

Chapter 404

PARKS

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[HISTORY: Adopted by the Council of the City of Easton as Art. 941 of the 1965 Codified Ordinances. Amendments noted where applicable.]

GENERAL REFERENCES

Hugh Moore Park Commission — See Ch. 103.

Recreation Board — See Ch. 139.

§ 404-1. Definitions; purpose. [Amended 6-26-1996 by Ord. No. 3447]

A. As used in this chapter, the following terms shall have the meanings indicated:

PARKS — Land owned, leased, maintained or controlled by the City for the purpose of preservation of open parklands, active and passive recreation facilities, and conservation areas. A record of said parks is maintained on file with the City Clerk.

B. It is the intent, purpose and scope of this chapter to ensure the preservation of public parklands, recreation facilities and conservation areas owned by the City; to regulate activities within these areas consistent with the enjoyment of unspoiled natural settings and park facilities; and to prevent any nuisances in the use of such public parklands, recreation facilities and conservation areas.

§ 404-2. Preservation of property, natural resources and wildlife. [Amended 1-28-1976 by Ord. No. 2343]

No person, except those authorized by the City and conducting City business, shall in recreation, park or conservation areas:

- A. Injure, deface, disturb, befoul or in any manner destroy or cause to be destroyed any part of recreation, park or conservation sites owned by the City or any building, sign structure, equipment, utility or other property found therein.
- B. Remove, injure or destroy any tree, flower, shrub, plant or growing thing, or any rock or other mineral.
- C. Kill, trap, hunt, pursue or in any manner deliberately disturb or cause to be disturbed any wild bird or animal within the recreation, park and conservation sites owned by the City, except as permitted in § 404-4B.
- D. Throw, discharge or otherwise place or cause to be placed in the waters of any fountain, pond, lake or other body of water in or adjacent to the park or any tributary, stream, storm sewer or drain flowing

into such water, any substance, matter or thing, liquid or solid, which may result in the pollution of such waters; nor dump, deposit or leave any bottles, broken glass, paper, boxes, cans, dirt, rubbish, waste, garbage, refuse or trash anywhere within the park and conservancy areas owned by the City; but rather make use of proper receptacles where these are provided, and where receptacles are not so provided, all such materials shall be carried away from the park by the person responsible for its presence and properly disposed of elsewhere.

§ 404-3. Operating policy.

A. Hours of operation.

(1) Recreation, park and conservation areas shall be open daily to the public according to official posted or advertised hours. In the absence of official posting or advertisement of hours or possession of a permit for park use after official hours, the recreation, park and/or conservation area shall be closed for all occupancy at dusk. City-sponsored recreational events extending beyond dusk are exempt. No person or persons, other than City personnel conducting City business therein, shall occupy or be present in such park during any hours in which the park is not open to the public. Permits must be obtained for use after official hours for specific activities. Any section or part of the recreation, park or conservation areas may be declared closed to the public at any time and for any interval of time, either temporarily or at regular or stated intervals. During such periods of time, no person shall enter upon or occupy such areas or portions thereof contrary to posted regulations. **[Amended 6-26-1996 by Ord. No. 3447]**

(2) Subsection A(1) shall not apply to Scotts Parks when occupancy is for the sole purpose of launching or recovering watercraft and the occupants are actually engaged in the activity of launching or recovering watercraft. **[Added 5-22-2002 by Ord. No. 4140]**

B. Group activity; possession and consumption of alcoholic beverages. Whenever any group, association or organization desires to use recreation or park facilities for a particular purpose, such as picnics, parties, or theatrical or entertainment performances, a representative of the group, association or organization shall first obtain a permit for such use in specially designated areas from the Recreation Bureau or other appropriate agency. These officials may adopt application forms which may require an indemnity bond or other security to protect the City from any liability of any kind or character and to protect City property from damage. Designated City personnel shall grant the permit if it appears that the group, association or organization meets all other conditions contained in the application. No person shall have in his or her possession, custody or control any alcoholic beverage, including beer, of any kind whatsoever, except as a member of an authorized group, association or organization granted a permit for particular activities in specially designated areas as set forth in this section. Copies of all permits will be supplied to the Chief of Police upon issuance. **[Amended 6-26-1996 by Ord. No. 3447 ; 6-26-2013 by Ord. No. 5416]**

C. Use of facilities. Facilities and areas in City recreation, park and conservation areas shall be used only for the purposes designated or implicit in their character.

D. Motor vehicles.

(1) Licensed motor vehicles shall be permitted only on designated roadways. The speed limit for such vehicles on such roadways shall be 15 miles per hour. Motor scooters, motorcycles, minibikes, go-carts and snowmobiles shall not be permitted on roadways designated for licensed vehicular traffic unless licensed for travel on the public roads of the commonwealth. All vehicles shall be parked in areas or places so provided and designated. Parking in places

contrary to posted regulations and times is prohibited, and such vehicles may be removed by the City at the owner's expense. All parking is prohibited after regular closing time. No person shall clean, wash, repair or do any work whatsoever on private vehicles within recreation, park and conservation areas except for emergency repairs. **[Amended 6-26-1996 by Ord. No. 3447]**

- (2) Subsection D shall not apply to vehicles parked after regular closing time in Scotts Park when the vehicle has an attached trailer specifically designed or constructed for the purpose of transportation, loading and unloading of watercraft. **[Added 5-22-2002 by Ord. No. 4140]**
- E. Fees. **[Amended 1-28-1976 by Ord. No. 2343 ; 6-26-1996 by Ord. No. 3447 ; 6-26-2013 by Ord. No. 5416]**
- (1) The City shall have authority to issue a fee schedule for permits, set the amount of deposits and prescribe conditions. Such revenue shall be used for recreation, park and conservation purposes within the general fund. This authority shall apply to all recreation, park and conservation areas.

§ 404-4. Acts prohibited.

- A. Fires and fireworks. Fires may not be built or allowed anywhere in recreation, park or conservation areas except in stoves, fireplaces or designated areas provided for that purpose. Permits must be secured for any fireworks at any time and for fires to be maintained after closing time. Copies of any permits shall be forwarded immediately to the Chief of Police and to the Fire Chief for review before issuance.
- B. Animals. No owners of domesticated animals shall permit them within recreation, park or conservation areas without the animal being controlled by a leash not longer than six feet. Permits may be obtained for the training and/or exhibition of animals in designated areas. No person shall bring any dangerous animal into any park area. Animals may be prohibited from any area by the placement of appropriate signs. No person shall feed any wild or feral animal in any City park, conservation area or on any City-owned property. **[Amended 5-12-2010 by Ord. No. 5253]**
- C. Gambling. Gambling is prohibited on recreation, park or conservation lands. **[Amended 1-28-1976 by Ord. No. 2343]**
- D. Merchandising, advertising and signs. **[Amended 6-26-1996 by Ord. No. 3447 ; 6-26-2013 by Ord. No. 5416]**
- (1) In conservation, recreation or park areas, no person shall:
- (a) Offer for sale any such article or thing, nor station or place any stand, cart or vehicle for the transportation, sale or display of any such article or thing, except under the authority of the Director of Public Works or his/her designee by application and permit and approved by the City Council. Such permit may, however, only be issued to legitimate nonprofit and/or charitable organizations or their designees on the condition that the proceeds of such sales activities shall be used to benefit recreation or youth programs within the City.
 - (b) Announce, advertise or call the public attention in any way to any article or service for sale or hire.
 - (c) Post, paste, fasten, paint, write, draw, carve, tack or affix any placard, bill, notice, sign, advertisement or any inscription whatever upon any structure, tree, stone, fence, thing or enclosure within any park area or on any public lands or highways or roads adjacent to any

recreation, park or conservation area, except the City may place informational signs within such areas.

- (2) Notwithstanding the above, a sign that receives all required permits within a zoning district which allows such use shall be permitted, provided all proceeds from a lease to utilize an area within the City's parkland are utilized only for continued maintenance or recreational activities within the park.
 - (3) Notwithstanding the above, any advertisement on the baseball fields along the outfield fences within the park may be sold through the Recreation Bureau, with all funds raised to be spent for recreational activities in those locations where the signs are placed.
- E. Off-road vehicles. No person shall operate any vehicle on other than designated roadways. This shall include automobiles, motorcycles, minibikes, snowmobiles and any other motorized vehicle.
- F. Personal conduct. In any recreation, park or conservation area, no person shall:
- (1) Disturb the peace or use profane or obscene language.
 - (2) Endanger the safety of any person by any conduct or act.
 - (3) Commit any assault, battery or engage in fighting.
 - (4) Carry, possess or drink any alcoholic beverage, including beer, except as otherwise permitted under § 404-3B. **[Amended 1-28-1976 by Ord. No. 2343]**
 - (5) Violate any rule for the use of the park made or approved by the City administration. **[Amended 6-26-1996 by Ord. No. 3447 ; 6-26-2013 by Ord. No. 5416]**
 - (6) Prevent any person from using the park or any of its facilities, or interfere with such use, in compliance with this chapter and the rules applicable to such use.
 - (7) Act in an unlawful, disorderly or disruptive manner or against the best interests of the areas or other people.
- G. Weapons. No person other than those authorized by the City shall discharge firearms in City-owned or City-leased park areas. This provision shall also apply to other weapons, including bows and arrows, crossbows, pellet guns and slingshots. Paint guns are not permitted to be discharged in City park areas. **[Amended 1-28-1976 by Ord. No. 2343 ; 8-27-2014 by Ord. No. 5475]**
- H. No person shall play golf or drive golf balls in any City parks, playgrounds or fields of play. Failure to comply shall result in the following penalties: **[Amended 5-23-1995 by Ord. No. 3370 ; 9-23-2009 by Ord. No. 5218]**
- (1) First offense: warning.
 - (2) Second offense: fine of \$50.
 - (3) Third offense: fine of \$100. **[Amended 6-26-2013 by Ord. No. 5416]**
 - (4) Fourth and successive offenses: fine of \$250 for each offense. **[Added 6-26-2013 by Ord. No. 5416]**
- I. Tobacco use. No person shall smoke tobacco or use smokeless tobacco products at any City of Easton-owned or City-leased park or swimming facility. All areas in which smoking and the use of

smokeless tobacco are prohibited shall be properly posted. Failure to comply shall result in the following penalty: **[Amended 11-21-2000 by Ord. No. 3874 ; 6-26-2013 by Ord. No. 5416 ; 8-27-2014 by Ord. No. 5475]**

- (1) A fine of \$100 and requirement to cease tobacco use or removal from premises.
- (2) Definitions. As used in this subsection, the following terms shall have the meanings indicated:
SMOKING — The carrying by a person of a lighted cigar, cigarette, pipe or other lighted smoking device used for tobacco.
TOBACCO USE — Use, including smoking and the use of smokeless tobacco in any form.

J. Metal detection. Metal detecting is not permitted in any City park unless special permission, in writing, is received from the Director of Public Works. **[Added 8-27-2014 by Ord. No. 5475]**

§ 404-5. Enforcement authority. [Amended 6-26-1996 by Ord. No. 3447 ; 2-11-2009 by Ord. No. 5175 ; 6-26-2013 by Ord. No. 5416]

The City Police and other designated agents, the Director of Public Works, Supervisor of Parks, Recreation Program Coordinator, and/or their designated agents shall administer the provisions of this chapter, including the establishment and collection of fees, preparation of application forms, issuance and revocation of permits, promulgation of rules and regulations to implement the provisions of this chapter and all other decisions relative thereto. When acts or conduct of individuals or groups is determined to be in violation of this chapter or rules and regulations promulgated by the authority of this chapter; or not to be in the best interest of the recreation, park or conservation area; or when such acts are deemed to be disruptive to the surrounding neighborhood, the City Police, the Director of Public Works, Supervisor of Parks, Recreation Program Coordinator, and/or their designated agents assigned to such areas or programs shall have the authority to cause such acts to be terminated or to expel the individuals or to file a complaint for the violation of this chapter with the Magisterial District Judge.

§ 404-6. Violations and penalties. [Amended 1-28-1976 by Ord. No. 2243 ; 6-26-2013 by Ord. No. 5416]

Whoever violates any provision of this chapter shall be fined not more than \$1,000. Where such violator has removed, destroyed, damaged, defaced or befouled the recreation, park or conservation area or the contents thereof, the cost of maintenance, repair or replacement shall be charged to such person or group in addition to any fine. Further, the use of recreation, park and reservation facilities may be denied to violators of this chapter in addition to the imposition of fines.