

ORDINANCE NO. 49

WASHINGTON TOWNSHIP  
WESTMORELAND COUNTY, PENNSYLVANIA

AN ORDINANCE OF THE TOWNSHIP OF WASHINGTON PRESCRIBING RULES AND REGULATIONS FOR THE PRESERVATION OF TOWNSHIP PROPERTY AND TO PRESERVE THE PUBLIC HEALTH, SAFETY AND WELFARE IN KUNKLE MEMORIAL PARK AS OWNED AND MAINTAINED BY THE TOWNSHIP OF WASHINGTON.

WHEREAS, the Township of Washington has, by deed of the Executors of the Estate of Elbert N. Kunkle, as recorded in the Office of the Recorder of Deeds of Westmoreland County, Pennsylvania in Deed Book Volume 2291, page 1088, become vested with title to 40.103 acres of ground situate in Washington Township, Westmoreland County, Pennsylvania; and

WHEREAS, the aforementioned deed from the Executors of the Estate of Elbert N. Kunkle contains certain restrictions, reservations and reversions relative to the use of said ground; and

WHEREAS, the Township of Washington has complied with the aforementioned restrictions, reservations and reversions in that the Township of Washington has created a recreation park known as the Elbert Kunkle Memorial Park; and

WHEREAS, it is the desire of the Board of Supervisors of Washington Township, Westmoreland County, Pennsylvania to provide rules and regulations for the public use of the aforementioned Elbert Kunkle Memorial Park;

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Board of Supervisors of the Township of Washington, and it is hereby ordained and enacted by the authority of the same as follows:

SECTION 1. The following activities are specifically prohibited:

- (a) Motor vehicles and motorcycles
  - 1. Driving or parking on grass areas or trails
  - 2. Cleaning, polishing, washing, greasing, lubricating or repairing
  - 3. Landing any aircraft
- (b) Shrubs, flowers, trees, grass, turf, soil or rock formations
  - 1. Picking, cutting, breaking, digging or injuring in any way.
- (c) Buildings, structures or park facilities
  - 1. Damaging, defacing or misusing in any way.
- (d) Waste paper, garbage and refuse
  - 1. Scattering or depositing except in appropriate receptacles
  - 2. Failing to clean up and place all picnic waste paper, garbage and refuse in receptacles provided for that purpose
  - 3. Depositing in park receptacles waste paper, garbage or refuse brought from outside the park
- (e) Animals and birds
  - 1. Molesting, trapping, hunting, killing or injuring in any way
  - 2. Abandoning animals or birds within the Park
- (f) Lakes, streams and fountains
  - 1. Wading or swimming
  - 2. Discharging of any types of waste or toxic materials into, or otherwise contaminating any lake, stream or fountain.

- (g) Advertising
  - 1. Posting or distributing any notices, advertisements or handbills.
- (h) Weapons and Explosives
  - 1. Possession or discharge of a firearm or weapon
  - 2. Possession or setting off fireworks or explosive devises or the launching of rockets
- (i) Merchandising
  - 1. Offering, distributing, supplying, renting or selling any literature, commodity, article, material, equipment, service or supply except by a non-profit organization with a permit issued by the Washington Township Supervisors.
- (j) Noise
  - 1. Using electrical amplifying equipment
  - 2. Using indecent or vulgar language.

- SECTION 2. Fires

- (a) Fires are permitted only in stoves, fireplaces, grills or similar designated areas and facilities and must be thoroughly extinguished before leaving the area.
- (b) Matches, cigars, cigarettes and charcoal must be thoroughly extinguished before being disposed of.

SECTION 3. Animals

- (a) Domestic animals are permitted only when on leash or otherwise controlled
- (b) The owner or custodian of any domestic animal in the park must immediately clean up any litterings, droppings or feces of said domestic animal
- (c) Horses are permitted only on designated horse trails and roads.

SECTION 4. Public Gatherings

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- (a) Meetings, assemblies, parades or related forms of public gatherings for which no admission fee may be charged will be permitted upon possession and presentation of a written authorizations signed by a majority of the Washington Township Supervisors.

SECTION 5. Use of Permit Facilities

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- (a) Permission is required to reserve buildings, shelters, groves, athletic fields and other facilities and the permit is to be obtained from the Recreation Commission Chairman

SECTION 6. Park Hours

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- (a) Park Hours at the Elbert Kunkle Memorial Park are from sunrise until sundown.

SECTION 6. Alcohol and drugs

- (a) There shall be no sale of alcoholic beverages within Elbert Kunkle Memorial Park
- (b) No person who is in an intoxicated state shall be permitted to remain in Elbert Kunkle Memorial Park
- (c) No person shall use, take or administer upon himself or any other person any drugs which have not been lawfully prescribed for the user thereof.
- (d) No person who is under the influence of any drug which has not been lawfully prescribed for said person shall be permitted to remain in Elbert Kunkle Memorial Park.

SECTION 7. Any historical artifacts discovered in Elbert Kunkle Memorial Park are hereby declared to be the sole and exclusive property of the Township of Washington and said artifacts shall be reported to and immediately turned over to the Washington Township Supervisors or police department.

SECTION 8. Any or all of the above rules may be excepted or waived by action of a majority of the Washington Township Supervisors taken at a regular or special Township Business Meeting and any person desiring an exception to any of the above rules or a waiver to the above rules may apply to the Township Supervisors and if said person receives favorable action, said person shall be issued a special permit by the Township Supervisors.

SECTION 9. Penalties.

- (a) Any person violating any of the provisions of this ordinance shall be guilty of a summary offense and upon conviction thereof before a District Magistrate shall pay a fine of not less than \$10.00 no more than \$300.00 or suffer imprisonment for a period of not more than thirty (30) days or both.
- (b) Any fines shall be paid into the Township Treasury.
- (c) Each violation hereinunder shall constitute a separate offense.

SECTION 10. This Ordinance upon final enactment shall take effect five (5) days thereafter.

ORDAINED AND ENACTED into law by the Board of Supervisors of the Township of Washington in lawful session assembled this 12th day of May, 1983.

TOWNSHIP OF WASHINGTON

BY *Lawrence W. [Signature]*  
Chairman, Board of Supervisors

BY: Arthur G. Crawford Jr  
Member, Board of Supervisors

BY: H. Hugh Joyner  
Member, Board of Supervisors

(TOWNSHIP SEAL)

Attest:

H. J. Caulter  
Township Secretary