

§ 274-10. Establishment and enumeration of parks.

The Borough Council of the Borough of Lansdale hereby designates and establishes and dedicates to the public of the Borough of Lansdale the following listed properties for park and recreational purposes and further declares and establishes them and dedicates the same as parks of the Borough of Lansdale as follows:

Adams Street Park
Cherry Street and Pennbrook Avenue Park
Church Road Park
Fourth Street Park
Hancock Street Park
Hidden Valley Park
Jackson Street Park
Laurel Lane Park
Memorial Park
Moyer's Road Park
Oakland Avenue Park
Railroad Plaza Park **[Added 5-19-1999 by Ord. No. 1639]**
Schweiker Park **[Added 6-18-1997 by Ord. No. 1608]**
Stony Creek Park **[Added 7-25-2001 by Ord. No. 1671]**
Wedgewood Park
West Fifth Street Park
White's Road Park
Willow Street Park
Wissahickon Park
York and Susquehanna Park **[Added 7-25-2001 by Ord. No. 1671]**

§ 274-11. Description of parks.

The above-listed parks set forth in § 274-10 are described more fully in accordance with legal descriptions attached hereto marked Exhibits A through P, respectively, said legal descriptions corresponding to the parks as dedicated by name above.¹

1. Editor's Note: Exhibits A through P are on file in the office of the Borough Secretary, One Vine Street, Lansdale, Pennsylvania.

§ 274-12. Hours. [Amended 6-18-1997 by Ord. No. 1608; 5-19-1999 by Ord. No. 1639; 9-19-2012 by Ord. No. 2012-1826]

- A. No person or persons shall be permitted on any Borough park/ parkland except between sunrise and sunset, except:
- (1) By written permission, received in advance, from the Director of Parks and Recreation;
 - (2) For events of public interest sponsored or authorized by the Borough; or
 - (3) Pursuant to the most recent schedule of seasonal and lighted park facility park hours ("schedule"), which shall be posted on the Department of Parks and Recreation website and shall be available upon request at Borough Hall and the office of the Department of Parks and Recreation (which schedule may be amended from time to time by the Director of Parks and Recreation).
- B. Notwithstanding Subsection A above, any Borough park or park facility may, in the sole discretion of the Director of Parks and Recreation, be closed whenever such park or park facility becomes hazardous for public use due to weather, fire, water, construction or other conditions or requires maintenance or repair or other reason for closure. When reasonably practicable, 24 hours' advance notice of the closing will be provided via the Department of Parks and Recreation website and such other means deemed appropriate by the Director of Parks and Recreation.

§ 274-13. Skateboards prohibited. [Added 3-3-1999 by Ord. No. 1636]

- A. The use of skateboards shall be unlawful in the following locations:
- (1) Upon any sidewalk, municipal park and municipal parking lot in any area designated as the downtown business district, excepting Wedgewood Park and Fourth Street Park, and any other location that may be approved by Borough Council from time to time. For purposes of this section, the "downtown business district" shall include Main Street from Valley Forge Road to Line Street and Vine Street from Broad Street to Richardson Avenue. Parks and parking lots in the downtown business district include:²

- (a) Railroad Plaza Park.
- (b) Memorial Park Parking Lot.
- (c) Walnut Street Parking Lot.
- (d) West Main Street Parking Lot.
- (e) 421 West Main Street Parking Lot.
- (f) Madison Parking Lot.
- (g) Police Station Parking Lot.
- (h) Borough Hall Parking Lot.
- (i) Vine Street and Susquehanna Avenue Parking Lot.
- (j) Susquehanna and Derstine Avenue Parking Lot.

(2) Upon any public basketball court or tennis court.

- B. Violations and penalties. Any person who violates or permits a violation of this section shall, upon conviction in a summary proceeding brought before a Magisterial District Judge under the Pennsylvania Rules of Criminal Procedure, be guilty of a summary offense and shall be punishable by a fine of not more than \$1,000, plus court costs and reasonable attorneys' fees incurred by the Borough in the enforcement proceedings. Upon judgment against any person by summary conviction, or by proceedings by summons on default of the payment of the fine or penalty imposed and the costs, the defendant may be sentenced and committed to the Borough lockup for a period not exceeding 10 days or to the county jail for a period not exceeding 30 days. Each day or portion thereof that such violation continues or is permitted to continue shall constitute a separate offense.³

§ 274-14. Tobacco-free zones. [Added 11-28-2012 by Ord. No. 2012-1830]

- A. Tobacco-free zones shall include, but need not be limited to, areas of the Borough's parks in which children customarily play, including, without limitation, the following: tot lots, playgrounds, basketball courts, tennis courts, athletic fields, and swimming pools.

2. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

3. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

- B. Consumption or use of tobacco, including, without limitation, smoking or chewing tobacco products, is hereby prohibited in areas clearly posted with signage and designated as tobacco-free zones.
- C. Smoking is prohibited within a reasonable distance of not less than 20 feet from areas clearly posted with signage and designated tobacco-free zones.
- D. In addition to the penalties set forth in § 274-16 hereinbelow, any person who, after one verbal warning, refuses to comply with this section may be required, by a Borough official or Borough police officer, to immediately leave the tobacco-free zone and, if smoking, the area in which smoking is prohibited.

§ 274-15. Prohibited activities.⁴

The following activities are prohibited:

- A. The doing of the following acts within any area designated as a park of the Borough of Lansdale and dedicated and described as such in this article:
 - (1) Defacing, injuring, displacing, removing or in any other manner damaging any monument, fence, sign, walkway, lawn, turf, shrubbery, building, fruit, plant or any other natural or artificial facility or appurtenance.
 - (2) Bathing, wading, swimming or in any way entering into any pond or fountain.
 - (3) The holding of meetings, group assemblies, musical or theatrical entertainment or any other gathering arranged through advertising of any sort without the specific advance approval of the Borough Council.
 - (4) The soliciting of alms or sale of tickets or any merchandise or the posting of any notices, advertisements or any other article without the specific advance approval of the Borough Council.
 - (5) The dropping, scattering or otherwise depositing of garbage, wastepaper, rubbish or any other things except in receptacles placed in the park for such materials.
 - (6) Starting any fires or permitting any fire to continue to burn, except on grills provided by the Park and Recreation Department.

4. Editor's Note: Added at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

- (7) The hunting, trapping, injuring, killing or otherwise disturbing of any birds or animals in the park or the damaging, destruction or removal of any nest or other home of any animal or bird.
 - (8) The fouling or damaging of any pond or fountain in any manner whatever.
 - (9) Allowing dogs to run at large without a leash.
 - (10) Discharging of firearms or fireworks.
 - (11) The consumption of or possession of any intoxicating liquor or beer, unless approved in advance by Borough Council.
 - (12) The consumption, use or possession of any controlled drug and/or device as the same are defined in the Drug Device and Cosmetic Act of the Commonwealth of Pennsylvania.⁵
 - (13) The use of any motorized vehicle, except those being operated in official capacities as police or maintenance or service vehicles, and also except motorized vehicles which are parked on the paved parking area within the four defined boundaries of Memorial Park, which lot is immediately adjacent to the Memorial Park baseball diamond and on the easterly side of Line Street, also described as being located in the southwesterly part of aforesaid Memorial Park.
 - (14) The violation of any rules and regulations which from time to time may be adopted by Borough Council with respect to conduct in any park of the Borough of Lansdale.
- B. The below-listed rules and regulations shall apply to Schweiker Park:
- (1) No person shall enter or leave the park except by the entrances provided for that purpose.
 - (2) No person shall stand or lie on benches or tables in the park.
 - (3) No person shall enter a toilet set apart for the use of the opposite sex located within the park.
 - (4) No intoxicating beverages shall be sold, possessed, distributed or consumed within the park system.
 - (5) No intoxicated person shall be permitted in the park.

5. Editor's Note: See 35 P.S. § 780-101 et seq.

- (6) No gambling or any obscene or indecent act shall be allowed in the park.
- (7) No abusive, indecent or threatening language or conduct that may annoy others shall be allowed in the park.
- (8) No person shall solicit alms or subscriptions in the park unless authorized by the Borough of Lansdale and the Township of Hatfield.
- (9) No animals shall be permitted in the park except for Seeing Eye dogs or other guide dogs.
- (10) No person shall sell or expose for sale any tickets of any kind in the park unless authorized by the Borough of Lansdale and the Township of Hatfield.
- (11) No person shall sell or expose any articles for sale within the park unless authorized by the Borough of Lansdale and the Township of Hatfield.
- (12) No person shall discharge any fireworks in the park.
- (13) No person shall operate a minibike or snowmobile on any roadway, blacktop area or parking area or in any other area of the park. No person shall park an automobile or any other vehicle on the grass in any roadway or section of ground except in spaces definitely allocated for parking purposes. In addition, no person shall operate any form of motorized vehicle in the grass area of the park unless authorized by the Borough of Lansdale and the Township of Hatfield.
- (14) No person or persons shall occupy a parked vehicle after dark within the park.
- (15) No persons shall in any way injure or foul any buildings, equipment or water within the park.
- (16) No person shall discharge firearm(s), carry bows and arrows, or throw stones within the park.
- (17) No person shall throw any dead animals or offensive matter or substance of any kind within the boundaries of the park.
- (18) No person shall scatter, drop or leave in any portion of the park, except in the receptacles provided for the purpose, any piece of paper, rag, garbage, dead flowers, glass, metal containers or other rubbish.

- (19) No person shall injure, deface or destroy any notices, rules or regulations for the governing of the park posted or in any other manner permanently fixed within the limits of the same.
- (20) No placard, advertisement, public notice or personal card, except park notices, rules and regulations, shall be distributed, posted or affixed in any manner in the park unless authorized by the Borough of Lansdale and the Township of Hatfield.
- (21) No person shall annoy, strike, injure, maim or kill any birds or animals in the park.
- (22) No person shall disturb the waterfowl in the streams, pools or ponds or birds, nests or eggs in any part of the park.
- (23) No person shall remove, disturb, interfere with or take any of the blossoms or fruit growing from trees, shrubs or bushes in the park.
- (24) No person shall climb any tree or break, cut down, trample upon or remove or in any manner injure or deface any ornament, tree, plant, shrub, fern, flower, flowerbed, turf or any of the buildings, fences, bridges, playground equipment or other constructions within the park, nor shall any such person write on any building, structure, fence, rock or stone within the park or pick or carry away any fern or flower except violets, buttercups, daisies or dandelions within the park.
- (25) No person shall light or permit a fire to burn in the park except in the fireplaces provided therefor. Anyone who discovers a fire in the park is requested to report it promptly to the Lansdale Borough Police Department.
- (26) No person shall conduct any musical or theatrical entertainment in the park unless authorized by the Borough of Lansdale and the Township of Hatfield.
- (27) No gathering or meeting of any kind assembled through advertisement shall be permitted in the park. Meetings or gatherings for political or industrial purposes are not permitted.
- (28) No groups or parties in excess of 25 persons shall occupy the park unless a permit has been secured and approved for such occupancy by the Borough of Lansdale and the Township of Hatfield. No permit shall be issued unless an application

therefor shall have been made at least 30 days before the time the group or party desires to occupy the park.

(29) No automobile or other vehicle shall exceed the speed of 15 miles per hour in the park.

(30) No person nor group of persons shall be permitted to loiter on or in the premises of the park to annoy or disturb, in any manner whatsoever, any person while on the park premises, nor interfere with, in any way, their use or enjoyment of the park facilities.

(31) No person or individual shall throw or hit golf balls with a golf club or any other type instrument whatsoever within the park.

C. In addition to the regulations set forth in Subsections A and B of this section, the following shall apply to Railroad Plaza: The use of wheeled vehicles and wheeled recreational equipment shall be prohibited in Railroad Plaza, with the exception of baby carriages or strollers, authorized municipal vehicles, and wheelchairs for the use of individuals with physical disabilities.

§ 274-16. Violations and penalties.⁶

Any person who violates or permits a violation of this article shall, upon conviction in a summary proceeding brought before a Magisterial District Judge under the Pennsylvania Rules of Criminal Procedure, be guilty of a summary offense and shall be punishable by a fine of not more than \$1,000, plus court costs and reasonable attorneys' fees incurred by the Borough in the enforcement proceedings. Upon judgment against any person by summary conviction, or by proceedings by summons on default of the payment of the fine or penalty imposed and the costs, the defendant may be sentenced and committed to the Borough lockup for a period not exceeding 10 days or to the county jail for a period not exceeding 30 days. Each day or portion thereof that such violation continues or is permitted to continue shall constitute a separate offense, and each section of this article that is violated shall also constitute a separate offense.

6. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

§ 139-1. Purpose.

This article is enacted to prohibit and to regulate the maintenance, keeping and possession of animals within the Borough in order to promote the health, safety and general welfare of its inhabitants.

§ 139-6. Running at large.

- A. It shall be unlawful for the owner or person in custody or control of any animal to allow the animal to run at large upon public property or upon the private property of another other than the owner or person in custody or control of said animal. Any animal beyond the boundaries of its owner's property or the property of the person in custody or control of said animal must be under positive control by leash.
- B. It shall be the duty of every police officer of the Borough to seize and detain any animal which is found running at large, either upon the public property of the Borough or the highways of the commonwealth or upon the property of other than the owner of such animal and unaccompanied by the owner or keeper.

§ 139-7. Defecation and urination.

- A. It shall be unlawful for the owner or person in custody or control of any animal to allow such animal to defecate or urinate upon the public property of the Borough, the highways of the commonwealth and the private property of another other than the owner or keeper of said animal.
- B. If such animal shall defecate upon property other than that of the owner or keeper of the animal, the owner or keeper must immediately clean up the feces and make proper disposition of it so as not to endanger the health and safety of the public.
- C. If an animal shall defecate upon the property of the owner or keeper of such animal, the owner or keeper must clean up the feces and make proper disposition of it within a reasonable period of time so as not to endanger the health and safety of the public.

§ 139-14. Violations and penalties.¹

Any person who violates or permits a violation of this article shall, upon conviction in a summary proceeding brought before a Magisterial District Judge under the Pennsylvania Rules of Criminal

1. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

Procedure, be guilty of a summary offense and shall be punishable by a fine of not more than \$1,000, plus court costs and reasonable attorneys' fees incurred by the Borough in the enforcement proceedings. Upon judgment against any person by summary conviction, or by proceedings by summons on default of the payment of the fine or penalty imposed and the costs, the defendant may be sentenced and committed to the Borough lockup for a period not exceeding 10 days or to the county jail for a period not exceeding 30 days. Each day or portion thereof that such violation continues or is permitted to continue shall constitute a separate offense, and each section of this article that is violated shall also constitute a separate offense.

§ 139-16. Domestic animals prohibited in playground areas within Borough parks.

It shall be unlawful for the owner or person in custody or control of any animal to allow said animal in public playgrounds located in public parks within the Borough of Lansdale.

§ 139-17. Violations and penalties.¹

Any person who violates or permits a violation of this article shall, upon conviction in a summary proceeding brought before a Magisterial District Judge under the Pennsylvania Rules of Criminal Procedure, be guilty of a summary offense and shall be punishable by a fine of not more than \$1,000, plus court costs and reasonable attorneys' fees incurred by the Borough in the enforcement proceedings. Upon judgment against any person by summary conviction, or by proceedings by summons on default of the payment of the fine or penalty imposed and the costs, the defendant may be sentenced and committed to the Borough lockup for a period not exceeding 10 days or to the county jail for a period not exceeding 30 days. Each day or portion thereof that such violation continues or is permitted to continue shall constitute a separate offense, and each section of this article that is violated shall also constitute a separate offense.

1. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

§ 274-7. Definitions.

For purposes of this article, the following terms shall have the meanings set forth below:

BASEBALL — Shall not include the game commonly known as "softball."¹

MEMORIAL PARK — All that certain park area in the Borough of Lansdale bounded by Main Street, Line Street, Penn Street and Park Drive.

MEMORIAL PARK BASEBALL DIAMOND — All that certain area within Memorial Park devoted to the sport of baseball.

PERSON — Any natural person, partnership, association, firm or corporation; the singular shall include the plural, and the masculine shall include the feminine and the neuter.

§ 274-8. Regulations governing use of baseball diamond.

- A. The Memorial Park baseball diamond shall be used only for the sport of baseball, except that the Borough Council may from time to time grant special permission for another use on a certain specified occasion. Each such occasion shall require separate permission of the Borough Council. In granting such permission, the Borough Council may make such rules as to the portion of the diamond to be used and such other rules as it deems desirable in order to protect the diamond from damage. **[Amended 11-3-1966 by Ord. No. 923]**
- B. No use may be made of the Memorial Park, including the baseball diamond, without the prior consent of the Director of Parks and Recreation with the authorization of Borough Council. **[Amended 7-25-2001 by Ord. No. 1671]**
- C. Where an admission fee is to be charged spectators attending any baseball games to be played upon the Memorial Park baseball diamond, a permit fee in an amount set by resolution of the Borough Council shall be paid to the Borough of Lansdale; and a permit fee, as set by Borough Council, per game shall be paid for the scheduling of games wherein no admission fee is to be charged. Solicitation of contributions or donations during a game shall not constitute an admission charge within the meaning of this article.²

1. Editor's Note: The definition of "Commission," which immediately followed this definition, was repealed 7-25-2001 by Ord. No. 1671.

2. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

- D. No person shall trespass upon, injure, deface, remove or damage any of the buildings, structures, fixtures or turf or any other property of the Borough of Lansdale located within the Memorial Park baseball diamond.

§ 274-9. Violations and penalties.³

Any person who violates or permits a violation of this article shall, upon conviction in a summary proceeding brought before a Magisterial District Judge under the Pennsylvania Rules of Criminal Procedure, be guilty of a summary offense and shall be punishable by a fine of not more than \$1,000, plus court costs and reasonable attorneys' fees incurred by the Borough in the enforcement proceedings. Upon judgment against any person by summary conviction, or by proceedings by summons on default of the payment of the fine or penalty imposed and the costs, the defendant may be sentenced and committed to the Borough lockup for a period not exceeding 10 days or to the county jail for a period not exceeding 30 days. Each day or portion thereof that such violation continues or is permitted to continue shall constitute a separate offense, and each section of this article that is violated shall also constitute a separate offense.

3. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).