

ORDINANCE NO. 95

ORDINANCE OF THE COUNTY OF BUCKS PROVIDING FOR RULES AND REGULATIONS GOVERNING THE USE OF THE BUCKS COUNTY PARK SYSTEM AND PROVIDING PENALTIES FOR VIOLATION OF THE SAME.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Board of County Commissioners of the County of Bucks, Pennsylvania, as follows:

SECTION 1. TITLE - This Ordinance shall be known as the "Bucks County Park Rules and Regulations".

SECTION 2. DEFINITIONS - Except where the context clearly indicates otherwise, the following terms as used in this Ordinance shall have the following meanings:

A. The term "Park System" shall mean any lands or facilities owned, leased or controlled by the County of Bucks and/or lands placed under control of the Director of the Bucks County Department of Parks and Recreation by the Bucks County Commissioners.

B. The term "Director" shall mean the Director of the Bucks County Department of Parks and Recreation.

C. The term "Park Rangers" designate all duly sworn in members of the Park Rangers Division.

D. The term "Department" shall mean the Bucks County Department of Parks and Recreation.

SECTION 3. PERMITS

A. Application for a permit shall be made upon the official forms of the Department and shall be accompanied by the required fee except where a free permit may be issued.

B. Application for a permit may be made at the Department office, other designated locations or request may be made by telephone for an application. Applications and fee must be in the Department office well in advance of requested permit or as specified.

C. In the event more applications for reservations are received than space is available such applications shall be considered in order received by the Department.

D. No person under the age of eighteen (18) years shall be issued a permit for the use of any park facilities from sunset of one day to sunrise of the following day unless accompanied by a person eighteen (18) years of age or older.

E. The holder of any permit issued by the Department shall be held responsible for the actions and conduct of all persons using the facility under his/her permit.

F. All permit holders for park facilities must also comply with all other rules governing the use of the Park System where applicable.

G. Any permit issued by the Department may be revoked at any time by the Director or his designate or a Park Ranger in the field for just cause arising from violations of the permit, applicable park rules or safety of park visitors.

SECTION 4. SPECIAL EVENTS

A. No person shall install equipment or make any alterations or adjustments to existing equipment or facilities without the specific approval in writing of the Director.

SECTION 5. HOURS

A. No person shall be permitted within the Park System between sunset of any day and sunrise of the following day except as provided by Section 3 and 13.

SECTION 6. DESTRUCTION OF BUILDINGS, MARKERS, MONUMENTS AND OTHER PROPERTIES

No person shall,

A. Destroy, deface, alter, change or remove any monument, stone marker, bench mark, stake, post or blazed trail, marking or designation of any boundary line, survey line.

B. Cut, break, mark upon or otherwise damage any building, equipment, bridge, drain, wall, fountain, lamp post, fence, gate, hedge, park roadway or highway or other structure or installation.

C. Deface, destroy or remove any placard, notice or sign, whether permanent or temporary, posted or exhibited within the Park System.

SECTION 7. DESTRUCTION OF PLANT LIFE AND NATURAL SURROUNDINGS

No person shall,

A. Cut, remove or destroy any tree, sapling, seedling, bush or shrub, whether alive or dead or chip, blaze, box, girdle, trim or otherwise deface or injure any tree or shrub or break or remove any branch, foliage, tree or shrub or pick, gather, uproot, remove or destroy any flower, plant or grass except with permit issued by the Department.

B. Remove or cause to be removed or to dig any sod, earth, humus, peat, boulder, rock, gravel or sand except with permit issued by the Department within the Park System.

SECTION 8. FIRES

A. No person shall,

1. Set or cause to be set on fire any tree, woodland, brushland, grassland or meadow.

2. Build any fire except within the fireplaces, receptacles or open spaces designated by the Department for such purpose.

3. Drop, dump, throw or otherwise scatter lighted matches, ashes burning cigars, cigarettes, tobacco paper or other flammable material except in designated containers.

B. Any permissible fires must be attended at all times by a competent person, 18 years of age or older. All fires must be thoroughly extinguished before leaving the area.

SECTION 9. ANIMALS, BIRDS, AND REPTILES

A. No person shall,

1. Pursue, catch, attempt to catch, strike, molest, wound or kill any bird, animal or reptile or any nest, lair, den burrow or the like of any animal; except, such limited areas which the Department may from time to time designate as authorized hunting and fishing areas.

2. Hunt, fish or trap except in accordance with the laws of the State of Pennsylvania and as authorized by the Department.

3. Permit his dog or other pet to pursue, catch, wound or kill any bird, animal or reptile or to disturb the nests, dens, home or place of refuge of any other animal or bird.

4. Drive or pursue any wild bird or animal from the confines of the park within the Park System.

5. Have a pet in attendance while riding a bicycle or other non-powered conveyance in any park area.

B. All persons must clean up any fecal matter deposited by his/her pet in all park areas.

SECTION 10. HUNTING AND TRAPPING

No person shall,

A. Trap, hunt or allow his dog or other pet to hunt any wild bird or animal except in regulated shooting grounds, fields or training areas opened to hunting and trapping by the Department. Such areas are to be closed to all other park use and will be run in compliance with State laws.

B. Hunt or pursue any wild bird or wild animal that had been wounded or injured outside the park and had taken refuge within the park, without being accompanied by Park Ranger personnel within the Park System.

SECTION 11. REGULATED SHOOTING GROUNDS

a. The Department may set aside park areas open to the public on a permit basis for the purpose of hunting and trapping. Such areas will be regulated by the State and Federal laws concerning them, and violation of those regulations will be a direct violation of this section.

SECTION 12. DOG TRAINING AREAS

A. The Department may set aside park areas on a permit basis to be used as dog training areas. Such areas will be open in compliance with Pennsylvania Game Laws.

No person shall,

B. Bring his or her dog into any dog training area unless said dog holds a current year's license.

C. Allow his or her dog in the dog training area without being under complete control of the owner.

D. Possess any firearm or ammunition in the dog training area within the Park System.

E. No person shall bring any animal or pet other than a dog into this area.

SECTION 13. FISHING

A. Fishing within the Park System waters shall be permitted only in such areas and at such times as are designated by the Department. In all cases, the Pennsylvania fishing laws shall be applicable to all Park System waterways. The failure to comply with such Pennsylvania fishing laws shall be in direct violation of this section.

B. No person shall,

1. Fish in any wild life sanctuary or outdoor education area or any place where "No Fishing" signs have been posted by the Department.

2. Enter the Park System for fishing after sunset except via designated areas open for 24 hour fishing.

3. Fish without being the holder of a current resident or non-resident State fishing license where required by applicable State laws.

SECTION 14. CONTRABAND

A. All game, animals, fowl, birds, fish, and other aquatic life hunted, killed, taken or destroyed, bought, sold, bartered or possessed contrary to State or Federal laws shall be declared to be contraband and the same shall be subject to seizure and confiscation and shall be turned over to the appropriate authority for disposal.

SECTION 15. SWIMMING, BATHING, AND WADING

No person shall,

A. Swim, bathe or wade in any Department controlled waters except those specifically designated for that purpose and/or special permits may be issued by the Department to individuals or groups for training purposes.

B. Carry or consume any food or beverage or have in possession any glass or metal container at any swim area or in the water adjacent to above mentioned areas unless otherwise designated.

C. Bathe, swim or wade in any Department operated pool unless said pool is open for operation.

D. Bathe, swim or wade in any Department operated pool unless in compliance with current pool regulations.

SECTION 16. BOATING AND OTHER WATERCRAFT

A. No person shall,

1. No person shall launch any watercraft from Department controlled lands without having a current boating permit issued by the Department.

2. Operate any watercraft upon any Department controlled waterways except at such time or places that may be provided or designated for such purpose.

3. Operate a watercraft on any Department controlled waterways unless it complies with current Pennsylvania Fish and Boat Laws.

4. Use any inflatable devices on Department controlled waterways except those inflatable rafts meeting Departmental standards.

5. Operate a watercraft on Department controlled waterways without Coast Guard approved personal flotation devices of the type, size, and quantity needed for each person in the watercraft. All of the above devices must be in serviceable condition.

6. Operate a watercraft propelled by internal combustion motors on any waters without written permission from the Director.

7. Operate a watercraft on any Department controlled waterways in a negligent manner so as to endanger themselves or their passengers or other boaters.

B. A person may operate a watercraft on Department controlled waters with an electric motor no larger than 3 horsepower or its equivalent.

SECTION 17. CAMPINGNo person or group shall,

A. Camp except in such areas as may be provided and designated for such purposes by the Department. No person or group shall camp without a permit issued by the Department. No camping permit shall be issued to the same person or group for more than 14 consecutive days. All camping equipment and gear will be removed from campsite at the end of this period and no site in the Park System may be permitted again for 48 hours.

B. Camp in violation of any of the current camping regulations or general park rules as promulgated by the Department.

C. Enter upon the campsite of another or be within twenty (20) feet of any tent, shelter or cabin of another, whether occupied or not, without first obtaining any invitation or permission to do so by the person to whom the camp site or cabin has been issued a permit within the Park System.

D. While staying or visiting any campsite or cabin, bring any dog, cat or any pet into these facilities, except for dogs that are trained to assist a disabled person.

SECTION 18. OPERATION AND PARKING OF MOTOR DRIVE VEHICLES

A. Except as provided by sections relating to parking and operation of motor vehicles in specific park areas, Pennsylvania Title 75 otherwise known as the Motor Vehicle Code will govern operation of motor vehicles on all park roadways.

B. No person shall,

1. Operate a vehicle and stop, stand or park said vehicle in any place marked as a passenger or loading zone, other than for expeditious loading or unloading of passengers or for the unloading and delivery or pick up and loading of materials.

2. Operate a vehicle and stop, stand or park, such vehicle upon any roadway or in any parking area in such manner as to form an obstruction to traffic thereon or to block the exit or removal of another vehicle.

3. Drive upon or park upon any lawn in any park unless specifically authorized to do so by the Department.

4. Operate and stop, stand or park a vehicle in such a manner as to block any fire trail, campsite road, maintenance road, boat ramp, bike/hike horse trail.

5. Park a vehicle in any place where no parking signs have been erected.

6. Park a vehicle in such a manner as to take up more than one designated parking spot.

7. Park in an area restricted for vehicles equipped with boat trailers.

8. Operate a vehicle or bicycle in excess of the posted speed limit on park roadways or bicycle paths.

9. Operate a vehicle in any park or place other than park roadways open to and regularly traveled by the general public except, vehicles authorized by the Department for the purpose of park maintenance, improvement or patrol; or in areas set aside as special use areas.

10. Operate any type of minibike, trail bike, all terrain vehicle, snowmobile or other vehicle that is not or cannot be registered for operation on the public highways except in areas designated and designed for their purpose, and then only with the Department approval and appropriate permit.

11. Fail to yield the right of way to any person riding a horse, hiking and biking on marked trails where such trails cross streets or roadways.

12. Wash or make mechanical repairs on vehicles except in an emergency on any vehicle.

13. Use park roadways as thoroughfares except where permits have been issued by the Director for commercial or farm equipment.

14. Continuously cruise in any motor driven vehicle in, through and around camp areas or picnic areas within the Park System.

SECTION 19. HORSES AND OTHER BEASTS OF BURDEN

No person shall,

A. Ride or lead a horse or pony upon any property administered by or under the jurisdiction of the Department except on specifically designated and posted areas or bridle trails without a valid permit in their possession issued by the Department.

B. Ride a horse in a careless, negligent or reckless manner so as to create a nuisance or to endanger the life, property or persons within the Park System:

SECTION 20. OPERATION OF BICYCLES OR PEDACYCLES

No person shall,

A. Operate a bicycle or pedacycle unless as close to the right-hand curb or right-hand side of the path, trail or roadway as conditions will permit.

B. Operate any bicycle or pedacycle while upon any path, trail or roadway to carry any person upon the handlebar or frame of the bicycle, except in the case where a bicycle is equipped to carry more than one person.

C. Operate a bicycle or pedacycle upon such paths, trails or roadways that are posted by the Department before sunrise and after sunset unless otherwise permitted.

D. Leave or park any bicycle or pedacycle upon any road, parking lot, walkway or play area.

E. Operate a bicycle or pedacycle upon any park roadway, path or any park property disregarding the rights and safety of others or in a manner so as to endanger any person or property.

SECTION 21. TRESPASS

No person shall,

A. Drive or cause to be driven any horses, cattle, sheep, goats, swine or other livestock upon or across any property administered by or under the jurisdiction of the Department without a permit.

B. Enter upon any grounds that have been posted by the Department with No Trespassing or Special Wildlife signs or any sign that would indicate that the area is not open to the general

public without first obtaining written permission from the Director.

C. Enter any building that is not open to and regularly used by the public.

D. Enter upon or disturb any construction or equipment on park property except authorized personnel within the Park System.

SECTION 22. PEDDLING AND SOLICITING

A. No person shall peddle or solicit business of any nature whatever or collect any fund for any service or charity or to distribute handbills or other advertising matter, to the general public without first obtaining written permission from the Director.

B. Post unauthorized signs on any lands, waters, structures or property administered by or under the control of the Department or to use such lands, waters, structures or property without first obtaining written permission from the Director.

SECTION 23. UNLAWFUL OBSTRUCTION

A. No person shall force, threat, intimidate, fence, enclose or by any other means, prevent or obstruct any person from entering, leaving or making full use of the Park System unless under the jurisdiction of the Department consistent with the terms of this ordinance and other applicable statutes, rules and regulations, and then only by persons authorized to do so by the Department.

SECTION 24. HINDERING EMPLOYEES

A. No person shall interfere with, use profanity towards or in any manner hinder any employees or agents of the Department who are performing their official duties.

SECTION 25. RESISTING PARK RANGER

A. No person shall interfere with or use profanity toward any Park Ranger in the performance of his duties; or fail or refuse to obey any lawful command or refuse to assist any Park Ranger in the performance of his duties within the Park System.

SECTION 26. IMPERSONATION OF PARK RANGER

A. No person shall impersonate any Park Ranger for any reason.

SECTION 27. ALCOHOLIC BEVERAGES

A. No person shall possess or be under the influence of any alcoholic beverage while in or upon any property owned or controlled by the Department.

B. Any alcoholic beverage, its container, and/or dispensing system in any persons possession shall be confiscated by the Park Rangers and disposed of according to Departmental regulations.

C. Notwithstanding paragraphs A & B alcoholic beverages may be permitted within the Park System with prior approval of the Director in accordance with regulations of the Department.

SECTION 28. PERSONAL CONDUCT

No person shall,

A. Engage in any violent, abusive, loud, boisterous, vulgar, lewd, wanton, obscene or otherwise disorderly conduct tending to create a breach of the peace or to disturb or annoy others, while

in or on any property administered by or under the jurisdiction of the Department.

B. Commit any indecent or immoral act tending to debauch the morals or manners of the public while in or on any property administered by or under the jurisdiction of the Department within the Park System.

SECTION 29. USE OF LOUDSPEAKER, RADIO, PHONOGRAPH, TAPE RECORDERS, AND TELEVISION

No person shall,

A. Use a loud speaker, public address system or amplifier within or upon Department property without written permission from the Director.

B. Play or cause to play any radio, phonograph, tape recorders, television, stereo tape, etc., in a loud or boisterous manner which tends to disturb or annoy any visitor.

C. Possess any radio, phonograph, stereo tape, television while using the Outdoor Education areas unless a permit is issued; tape recorders may be used for the purpose of recording only within the Park System.

SECTION 30. FIREWORKS

A. No person shall fire, discharge or have in their possession any rocket, firecracker or other fireworks or any substance of an explosive nature without written permission from the Director.

SECTION 31. FIREARMS - HATCHETS AND KNIVES, ETC.

No person shall,

A. Bring into or upon the properties of the Department, nor have in his possession, nor discharge or set off anywhere upon said properties, a revolver, pistol, shotgun, rifle, air rifle, air gun, water gun or any gun, rifle, firearm or bow or other weapon that discharges projectiles either by air, explosive substance or by any other force. Except that this section shall not apply to any deputy sheriff, police officer, peace officer, park ranger or other duly appointed law enforcement officer while carrying out the duties and responsibilities of his position nor to any person while on or in those areas which may from time to time be designated as hunting areas by the Department or while upon designated target ranges or areas.

B. Possess any type of knife, hatchet or ax in any area of the park except for those park users camping in campsites.

C. It shall be the duty of the Park Ranger to confiscate any of the above articles except as provided in Section A and B.

SECTION 32. BALLOONS, AIRPLANES AND PARACHUTES

A. No person shall make any ascent in any balloon or airplane or any descent in or from any balloon, airplane or parachute without written permission from the Director.

SECTION 33. LITTERING, DUMPING AND POLLUTION OF WATERS

No person shall,

A. Discard, deposit, dump, litter or allow to blow away refuse of any kind or nature except by placing said refuse in containers provided for such purpose.

B. Bring or dispose of any type of trash, refuse or debris in any park whether disposing of in receptacles or not, if such refuse did not result from park usage within the Department.

SECTION 34. SKATING AND COASTING

No person shall,

A. Use roller skates, roller blades or skate boards on any park roadways or areas except as may be designated or maintained for that purpose.

B. Shall skate, sled, snowshoe, walk or go upon any ice or ski except upon such places which may be designated or maintained for that purpose.

C. Coast with hand sleds, bobsled, carts or other vehicles, on wheels or runners except in places designated or maintained for that purpose.

SECTION 35. PUBLIC EXHIBITION

A. No person shall exhibit any machines, animals or indulge in any aerobatic exhibitions, nor shall any person carry on any performance or do anything whatsoever which shall cause persons to congregate so as to interfere with the proper use of such property by the general public or to obstruct the passage of vehicles or persons, without first having obtained a permit from the Department within the Park System.

SECTION 36. ANIMALS AND BIRDS

No person shall,

A. Bring, drive or lead any animal, except as set forth below, onto the Park System except that horses may be ridden by persons in charge thereof or driven before a vehicle attached thereto without written permission from the Director.

B. Bring, drive, lead or carry any dog, animal or pet which is unleashed or on a leash more than six (6) feet in length. Animals must be under immediate control of a competent person.

C. Permit his dog or pet to enter any public building or to be upon any designated swimming area except a trained seeing eye dog.

D. Permit any horse or other animal to stand unattended unless in charge of a competent person.

E. Torture, ill-treat or neglect any animal or pet.

F. Bring any pet or animal into any park area unless said pet or animal has been properly inoculated and has a current year's license if so required.

G. Allow any pet or animal to enter into any water area except in those areas designated as dog training areas where retriever dogs may enter the water for training purposes by permit.

H. Allow any pet or animal to run at large which is deemed after due consideration by the Park Ranger to constitute a threat to the public health and welfare; therefore, it shall be the responsibility of every Park Ranger to kill the animal if other means are not available or prove unsuccessful within the Park System.

SECTION 37. FEES AND CHARGES AND PERMITS

A. No person shall use any Department facility or area for which a fee or charge has been established by the Department

without payment of such fee or charge receipted by the appropriate Departmental permit.

SECTION 38. EMERGENCY POWERS

Nothing in these rules shall,

A. Prohibit or hinder duly authorized agents of the Department or any police officers from performing their official duties.

B. Prohibit the Department from establishing rules and regulations required to protect the health, welfare and safety of park visitors and property within the Park System.

SECTION 39. PENALTIES AND ENFORCEMENT

A. Any person who violates any provision of this Ordinance shall, for every such offense, upon conviction thereof, in a summary proceeding, be sentenced to pay a fine of not less than Twenty-Five Dollars (\$25) or more than Three Hundred Dollars (\$300) and/or to undergo imprisonment for a term of not more than thirty (30) days. All prosecutions shall be brought in the name of the County of Bucks, and all fines shall be paid to the County of Bucks.

B. Enforcement of subsection 39 (A) shall be the duty of the Bucks County Park Rangers. The Bucks County Park Rangers shall have the authority, upon view of a violation of this Ordinance, to arrest and detain a suspected violator and to issue to him a non-traffic citation under the Pennsylvania Rules of Criminal Procedure for a violation of this Ordinance.

C. Notwithstanding any provision in this Ordinance to the contrary, the Bucks County Park Rangers shall also have authority to enforce the Pennsylvania Crimes Code, the Motor Vehicle Code, the Juvenile Act and the Drug, Device, Controlled Substance and Cosmetic Act.

D. The Bucks County Park Rangers shall have authority to make arrests and/or institute prosecutions (including without limitation the issuance of traffic and non-traffic citations, criminal complaints, and arrest warrants) in accordance with the Pennsylvania Rules of Criminal Procedure and the Bucks County Park Rangers shall be bound by such rules.

E. The enforcement authority of the Bucks County Park Rangers, including the issuance of non-traffic citations, is limited in jurisdiction solely to property within the Bucks County Park System and/or County properties that from time to time may be assigned to the Bucks County Park Rangers for patrol.

F. The Bucks County Park Rangers shall carry Department issued service weapons whenever on official duty.

1. These weapons may be used only in the act of self-protection or the protection of a park patron/patrons from a life threatening situation.

2. Before any ranger may possess or carry a Department issued weapon he/she must pass psychological testing administered by the County and must qualify semi-annually by a state certified firearms instructor.

G. It shall be the duty of any Park Ranger to cause the removal of any person that he feels is jeopardizing the safety or well-being of any park patron (s).

SECTION 40. SEVERABILITY. The provisions of this Ordinance are severable. If any sentence, clause or section of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionally, illegality clauses or

sections of this Ordinance. It is hereby declared to be the intention of the County Commissioners of the County of Bucks that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause or section not have been included herein.

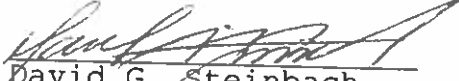
SECTION 41. ORDINANCE REPEAL - All other provisions of said Ordinance No. 14 and No. 52, where the same are not inconsistent herewith, are ratified and confirmed.

This Ordinance shall become effective upon adoption.

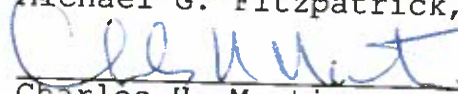
ORDAINED AND ENACTED by the Board of Commissioners of the County of Bucks, Commonwealth of Pennsylvania, this 30th day of July, 1997.

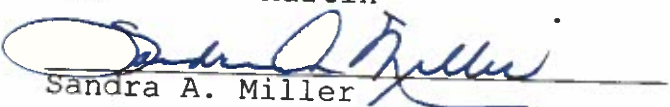
BUCKS COUNTY BOARD OF COMMISSIONERS

Attest:


David G. Steinbach
Chief Clerk


Michael G. Fitzpatrick, Chairman


Charles H. Martin


Sandra A. Miller