

§ 170-8. Prohibited activities.

The following are violations of this chapter and subject the violator to park exclusion pursuant to § 170-9, and to the penalties set forth in § 170-11:

- A. The posting of signs, posters and notices, including the use, placement or erection of any signboard, sign billboard, bulletin board, post, pole or device of any kind for advertising or notification in any park or to attach any notice, bill, poster, sign, wire, rod or cord to any tree, shrub, railing, post or structure within any park, except as may be expressly permitted by the Manager. **[Amended 12-17-2012 by Ord. No. 11-12]**
- B. The distribution of handbills, including the distribution of any handbills, circulars or signs in any park in any manner that interferes with or obstructs the normal passage of people in vehicles. **[Amended 12-17-2012 by Ord. No. 11-12]**
- C. No-trespassing areas; removal or destruction of property; structures or obstruction. Except for duly authorized Department or other Township employees in the performance of their official duties or other persons duly authorized pursuant to law:
 - (1) To enter or go upon any area which has been designated and posted by or under the authority of the Manager as a "no admittance" or "no trespassing" area for the purpose of protecting such area or person or other property from potential harm.
 - (2) To fail or refuse to leave, upon the request of any Township employee, any area no posted as "no admittance" or "no trespassing" but which, because of weather or emergency conditions, cannot be occupied or used without a risk, in the opinion of the Director, of causing potential harm to such area or persons or other property.
 - (3) To remove, mutilate, deface, damage or destroy any public notice, structure, lawn, monument, statue, vase, fountain, wall, fence, railing, vehicle, bench, shrub, tree, geological formation, plant, flower, lighting system, sprinkling system, gate, barricade or lock or other property lawfully in any park or to remove rocks, sand, soil or sod in any park.
 - (4) To place or erect in any park a structure or obstruction of any kind without a permit from the Manager.
- D. Animals shall be prohibited as follows: **[Amended 12-17-2012 by Ord. No. 11-12]**
 - (1) Except as expressly allowed in Subsection D(2), for any person to allow or permit any animal in any park. This prohibition shall not apply to:
 - (a) Any animal used by a person with a disability including, but not limited to, a Seeing Eye or Hearing Ear dog as a disability aid.
 - (b) Animals used by public law enforcement agencies and under control of a law enforcement officer.
 - (c) Wildlife.
 - (2) Horses and domestic pets are permitted within the areas designated by the Manager as

constituting the Bethlehem Township Towpath/Canal Trail under the following conditions:

- (a) Any person who takes a horse or domestic pet into such areas must have physical control of the animal and be responsible and liable for the conduct of the animal.
 - (b) Domestic pets must be controlled by means of an adequate leash.
 - (c) All domestic pets must be licensed and display valid license tags and up-to-date rabies vaccination tags attached in accordance with applicable law.
 - (d) Any person with a domestic pet in his or her possession or under his or her control in such areas shall carry equipment for removing feces and shall remove feces from such areas and dispose of the same in a lawful and sanitary manner.
- (3) The Manager is authorized to prohibit horses and domestic pets within the areas designated in Subsection D(2) on a temporary or permanent basis if in his or her opinion it is determined that such closure is necessary for the preservation and protection of the natural environment, public health or safety. Prior to closing such areas, the Manager shall consult with the Director and the Parks and Recreation Committee.

E. Wildlife and plants. **[Amended 12-17-2012 by Ord. No. 11-12]**

- (1) Wildlife shall not be disturbed except for the duly authorized Department or other Township employees in the performance of their official duties or other person duly authorized pursuant to law to enter or go upon any areas or place in any park designated and posted by the Manager or by appropriate state or federal agencies as a game refuge, sanctuary or reserve (unless designated by the Manager for entry) or to injure, molest or disturb any wildlife thereon, its nests or strike any wildlife with any device or thing or throw or otherwise propel any missile or other object at or in the vicinity of any such wildlife. No person shall pursue, hunt, catch, attempt to catch, strike, molest, wound or kill any bird, animal or reptiles. No person shall use vehicle headlights or spotlights for the purpose of viewing any animal after sunset when the park is not open to the public.
- (2) No person shall:
 - (a) Cut, remove or destroy any tree, sapling, seedling, bush or shrub, or break or remove any branch, foliage, tree or shrub, or pick, gather, uproot, remove or destroy any flower, plant or grass, or chisel, drill or remove any natural stone deposit except with the written permission from the Manager.
 - (b) Remove or cause to be removed or to dig any sod, earth, humus, peat, boulder, rock, gravel or sand except with written permission from the Manager.
 - (c) Hitch, tie, fasten, nail, anchor, screw, or otherwise attach any wire, cable, chain, rope, card, sign, poster, advertisement, notice, announcement, handbill, board, or other articles or device to any post, tree, shrub, rock outcropping or structure except in accordance with a special event permit issued by the Manager.

F. Air pistols, air rifles, air guns, bow and arrow or slingshots, including the use, possessing, or discharging of any air pistol, air rifle, air gun, bow and arrow, crossbows, slingshot or other

device the purpose of which is to propel an object away from the person using it, except at places and times set aside by the Manager as safe for such activity and posted by signs specifying the permitted activity. **[Amended 12-17-2012 by Ord. No. 11-12]**

- G. Firearms. Except for law enforcement officers in the performance of their official duties, no person shall discharge a firearm in any park. **[Amended 12-17-2012 by Ord. No. 11-12 ; 3-16-2015 by Ord. No. 08-15]**
- H. Fireworks, including the use, possession or discharging of any fireworks in any park, except at places and times permitted by the Board of Commissioners of the Township. **[Amended 12-17-2012 by Ord. No. 11-12]**
- I. Hitting or driving golf balls, including hitting or driving of golf balls, except at places and times set aside by the Manager as safe for such activity and posted by signs specifying the permitted activity. **[Amended 12-17-2012 by Ord. No. 11-12]**
- J. Urinating or defecating in any park, except in rest room facilities specifically provided for the purpose. **[Amended 12-17-2012 by Ord. No. 11-12]**
- K. Soliciting, including the solicitation of contributions for any purpose, including charitable, education or scientific purpose in any park. **[Amended 12-17-2012 by Ord. No. 11-12]**
- L. Sale of merchandise, including the sale or attempted sale of any merchandise, liquid, edible or any other tangible or intangible things, right, privilege or claim in any park without having an authorized concession contract or use permit from the Manager. **[Amended 12-17-2012 by Ord. No. 11-12]**
- M. Sound-amplifying devices, including the use of any public address system, loudspeaker or other sound-amplifying device in any park, except as permitted by the Manager for specific events and times or except as necessary for the preservation of public peace or safety. **[Amended 12-17-2012 by Ord. No. 11-12]**
- N. Use of drives, parkways, park boulevards, sidewalks, pathways, and trails; speed limits and obstructions, including riding, propelling, driving, or directing any vehicle over or through any park except along and upon the park drives, in excess of 10 miles per hour where no speed limit is posted or allowing or permitting any vehicle to obstruct any park parkways and park boulevards or to do so at a speed in excess of the posted speed limit, in any parkway, park boulevard, sidewalk, pathway or trail. **[Amended 12-17-2012 by Ord. No. 11-12]**
- O. Areas closed to general vehicular access, including the driving or operating a vehicle in any park or in any area therein which is designated and posted as being closed to general vehicular traffic access, except for the duly authorized Department or other Township employees in the performance of their official duties.
- P. Illegal drugs and controlled substances defined as follows: **[Added 12-17-2012 by Ord. No. 11-12]**
 - (1) No person shall:

1. Editor's Note: This ordinance also redesignated former Subsections P through AA as Subsections S through DD, respectively.

- (a) Consume or possess any illegal drug, drug paraphernalia or controlled substance while in or upon any property within a park.
 - (b) Enter or remain within the park while under the influence of a controlled substance as defined above, except those taken pursuant to the lawful order of a doctor.
- (2) All illegal drugs, drug paraphernalia or controlled substances in any person's possession may be confiscated.
- Q. Personal conduct, defined as follows. No person shall: **[Added 12-17-2012 by Ord. No. 11-12]**
- (1) Engage in any loud, fighting, threatening, violent, tumultuous or abusive behavior or other disorderly conduct tending to create a breach of peace, or to disturb or annoy others, while in or on any property within a park.
 - (2) Use obscene language, or make an obscene gesture.
 - (3) Create a hazardous or physically offensive condition by any act which serves no legitimate purpose of the actor while in or on any property within a park.
 - (4) Engage in any form of sexual activity.
 - (5) Appear in public in a manner that exposes his or her genitalia or buttocks while in or on any property within a park.
- R. Metal detectors or use thereof. **[Added 12-17-2012 by Ord. No. 11-12]**
- S. Testing vehicles, including the operating of a motor vehicle for the purpose of testing it along or upon any park drive, parkway or park boulevard. **[Amended 12-17-2012 by Ord. No. 11-12]**
- T. Certain recreational vehicles, including the operating of any minibike, snowmobile, go-cart or all-terrain vehicle in any park. **[Amended 12-17-2012 by Ord. No. 11-12]**
- U. Restrictions on uses of vehicles in a park when the park is not open to the public, except for duly authorized Department or other Township employees or emergency services personnel in the performance of their official duties, including the following: **[Amended 12-17-2012 by Ord. No. 11-12]**
- (1) To drive or ride in or on any vehicle in any park when the park is not open to the public or when the park, roadway or parking lot is, by order of the Manager, closed to entry or use by vehicles except on a street serving as necessary access through such park to a residential or commercial area.
 - (2) To park or leave a vehicle unattended in any park during hours when the park is not open to the public or when the park, roadway or parking lot is, by order of the Manager, closed to entry or use by vehicles, except pursuant to a permit from the Manager. Vehicles parked or left unattended in violation of this section are hereby declared to be a nuisance and may be impounded in accordance with the provisions of the Pennsylvania Motor Vehicle Code, 75 Pa.C.S.A. § 101 et seq., or similar law or laws

providing for impoundment with or without citation and without prior notice to the owner.

- (3) The prohibitions contained in this subsection shall not apply to a vehicle driven or parked, as the case may be, by a person participating in an activity either conducted by the Department or conducted pursuant to the terms of a permit from the Department.
- V. Permit required for competitions and airborne craft, including engaging in conducting or holding any trials or competitions for speed, endurance, hill climbing or similar competition involving any vehicle, boat or aircraft whether or not such vehicle, boat or aircraft is designed for carrying persons or to operate, launch or land any hang-glider, helicopter, hot-air balloon or other airborne conveyance in any park except pursuant to a permit from the Manager and at specified places and times designated for such activities by the Manager and upon his or her determination that: **[Amended 12-17-2012 by Ord. No. 11-12]**
- (1) Adequate provision has been made to ensure that the health and safety of participants in and spectators of any such activity will not be unduly endangered.
 - (2) Such activities will be conducted in such a manner as to minimize potential damage to public or private property.
 - (3) Such activities will not constitute a public nuisance.
 - (4) Such activities will not unduly interfere with the use of park facilities by the general public.
- W. Park operating hours, including the entering or going upon, or a failing or refusing to leave any park when a park is not open to the public. General park operating hours shall be between sunrise and sunset. The Bethlehem Township Municipal Park at Farmersville Road extend one-half hour before and after operating hours of the Bethlehem Township Community Center, with the exception of Saturdays and Sundays which shall be between sunrise and sunset. In addition to the general park operating hours, the Northside Athletic Complex hours shall extend one-half hour before and after scheduled events. **[Amended 12-17-2012 by Ord. No. 11-12]**
- X. Camping, including the camping in any park except pursuant to a permit from the Manager. **[Amended 12-17-2012 by Ord. No. 11-12]**
- Y. Alcoholic beverages, including the consummation or possession of any alcoholic beverage in any park except pursuant to a permit from the Manager and, as applicable, the Pennsylvania Liquor Control Board. The Manager is authorized to issue permits for the possession and consumption of beer and wine only, for service in nonglass cups or similar containers, to organized groups having a permit for the use of one or more pavilions at the Bethlehem Township Municipal Park on Farmersville Road. **[Amended 12-17-2012 by Ord. No. 11-12]**
- Z. Littering, including the throwing or depositing any refuse or other material in any park, except in receptacles designated for deposit of trash by the public, or to take garbage or refuse to a park for disposal in the park or to deposit garbage or refuse generated outside a park in a receptacle within the park designated for deposit of trash by the public. **[Amended**

12-17-2012 by Ord. No. 11-12]

- AA. Fires, including the igniting, maintaining or using of any fire or to participate in igniting, maintaining or using any fire within any park except in a grill or similar receptacle solely for cooking food or to ignite or to participate in igniting any material or substance in any grill or similar receptacle any material other than fuel for cooking food. **[Amended 12-17-2012 by Ord. No. 11-12]**
- BB. Use of athletic fields and sports courts, except in the following manner: **[Amended 12-17-2012 by Ord. No. 11-12]**
- (1) To use any athletic field or sports court for any purpose not designed or intended for such field or court except pursuant to a permit from the Manager; provided, nevertheless, that athletic fields may be used for any lawful purpose not otherwise prohibited or restricted herein during such times and in such places that such use does not interfere with the use of such field by others either:
 - (a) Having a permit from the Manager reserving the use of such fields.
 - (b) Using such fields for their designed or intended use.
 - (2) It is the intention of this subsection to recognize that sports courts have special surfaces that may be damaged by uses not intended for such surfaces and that the open areas of athletic fields may be used as general park and recreation areas but that such general nonathletic uses shall be subordinate to the designed and intended athletic use of such fields by persons wishing to occupy them for such use.
- CC. Areas reserved for others or scheduled for use by the Department, including the failing or refusing to leave any areas which have been: **[Amended 12-17-2012 by Ord. No. 11-12]**
- (1) Reserved by permit from the Manager for the use of others upon the request of any Township employee or any person to whom such permit has been issued.
 - (2) Scheduled for use by the Department when, in the opinion of the Director, the exclusive use of such area by the Department is necessary to reduce or prevent conflicting uses or activities of others which may substantially interfere with such Department use, upon the request of any Township employee.
- DD. Use without required permit, including the use of a park or conducting of any activity or holding an event in any park for which a permit is required by this chapter or any rules or regulations enacted pursuant hereto, without first obtaining a permit from the Manager. **[Amended 12-17-2012 by Ord. No. 11-12]**