

# CHAPTER 159: PARKS AND RECREATION

[HISTORY: Adopted by the Borough Council of the Borough of Newport as indicated in article histories. Amendments noted where applicable.]

## GENERAL REFERENCES

Animals - See Ch. 78.

Article I. Hours of Operation and Rules

[Adopted 8-7-1984 by Ord. No. 236 (Ch. 16, Part 1, of the 1985 Code)]

§ 159-1. Hours.

[Amended 4-6-2004 by Ord. No. 319]

- A. The Borough park and playground shall be open to the public from dawn to dusk.[Amended 1-8-2013 by Ord. No. 348]
- B. No person shall be permitted on the playground or park or any part thereof between dusk and dawn of the following day.[Amended 1-8-2013 by Ord. No. 348]
- C. Exception. The closing hours in Subsection A shall not apply during special events, including but not necessarily limited to carnivals, baseball and softball games. The closing time for the Borough park and playground during such special events shall be at the closing of the special event for the day or at such other time as provided by Council.

§ 159-2. Prohibited activities.

[Added 1-8-2013 by Ord. No. 348]

- A. No person shall remove any bench, seat or table from the park or change the location thereof without permission from the Borough.
- B. No person shall injure, deface, remove, cut or damage any of the trees, plants, shrubs, turf, buildings, structures or fixtures therein or any other property of the Borough located within the park.

- C. No person shall conduct himself within the park so as to annoy any other person using the park for recreational purposes. This includes but is not limited to use the use of obscene gestures, vulgar language and loud music.
- D. No person shall hold any meeting or gathering assembled through advertisement or public notice or any gathering otherwise assembled and composed of 25 or more persons, within the limits of the park, without having first made application to the Borough thereof for a permit therefor. Such permit shall indicate the park locations in the park where such gathering or meeting shall be held, and such gathering shall not be held at any other park location within the park. Said park locations shall be established by resolution. The application for such permit shall be in the name of a person who shall be responsible for seeing that all refuse left by the group shall be placed in proper containers before leaving the park. Each permit will require a deposit and rental fee for any shelter or facility used by the group. Said rental fee shall be established from time to time by resolution.
- E. No person shall set up any booth, table or stand for the sale of any article whatsoever within the limits of the park without the written consent of the Borough, which shall have authority to refuse such consent in any instance.
- F. No person shall dispose of any litter, waste or garbage in the park. All persons using the park shall dispose of all waste and garbage left by them in such proper receptacles.
- G. No person shall injure, deface or destroy any notice, rule or regulation posted at any place within the park by authority of the Borough, nor shall any person post, at any place within the park, any notice or placard other than by authority of the Borough.
- H. No person shall set or maintain any fire in the park except in grills maintained for that purpose and located by authority of the Borough. As hereinafter set forth, only charcoal fires are permitted.
- I. No person shall bring any alcoholic beverages of any kind into the park, either for his own use or for the use of any other person. Use of alcohol in the park is never permitted.
- J. No person, other than an officer of the law, shall carry any firearm within the limits of the park. Likewise, no person shall engage in archery sports nor engage in any other functions involving force-propelled devices, including paintball.
- K. No person shall operate or cause to have in his possession any unlicensed motor vehicle and/or cycle.
- L. No person shall bring unrestrained pets into the park.

- M. There shall be no parking and/or driving in areas other than those designated parking areas or on paved roadways.
- N. No person shall climb any tree or sit, stand or walk on any park sign, park structure or park building not customarily utilized for such purposes.
- O. No person shall erect tents, shacks, shelters, trailers or any other structure for overnight camping or otherwise without express Borough approval.
- P. No person shall post, draw, tack or otherwise cause any sign to be in existence without Borough approval.
- Q. No open fires are permitted in the park; charcoal and gas cooking fires are only permitted after due consideration for the health, safety and welfare of the persons and property within the park; in any event, however, only charcoal or gas cooking fires are permitted.
- R. No airborne remote control and/or hobby devices are permitted to be operated within the confines of the park unless approval is obtained from the Borough.
- S. No person shall use any type of tobacco products in the park including cigars, cigarettes, or smokeless tobacco products, including snuff.
- T. No person shall engage in sexual activities on any of the playground property.
- U. No person shall use, sell or distribute illegal drugs or sell or distribute over-the-counter drugs on the playground.
- V. No person shall skateboard on the tennis courts of parking areas of the playground.

§ 159-3. Violations and penalties.

[Amended 4-9-1985 by Ord. No. 238]

- A. Any person, firm or corporation who shall violate any provision of this article shall, upon conviction thereof, be sentenced to pay a fine of not more than \$600; and/or to imprisonment for a term not to exceed 30 days.[Amended 1-8-2013 by Ord. No. 348]
- B. Proceedings and penalties provided in this article are in addition to any others or other remedies provided by this or any other ordinance or bylaws.