

SALFORD TOWNSHIP

Montgomery County, Pennsylvania

ORDINANCE #149

AN ORDINANCE AMENDING THE SALFORD TOWNSHIP CODE, AS AMENDED, FOR PURPOSES OF REPEALING THE TOWNSHIP'S ORDINANCE NO. 56, AND ENACTING A NEW ORDINANCE GOVERNING THE USE OF ALL TOWNSHIP-OWNED PROPERTY, COMMUNITY PARKS, NEIGHBORHOOD PARKS, DETENTION BASINS, GENERAL OPEN SPACE AND ALL TRAILS, SETTING FORTH PROVISIONS FOR PURPOSE, PARK HOURS, PROHIBITED CONDUCT, FISHING, ALLOWANCE FOR ADDITIONAL RULES, AND ENFORCEMENT

ENACTED: 11/17/10

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NOW, THEREFORE be it ordained and enacted by the Board of Supervisors of Salford Township as follows:

SECTION I. REPEAL OF ORDINANCE NO. 56. Ordinance No. 56 is repealed in its entirety, and replaced with this Ordinance, providing as follows:

Section 1. Purpose. It is the intent, purpose and scope of this Ordinance to ensure the preservation of outdoor public parklands, outdoor recreation facilities and outdoor playground areas to include Open Space, within Salford Township, for the perpetual enjoyment of the residents of Salford Township, to regulate activities within these areas consistent with the enjoyment of natural settings and park facilities and to prevent any nuisances to the residents of Salford Township in the use of such public parklands, recreation facilities and playground areas or in the enjoyment of private property adjacent to such areas.

Section 2. Park Hours. All Township parks and Open Space are open to all Township residents and guests from sunrise to sunset throughout the year.

Section 3. Prohibited Conduct. The following is prohibited conduct in all Township-owned property, community parks, neighborhood parks, detention basins, general open space, and trails:

- A. Possession or use or under the influence of alcoholic beverages, narcotics or drugs, in an illegal manner;
- B. Boisterous, disorderly, immoral or indecent conduct;

- C. Discarding of trash, garbage or other litter except in containers provided for that purpose. Additionally, no dumping of residential waste, construction debris, lawn debris, grass clippings tree stumps or other vegetation;
- D. Discharging any type of firearm;
- E. Possession or use of fireworks;
- F. Possession or use of archery equipment;
- G. Damaging, defacing, destroying or removing Township owned signs, property, structures, equipment, wildlife, trees, shrubs or other material;
- H. Operate a snowmobile, mini-bike, motorcycle or any vehicle, recreational or otherwise, except on designated roads, trails or areas set aside for their use, conduct horseback riding, except on designated riding trails or areas set aside for such use. The use or operation of motorized equipment or vehicles, that would normally be used by individuals covered by the Americans with Disabilities, to have access to park and/ or open space facilities or grounds, are excepted under this section;
- I. Paint ball in parks, playgrounds or Open Space;
- J. Vehicle repairs or maintenance of any type;
- K. All dogs not on a leash that is no longer than six feet in length and not under control at all times;
- L. Disturb the peace by any conduct so as to annoy any other person using the park for recreational purposes;
- M. Disobey a proper order of a Police Officer or disobey or disregard or fail to comply with any rule or regulations, warning, prohibition, instruction or direction given by an authorized person and posted or displayed by sign, notice, bulletin, card, poster or when notified or informed as to its existence by the Board of Supervisors or Park Board;
- N. Hunt for, trap, capture, kill, track with dog(s) or attempt to capture or kill or aide or assist in the capturing or killing of, in any manner, any wild bird or wild animal of any description, whether game or otherwise;
- O. Parking outside of designated areas;
- P. Releasing any type of animal or dumping animal remains, parts or waste;
- Q. Swimming except in designated areas. If swimming area is staffed by lifeguards, then swimming is only permitted when lifeguard(s) are on duty;
- R. To go beyond the sides of a trail, more than four (4) feet from the center line of a trail that is part of a Conservation Easement;

- S. Watercraft having any type of motor or engine; and/or
- T. Fires, other than in authorized grills or fireplaces. Fires are to be attended at all times until extinguished and coals are cold to the touch.

Section 4. Fishing. All laws pertaining to fishing in the Commonwealth of Pennsylvania shall apply to fishing in parks and recreation areas, when they are open, and provisions thereof are hereby incorporated by reference.

Section 5. Authorization to Promulgate Additional Rules. The Board of Supervisors, with the input of the Park Board, is authorized to establish additional rules and regulations as deemed necessary. Exceptions can be requested, in writing, to the Township Supervisors, to be considered on a case by case basis.

Section 6. Enforcement. Any person, firm or corporation cited for violating any portion of this Ordinance shall be issued a fine not to exceed six hundred dollars (\$600) per violation. If the fine for violating the Ordinance is not voluntarily paid to the Township, enforcement shall be by a civil enforcement proceeding before a district justice, in accordance with the Second Class Township Code, as amended. The Township shall initiate the civil enforcement proceeding by complaint or by such other means as may be provided by the Pennsylvania Rules of Civil Procedure. In addition to or in lieu of civil actions before a district justice, the Township may also enforce this Ordinance in equity. In such an enforcement proceeding, any person, firm or corporation determined by the district justice to have violated this Ordinance, shall be liable for the initial fine imposed, as well as additional daily fines for continuing violations, including failure to timely pay, all court-costs and reasonable Township fees, including attorney fees, incurred by the Township in the enforcement proceeding. A separate violation shall arise for each day or portion thereof in which a violation is found to exist or for each section of the ordinance which is found to have been violated. All fines and penalties collected for the violation this Ordinance shall be paid to the Township treasurer. The Board of Supervisors may delegate the initial determination of ordinance violation and the service of notice of violation, to such officers or agents as the Township shall deem qualified for that purpose.

Section 7. Failure to Enforce not a Waiver. The failure of the Township to enforce any provision of this Ordinance shall not constitute a waiver by the Township of its rights of future enforcement hereunder.


SECTION II: REPEAL AND RATIFICATION. All ordinances or parts of ordinances inconsistent herewith or in conflict with any of the specific terms enacted hereby, to the extent of said inconsistencies or conflicts, are hereby specifically repealed. Any other terms and provisions of the ordinances of the Township of Salford that are unaffected by this Ordinance are hereby reaffirmed and ratified.

SECTION III. SEVERABILITY. Should any section, paragraph, sentence, clause, or phrase in this Ordinance be declared unconstitutional or invalid for any reason, the remainder of the Ordinance shall not be affected thereby and shall remain in full force and affect, and for this reason the provisions of this Ordinance shall be severable.

SECTION IV. EFFECTIVE DATE. This Ordinance shall become effective five (5) days after enactment.

ORDAINED AND ENACTED this 17th day of November 2010, by the Board of Supervisors of Salford Township.

**SALFORD TOWNSHIP
BOARD OF SUPERVISORS**



TOM NEFF, *Chairman*

[SEAL]

Attested by:



KAREN LANDIS, *Secretary*