACILITIES AND OTHER LANDS OWNED BY DUBLIN BOROUGH; FIXING THE HOURS OF THEIR USE; PROHIBITION OF CERTAIN CONDUCT THEREIN; REQUIRING RESERVATIONS FOR SPECIFIC USES; AUTHORIZING ADDITIONAL REGULATIONS AND THE CLOSING OF FACILITIES UNDER CERTAIN CIRCUMSTANCES; DESIGNATING ENFORCEMENT OFFICER; AND PRESCRIBING PENALTIES FOR VIOLATION.

The Dublin Borough Council hereby ordains:

Section 1. Definitions:

As used in this Ordinance, the following terms shall have the meanings indicated, unless a different meaning clearly appears from the context:

24-HOUR PERIOD -

A 24-Hour Period shall be defined as a day of the week. For example: Monday would be considered a 24-Hour Period.

ATHLETIC FIELDS -

Little League Baseball/Softball Field

Supplee Park contains a baseball/softball athletic field, identified as the area bounded by the baseball backstop, foul pole screens and benches, the clay infield, extending to the turf outfield area between the foul pole lines, contained interior to the blacktop walking path.

Dimensions are based on the specifications established by Little League International. The distance between base paths are 60 feet. The distance from the back of home plate to the outfield is 200 feet. **This field is designated ONLY for the play of children 12-year-olds and below in baseball or softball. No use is permitted for 13-year-olds or above, including adults.**

Multi-Sport Athletic Field

Supplee Park contains a multi-sport athletic field, identified as the area bounded by the turf area between the baseball foul pole lines with a width that does not encroach on the clay infield of the baseball athletic field and is contained interior to the blacktop walking path.

Both fields overlap and utilize the same area of Supplee Park. Simultaneous, ORGANIZED use of both fields is prohibited.

GROUP-

Any number of people sharing something in common, such as an interest or belief, or athletic competition, or organizational charter, this includes participants, spectators, referees or umpires, adult and youth sport leagues, associations or partnerships.

INDIVIDUAL -

A specific person, not part of any group.

NON - RESIDENT-

Is an individual who resides outside of the Borough, or a group whose business address is outside of the Borough or conducts their primary group activities at a location outside the Borough boundaries.

NOT FOR PROFIT or SERVICE ORGANIZATION -

Recognized organizations or groups, associations legally organized as a non-profit or service organization, will be charged the Resident fee charges, regardless of residency or location of activities.

OTHER FACILITIES -

Dublin Borough Municipal Building public meeting room, or other public meeting places owned by Dublin Borough

PARK, PARKS OR PARK SYSTEM-

Any and All land or facilities owned or leased by the Borough of Dublin and designated or used for park or recreation purposes.

PARK AMENITIES -

Athletic fields, athletic courts, pavilions, open grass/lawn areas, picnic tables, barbeque grills, benches, portable bathroom(s), walking trails within Supplee Park.

PARK USE PERMIT-

The original written authorization issued by the Borough of Dublin granting permission for the use of a requested facility.

PAVILIONS-

Supplee Park contains two pavilions or recreation structures, within the park; the larger pavilion, **Pavilion A** is adjacent to the northern parking lot and basketball courts. The smaller pavilion, **Pavilion B** is adjacent to the walking path in the easterly corner near the water tower. For rental purposes, only **Pavilion A** is considered a rentable facility requiring a Permit Rental Request. **Pavilion B** is considered a first come- first serve basis facility.

PERMIT RENTAL REQUEST-

All users desiring the exclusive use of any portion of the Park Amenities, Pavilion, Athletic Fields(s), or other facilities must complete and submit the required Park Use Application with any required fees as established by the Borough Fee Resolution and as amended from time to time and or deposits, to the Borough Manager, or their designated representative.

RESIDENT-

Is an individual, a business, or a group/ organization that resides within the Borough boundaries or conducts their primary group activities at a location within the Borough boundaries.

RENTAL PERIODS -

Subject to the limitations of the Park Rules & Regulations regarding Park hours, a Rental Period is any six (6) hour period of time. The Rental period includes time for set-up and time for clean-up.

RULES AND REGULATIONS -

Any rules and regulations hereby or hereafter promulgated by Borough Council under

the authority herein conferred.

SPORTS SEASON -

A sport season is determined as follows:

- SPRING SEASON: March through Mid-June (Weather Permitting)
- SUMMER SEASON: Mid-June through Mid-August
- FALL SEASON: Mid-August through Mid-November

TYPES OF USE -

The Types of Use are designed to extend the useful character and the facilities the Borough has installed. It is also designed to reduce the unintended consequences of activity taking place on the Park Athletic Field to residents and their property in the immediate area of the Park Athletic Field and to provide other Users with greater accessibility.

Pick-up - an unplanned gathering where people respond to an event as it occurs. This is a casual game played for fun without coaches or sport coordinators present; it is informal with no prior scheduling or coordination.

Semi- Organized - individual or group existing on a small, informal scale and involves minor coordination. The frequency of use will be a determining factor as to the groups' status more so than the actual number of participants. The frequency eligible for this designation would be no greater than 1 (one) event per week within a **sport season**.

Organized - existing on a large scale and involving the systemic coordination of many different groups, or locations. Groups may be part of a league, with a planned sport schedule. This designation can include individuals or groups offering a sports program, camp, clinic or private instruction. The frequency eligible for this designation would be no greater than 2 (two) weeknight events and 1 (one) weekend event per week.

This **Organized Use** of the baseball athletic field is restricted in order to reduce the unintended consequences to residents and their property in the immediate area of the Park Field. This limitation is applicable to permit request use and non-permit use.

Section 2. Application Process:

- a. All applications for park use permits shall be made upon the official park use application form designated by the Borough and shall be accompanied by the required fees, when applicable. No other form shall be accepted. Applications are available at the Borough office during normal business hours.
- b. Park Use Permits Issued must be available for inspection by a Borough employee or representative at all times during park occupancy.
- c. Park Use Applications for field use must be submitted at least a month prior to the season for organized and semi-organized sports. All other uses must submit the field use application at least 5 (five) business days prior to desired date of use. Any applications submitted less than the required submission days, are not guaranteed to be granted.
- d. It is the policy of Dublin Borough Council to make its fields first available to groups and organizations representing Dublin Borough residents, or with the greatest percentage of Borough residents, and in consideration of the varied uses, age groups, and blending of uses.
- e. All Applicants must execute the Hold Harmless Agreement section of the Park Use Application.

- f. Proof of Insurance, listing Dublin Borough as an additional insured, should be submitted along with the Park Use Application and must be submitted prior to issuance of a park use permit by the Borough for the use of all athletic fields. All groups and/or organizations applying for a park use permit are required to carry a minimum \$1,000,000 for liability coverage.
- g. All persons applying for a park use permit on behalf of a club, team or organization must submit a signed verification (on a form provided by the Borough) stating that the club/team/organization is in full compliance with Pennsylvania's Child Protective Services Law.
- h. A person applying for a park use permit must be at least 18 years of age.
- i. A group, entity or person to whom the park use permits are issued will be held responsible for the actions and conduct of all those associated with the permit holder and with the authorized facility use.
- j. Persons in receipt of a park use permit may not prevent other park system users from making use of the available facilities that are not covered by the park use permit.

Section 3. Reservation for Specific Uses:

All Dublin Borough Parks are available for public use in accordance with approved Park Rules and Regulations on a first come - first serve basis, subject to the requirements of this Ordinance. If any Park Amenities are in use and an individual or group presents an approved Permit Rental Request, the individual or group with the Permit will be given complete and unencumbered use of the Park Amenities indicated on the Permit.

SCHEDULING PRIORITY:

Application for Facility Use Forms shall be submitted to the Borough Administration Office during normal business hours of 8:30 am to 4:30 pm or as posted. **COMPLETED** Applications will have the date and time documented immediately upon receipt. In the event two (2) applications for facility use are submitted for the same date and time, the reservation will be granted on the first come, first serve basis based on the documented date and time listed on the application insofar as the Application process has been completed and a permit has been issued.

Dublin Borough Residents shall have priority for the reserving of all park amenities (athletic fields, athletic courts, pavilions, open grass/lawn areas within a park, etc.) and other facilities, including Dublin Borough Municipal Building public meeting room pending scheduling availability. As such, if 2 or more applications are pending and a permit **has not been issued** for the same date and time, Dublin Borough Residents shall have priority insofar for the issuance of a permit insofar as the residents completes the application process within 72 hours of initial submission. If a permit has already been issued to a non-resident, the subsequent application of a Borough for the same date and time will not have a priority and the application will be returned.

RESERVATION AND USE PERMIT PRIORITIES:

When all appropriate and completed application forms and user fees have been submitted to the Borough, permission may be granted by the Borough Manager or designee to user groups based on the following priority order:

1. Dublin Borough Residents and their families;
2. Activities planned, organized and/or sponsored by the Dublin Borough, the Park & Recreation Space Committee;
3. For Dublin Borough based organizations such as youth sporting or athletic organizations, church CYO programs or other Dublin Borough based civic, non-profit, or volunteer organizations;
4. For Non - Resident requested use from user groups not based in Dublin Borough or not referenced in above items 1 through 3.

Section 4. Park Rules and Regulations:

Park Hours:

All parks shall be opened daily to the public as such hours as Borough Council may, from time to time designate by resolution, but in no event shall any person be permitted to be in attendance in any park between one hour after sunset and one hour before sunrise, unless special permission is granted by Borough Council.

Prohibited Conduct:

No person in attendance at a park shall:

1. Injure, deface, remove, cut or damage any of the trees, plants, shrubs, turf, buildings, structures, athletic fields or equipment, signs or fixtures, or any other property of Dublin Borough located within the park and approaches thereto.
2. Litter any area of the park with trash, garbage, paper, bottles, cans or other waste material including animal waste; nor dispose of the same in any way except in receptacles designated for such purpose. Additionally, no bringing into the parks or dumping of domestic trash, lawn debris, grass clippings, tree stumps, or other vegetation is permitted.
3. Light or maintain any fire in the park except in fireplaces or areas specially designated for that purpose and located by authority of Borough Council.
4. Remove any structures, benches, seats, tables or other appliances from the Park System.
5. Injure, deface, or destroy or remove any signs, notice, bulletin, card, poster or rule or regulation posted at any place within the park by authority of Borough Council; nor shall any notice or placard be posted within the park other than by authority of said Board.
6. Set up any booth, table or stand for the sale of any article or service that provides a

personal financial gain whatsoever within the limits of the park without permission of Borough Council; distribute, sell, service or rent any services or commodity or solicit for any purpose without permission of Borough Council.

7. Operate, stop or park any vehicle, except in areas where permitted or designated by proper authority of Borough Council, or operate the same in a reckless or negligent manner or in excess of any posted speed limit or in such a manner as to become a nuisance or safety hazard to other area users.
8. Operate commercial vehicles, unless providing authorized services.
9. Bring onto the premises, possess or consume any alcoholic beverage, illegal drug or narcotic of any kind; no person shall enter the park in an intoxicated state or otherwise be under the influence of alcohol, illegal drugs and/or narcotics. Provided however that the prohibition against the consumption of alcohol shall not apply to an event sponsored by the Borough insofar as the alcohol consumed is purchased from a vendor duly authorized by the Borough to sell liquor at such event, and further, that the alcohol is consumed in an area designate for alcohol consumption.
10. Discharge firecrackers or fireworks unless permission has been granted by Borough Council in designated areas., and a permit for such activity has been issued
11. Operate a snowmobile, mini-bike, motorcycle, All-Terrain Vehicle (ATV) or any motorized vehicle designed to move people, recreational or otherwise, except on designated roads, trails, or parking areas set aside for their use. Equipment used by individuals with physical disabilities or ailments are permitted.
12. Riding horses in any park, unless specific permission has been granted by Borough Council.
13. Build, erect, plant, dump or cultivate upon lands within the park system or otherwise use lands within the park system, donated lands or other land owned by the Borough. This includes any structures (sheds, playgrounds or play equipment, play houses, swing sets, storage bins, etc.), gardens, compost heaps, yard waste and tree limbs or any other personal usage of Borough park(s), donated lands or other land owned by the Borough.
14. No person shall camp or picnic except in such areas as are provided and/or designated for such purposes within the park system.
15. Disobey a proper order of a police officer, fail to comply with any rule or regulation, or prohibition posted or displayed by sign, or notice.
16. Hunt for, capture, 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, See Rule #10
17. Hit golf balls anywhere in the park, play horseshoes (except where may so designated), or conduct any other activity upon athletic fields which would tend to injure, deface, remove, cut or damage any of the field turf.

18. No person shall bring any domestic animal or fowl into the Borough park(s), donated lands or other land owned by the Borough unless the property is clearly designated for such a purpose and then only when the domestic animal or fowl is tethered on a six (6') foot or shorter leash. No person shall use any fenced area or enclosure such as a baseball field or tennis court to release or run their animal off leash. Individuals are responsible for all waste left by any animal under their control/ownership. Persons shall clean up and dispose of animal waste in trash receptacles designated for such purpose.
19. Persons shall not conduct themselves in a manner that is a nuisance and disturbs the peace & good order in the park system. Regulations provided in State Laws and the Dublin Borough Code of Ordinances apply to all visitors in the Borough Park System.
20. Noise. No person shall: Use a loudspeaker, public address system or amplifier within the park system without first obtaining written permission from the Borough.
 - a. No person shall play or cause to play any radio, phonograph, tape recorder, television, stereo, or any future undefined electronic device etc. in a loud or boisterous manner as defined in Dublin Borough Code.
21. Use threatening, abusive, insulting, profane or obscene language or words.
22. Commit any disorderly or immoral act.
23. Violate any amendments of these Rules and Regulations which may be established or amended from time to time by Resolution of Borough Council

Section 5. Authorization to Promulgate Additional Rules:

Borough Council is authorized to establish additional rules and regulations as deemed necessary from time to time, by Resolution.

Section 6. Authority to Close Areas:

Recreation facilities which become hazardous for public use due to vandalism, weather, water, fire, repair/maintenance or athletic turf rejuvenation or any unforeseeable conditions may be closed only at the discretion of Dublin Borough. Any individual is advised to notify the Borough if a hazard exists.

Section 7. Enforcement:

The Police Officers of Dublin Borough are charged with enforcement of the provisions of this Ordinance and any rules and regulations promulgated by the Borough Council.

Section 8. Penalties:

Any person who violates or permits a violation of this Ordinance shall, upon conviction in a proceeding brought before a District Justice under the Pennsylvania rules of Criminal Procedure, be guilty of a summary offense and shall be punishable by a fine of Two Hundred Dollars (\$200.00), plus an assessment for any damage done to the park property plus costs of

prosecution, including attorney's fees, in default of payment thereof, the defendant may be sentenced to imprisonment for a term not exceeding 90 days.

Section 9. Chapter 6, Section 201 regarding "Possession of Open Containers or Consumption in Public, is hereby amended to read as follows:

No person shall have on or about his person, possess, carry or transport liquor, wine, beer, or other alcoholic beverages in open containers in or upon any public sidewalk, street, parking lot, shopping center, public park, playground, or any other public place, in the Borough of Dublin. And further, no person shall drink or consume liquor, wine, beer or other alcoholic beverages in or upon any public sidewalk, street, parking lot, shopping center, public park, playground, or any other public places in the Borough of Dublin. Provided, however, that this prohibition against open containers or the consumption of alcohol in public shall not apply to the sale and consumption of liquor at a Borough sponsored event, insofar as the liquor is sold by a vendor duly authorized by the Borough to sell liquor at the event, and further that the liquor is consumed in an area designated by the Borough for the consumption of liquor.

Section 10. Repealer:

All Ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed. The following Ordinance or parts thereof are specifically repealed.

Section 11. Severability:

If any sentence, clause, section or part of this Ordinance is for any reasons found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity, shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared as the Intent of Dublin Borough Council that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

Section 12. Effective Date:

This Ordinance shall become effective five (5) days after enactment.

DULY ENACTED and ORDAINED this 29th DAY OF MAY, A.D. 2018, by the Borough of Dublin Council, Borough of Dublin, Bucks County, Pennsylvania in a lawful session duly assembled.

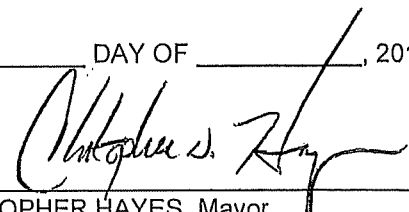
ATTEST:

DUBLIN BOROUGH COUNCIL


ANGELA F. BENNER, Secretary


JEFFREY SHARER, President

APPROVED THIS _____ DAY OF _____, 2018


CHRISTOPHER HAYES, Mayor