ORDINANCE NO. 4 - 1995

BUREAU OF PARKS & RECREATION

RULES & REGULATIONS

ORDINANCE OF THE COUNTY OF WESTMORELAND, PENNSYLVANIA PRESCRIBING RULES AND REGULATIONS FOR THE USE OF PUBLIC PARK, RECREATION, CONSERVATION LANDS, BUILDINGS, AND ALL OTHER COUNTY OWNED PROPERTY, EQUIPMENT, AND FACILITIES, PROVIDING PENALTIES FOR VIOLATION OF SUCH RULES AND REGULATIONS, AND DESIGNATING THE ENFORCEMENT AUTHORITY, PURSUANT TO SECTIONS 509, 2326, 2511, AND 2512 OF THE COUNTY CODE, ACT OF AUGUST 9, 1955, PUBLIC LAW 323 AS AMENDED, INCLUDING ACT #7, 1974.

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

SECTION I. **TITLE**

This Ordinance shall be known as "The Rules and Regulations of Westmoreland County, pertaining to County Parks, buildings, and other County owned properties."

SECTION II. **CONSTRUCTION**

In the interpretation of the rules and regulations affecting all County properties, their provisions shall be construed as follows:

A. Any term in the singular shall include the plural.
B. Any term in the masculine shall include the feminine.
C. Any requirement or provision of these rules and regulations relating to any act shall respectively extend to and include the causing, procuring, aiding or abetting, directly or indirectly, of such act; or the permitting or the allowing of any minor in the custody of any persons, doing any act prohibited by any provisions thereof.
D. No provision hereof shall make unlawful any act necessarily performed by any park police officer or employee of the County of Westmoreland in the line of duty or work as such, or by any person, his agents or employees, in the proper and necessary execution of the terms of any agreement with the County of Westmoreland.
E. Any act otherwise prohibited by rules and regulations, provided it is not otherwise prohibited by law or local ordinance, shall be lawful if performed under, by virtue of and strictly in compliance with the provisions of a permit and to the extent authorized thereby.
F. These rules and regulations are in addition to and supplement all State and Federal laws.

SECTION III. **DEFINITIONS**

Except where the context clearly indicates otherwise, the following terms as used in this ordinance shall have the following meanings:

A. Permit: Any written authorization issued by or under the authority of the Westmoreland County

Commissioners permitting specified privileges.

B. Person: Any natural person, corporation, organization of persons, company, association, or partnership.

C. Peace Officer: Any person who by virtue of his office or public employment is vested by law with a duty to maintain public order or to make arrests for offenses, whether that duty extends to all offenses or is limited to specific offenses, or any person on active State duty pursuant to section 311 of the act of May 27, 1949 (P.L. 1903, No. 568), known as "The Military Code of 1949." The term "peace officer" shall also include any member of any park police department of any county of the third class and any person appointed as special police officer for the purpose of the enforcement of law and order.

D. Excreta: All useless matter eliminated from the bodily system, such as sputum, urine, fecal matter.

E. Park: Any lands, waters, or facilities owned or leased by the County of Westmoreland and designated or used by the Westmoreland County Commissioners for park and recreation purposes.

SECTION IV. **PRESERVATION OF PROPERTY, NATURAL RESOURCES, AND WILDLIFE**

NO PERSON EXCEPT THOSE AUTHORIZED BY WESTMORELAND COUNTY OR CONDUCTING OFFICIAL COUNTY BUSINESS, SHALL, ON ANY COUNTY OWNED PROPERTY:

A. **Disfiguration and Removal**

Mark, deface, disfigure, injure, disturb, displace or remove, befoul, destroy or cause to be destroyed any building, bridges, tables, benches, fireplaces, railing, paving or paving materials, water lines or other public utilities or parts or appurtenances thereof, signs, notices, or placards whether temporary or permanent, monuments, stakes, posts, surveying lines, surveying monuments, or other boundary markers, or other structures or equipment, facilities or county owned property or appurtenances whatsoever, either real or personal.

B. **Rest Rooms, Washrooms, Bathhouses, and Changing Houses**

Fail to maintain rest rooms, washrooms, bathhouses, or changing houses in a neat, clean, and sanitary condition. No person over the age of five (5) years shall use the rest room, washrooms, bathhouses, or changing houses designated for the opposite sex.

C. Removal of Natural Resources

Dig or remove any soil, rock, stones, trees, shrubs, or plantings, downed timber or other wood or materials, or make any excavations by tool, equipment, blasting, or other means or agency unless granted a permit by the County of Westmoreland.

D. **Erection of Structures**

Construct or erect any buildings, tent, or structure of whatever kind whether temporary or permanent in character, run or string any public service utility into, upon, or across such lands or water, unless granted a permit by the County of Westmoreland.

E. **Trees, Shrubbery and Landscape**

Damage, cut, carve, transplant or remove any tree or plant, or injure the bark, or pick the flowers, leaves, or seeds of any trees or plants. Nor shall any person attach any rope, wire, or other contrivance to any tree or plant. No person shall dig in or otherwise disturb grass areas, or in any other way injure or impair the natural beauty or usefulness of any area.

F. **Pollution of Waters**

Throw, discharge, or otherwise place or cause to be placed in the waters of any fountain, pond, lake, stream, river, or other body of water in or adjacent to any park, or any other body in or adjacent to any park, or any tributary, stream, storm sewer, or drain flowing into such waters, any substance, matter, or thing, liquid, solid or gas which will or may result in the pollution of said waters.

G. **Refuse and Trash**

Have brought in or shall dump, deposit, discard or leave any broken glass, ashes, paper, boxes, cans, cups, glasses, dirt, rubbish, waste, garbage, or refuse, or other trash. No such refuse or trash shall be placed in any waters in or contiguous to any park or County owned property, or left anywhere on the ground thereof, but shall be placed in the proper receptacles. If receptacles are not provided, all such rubbish or waste shall be carried away from the property by the person responsible for its presence, and properly disposed of elsewhere.

H. **Spilling of Deleterious Substance**

Pour or cause to spill or permit to escape or otherwise discharge any oil, gasoline, salt, acid, or other deleterious substance whether liquid, solid, or gaseous.

I. **Human Excrement**

Emit, eject, discharge, or cause to be deposited any excreta of the human body except in the proper receptacles designated for such purposes.

J. **Wildlife and Other Animals**

Kill, injure, trap, hunt, pursue, torture, or in any manner deliberately disturb or cause to be disturbed any wild or domesticated bird or animal within any park, except as permitted in designated areas.

K. **Grazing of Animals**

Permit the grazing of any animals on any county owned properties.

SECTION V. **TRAFFIC AND VEHICLES**

The Pennsylvania Vehicle Code Act 81, 17 June 1976, Title 75, is hereby declared to be in effect in all County Parks, on all County roads therein, on all County owned properties, with like effect as though set forth herein in full, and the traffic rules and regulations set forth herein are in addition to and to supplement the Vehicle Code.

NO PERSON EXCEPT THOSE AUTHORIZED BY WESTMORELAND COUNTY OR CONDUCTING OFFICIAL COUNTY BUSINESS, SHALL, ON ANY COUNTY OWNED PROPERTY:

A. **Enforcement of Traffic Regulations**

Fail to obey all park aids and park employees, park speed limits and other vehicle traffic control signs, and persons authorized and instructed to direct traffic whenever and wherever needed in the parks and on the highways, streets, or roads, other County owned properties, and other regulations as may be issued subsequently.

B. **Operations**

Drive any vehicle on any area except the paved roads or parking area, or such other areas as may on occasion by specifically designated as temporary roads or parking areas by the County of Westmoreland.

C. **Continuous Cruising**

Continuously cruise or ride in or on any motor vehicle in, through, or around any park or county owned property.

D. **Motor Vehicles: Registration, Insurance and Inspection**

No motor vehicle shall be permitted in any park or on any county owned property unless registered with the Commonwealth of Pennsylvania or another state, and displays current registration and valid inspection and has available proof of insurance for such vehicle. Vehicles not meeting the requirements of this section will be removed by Westmoreland County entirely at the owner's expense.

E. **License Required**

Operate any motorized vehicle on any county owned property while his or her license to so operate has been suspended or revoked by the Commonwealth of Pennsylvania or another state. No person shall operate any motorized vehicle without possession of a current, valid operator's license.

F. **Parking**

Park any vehicle in other than an established or designated parking area, and such use shall be in accordance with any posted directions there, or in accordance with any instructions of any attendant who may be present. Parking in places contrary to posted regulations or to an attendant's direction is prohibited, and such vehicles may be removed by the County of Westmoreland or agencies authorized by the County of Westmoreland entirely at the owner's expense. No person shall park a vehicle on any road shoulders or berms that have less than a width of eight (8) feet or those shoulders or berms which do not permit a vehicle to pull completely off the traveled roadways. No vehicle will be permitted to be parked without a permit on County property after operating hours of the parks. All wheels of any parked vehicle must be off the main traveled roadway.

1. Park any vehicle along County Road C-6407, known as the Delmont - Slickville Road or upon County Bridge Number 14, Beaver Run reservoir, where No Parking Signs have been posted.

G. **Cleaning and Repairs**

Clean, wash, wax, polish, paint, repair, or do any work whatsoever on private vehicles within any park or on any county owned property except for emergency repairs.

H. **Commercial Traffic**

Operate any commercial vehicle other than those necessary to service a park, within any park, on any county owned property, unless granted a permit.

I. **Recreational Vehicle and Trailers - Registration**

Operate any unregistered recreational vehicle or recreational vehicle trailer in any park or on any county owned property when registration is required by the Commonwealth of Pennsylvania or any other state.

J. **Recreational Vehicles and Trailers**

Operate any recreational vehicle in other than an established or designated trail, road, or area for that purpose. No person shall park a recreational vehicle trailer or any other trailer, wagon, or buggy in anywhere other than an established or designated area for that purpose. Snowmobiles, trail bikes, mini-bikes and all-terrain vehicles are prohibited in County parks.

K. **Unicycles, Bicycles, and Tricycles**

Operate or ride a unicycle, bicycle, or tricycle anywhere other than a trail or area designated for that purpose, except that such vehicles shall be permitted on motorized roads and parking lots. A person shall be permitted to wheel or push a unicycle, bicycle, or tricycle by hand over any turf area, trail or on paved area reserved for pedestrian use. No person shall leave a unicycle, bicycle, or tricycle lying on the ground or paving, or set against trees or shrubs, or in any place or position where other persons may trip over, walk into, or be injured by them. No person shall leave a unicycle, bicycle, or tricycle at a place other than a rack for parking when such is provided and there is space available. No person shall carry another person upon the frame or handlebars of any bicycle or tricycle.

L. **Vehicle Weight Limits on Park Roads**

Operate any vehicle with a loaded weight in excess of 10,000 pounds on any County Park road, unless granted a permit, where use of such vehicle is needed for County sponsored or County sanctioned recreational events or County Park purposes.

SECTION VI. **RECREATIONAL ACTIVITIES**

NO PERSON EXCEPT THOSE AUTHORIZED BY WESTMORELAND COUNTY OR CONDUCTING OFFICIAL COUNTY BUSINESS, SHALL, ON ANY COUNTY OWNED PROPERTY:

A. **Boating**

Bring into or operate any privately owned boats, canoes, rafts, or other watercraft, whether motor-powered or not, upon any lake, pond, stream, or other water area in any park, except in those areas approved by the County of Westmoreland for the specific watercraft approved for use. No person may launch or operate any boat, canoe, raft, or other watercraft on any lake, pond, stream, or other water area in any park between the closing and opening hours as established by the County of Westmoreland, or on

any other county owned properties. No person may use any boat docks for fishing, sunbathing, or any other purpose.

B. **Boating Safety**

Use any boating safety equipment other than that provided by the County of Westmoreland boating concessions, when such concessions exist. No pets or any other animals shall be permitted in any watercraft. No person shall use or operate any watercraft or watercraft equipment in any manner which may be dangerous to the occupants or equipment of such watercraft or to any other boat or occupants upon the same body of water. No person shall operate any watercraft within 100 feet of the spillway of any dam. No alcoholic beverages are permitted on any watercrafts on any county owned lake or pond.

C. **Park Concessions, Operations**

Pay less than the prescribed rates established by the County of Westmoreland, nor shall any person use any oars, paddles, watercraft, or rental equipment without providing the required deposit at a concession operated by the County of Westmoreland. No person under the age of 16 shall rent or operate any equipment without the accompaniment of an adult 18 years of age or older. No person shall fail to return all issued equipment and watercraft in the same condition as was issued. Persons returning damaged, wet or muddy equipment or watercraft as a result of horseplay or deliberate carelessness will automatically forfeit the deposit, reimburse the County of Westmoreland for any damages, and be subject to further disciplinary action as deemed necessary and appropriate by the County of Westmoreland. No person shall fail to heed and follow any and all warnings or directives issued by those personnel in charge of concession operations or those personnel in charge of supervision of all such areas.

D. **Bathing, Swimming, and Wading**

Bathe, swim, or wade in any lake, pond, stream, or body of water on any county owned property except in such areas as are provided therefore, and in compliance with such regulations as are herein set forth or may be hereafter adopted. No person shall frequent any waters or places designated for the purpose of bathing, swimming, or wading, or congregate thereat, except between such hours of the day as shall be designated by the County of Westmoreland for such purposes.

E. **Fishing**

Fish in any waters of any park except for those waters designated for such activity. No person shall fish in any waters between the closing hours and the operating hour of any park, nor shall any person fish in any such waters between the closing and opening seasons of fishing as designated by the Pennsylvania Fish Commission, and the closing and opening seasons of any park as designated by the County of Westmoreland. Wading for the purposes of fishing, is permitted on streams and rivers within the confines of the County parks. After hours fishing is permitted in designated locations through the use of individual night fishing permits issued by the County, and only those persons required to be licensed by the Pennsylvania Fish Commission can obtain a night fishing permit. All persons fishing at night shall have lantern of type which can be seen 360 degrees. Individuals under the age of 18 must be accompanied by an adult with a night fishing permit for the purposes of night fishing.

1. Fishing from or upon County Bridge Number 14 (located over the Beaver Run Reservoir, along County Road C-6407, known as the Delmont-Slickville Road).

F. **Fishing License Requirement**

Fail to meet the license requirements or the rules and regulations of the Pennsylvania Fish Commission.

G. **Hunting, Trapping, and Firearms**

Hunt, trap, carry, bring into, and/or discharge any type of gun, pistol, revolver, air gun, bow and arrow, sling shot, or any other weapon in any park except in those specific areas designated for such purposes, nor shall any person shoot into any park or county owned properties from beyond its boundaries.

1. **Hunting Areas Special Restriction**

   Areas in the County Parks that are open for hunting will be restricted by the type of firearm or bow and arrow that may be used.

2. **Deer Hunting** in County Parks will be permitted with shotguns using rifled slugs, muzzle loaded rifles, or with bows and arrows in accordance with Pennsylvania Game Commission rules and regulations.

3. **Small Game and Fur Bearers** are permitted to be taken with shotguns and bows and arrows only.

H. **Fireworks**

Fire, discharge, set off, explode, bring into, or possess any rocket, firecracker, torpedo, missile, or any other fireworks or type of fireworks, or any substance of an explosive nature within any park, or on any county owned properties.

I. **Contraband**

All game, animals, fowl, birds, fish and other aquatic life, hunted, killed, taken, destroyed, bought, sold, bartered or had in possession, contrary to any of the provisions herein, and the same declared to be contraband, shall be subject to seizure and confiscation and shall be turned over to the Pennsylvania Game Commission or the Pennsylvania Fish Commission with the responsible person to face further legal action as deemed necessary. Any weapon or object carried or used by any person in violation of these rules shall be subject to seizure by the appropriate authority or its agents and disposed of according to law.

J. **Knives, Hatchets, and Axes**

Possess any type of knife, hatchet, or axe unless engaged in appropriate use.

K. **Horses and Horseback Riding**

Ride or walk a horse except in designated areas and on roadway shoulders and trails, but not within any parking lots or 20 yards of any picnic or play area. Horses shall be thoroughly broken and properly restrained, and ridden with care and shall not be allowed to graze or go unattended, nor shall they be hitched or tied to any rock or shrub.

L. **Camping**

Camp in any park or on any county owned property at any time unless granted a permit and subject to the policies of the County of Westmoreland.

M. **Golf and Golfing**

Drive, putt, practice, or play golf in any manner unless granted a permit.

N. **Power Drive Models**

Bring into or operate any type of power driven model unless granted a permit. These models are not to be operated outside the designated areas.

O. **Balloons, Airplanes, and Parachutes**

Make any ascent in any balloon or airplane or any descent in or from any balloon, airplane or parachute in any park or on any county owned property unless granted a permit.

P. **Horseshoes**

Play horseshoes or erect horseshoe facilities in any area other than those courts provided for that purpose unless granted a permit.

Q. **Games and Gaming Equipment**

Participate in any games or activities in any area that will unreasonably interfere with or detract from the promotion of public health, welfare, safety, and recreational enjoyment of others. No person shall erect any equipment that requires digging for installation nor shall any equipment that requires pipe standards of more than one-half inch (1/2") in diameter be erected in any area unless granted a permit.

R. **Roller Skating, Roller Blading or Skate Boarding**

Roller skate, roller blade or skate board in any park unless specific facilities are provided for such purpose.

S. **Nature Study Areas and Trails**

Use any nature study area or trails for any activity other than hiking, nature photography, or the study of plants, animals, or aquatic life.

T. **Overlook Areas**

Use any overlook area for any activity other than sightseeing.

U. **Picnicking**

Picnic or eat in any place other than those designated for that purpose. Attendants shall have the authority to regulate the activities in such areas when necessary to prevent congestion and to secure the maximum use for the comfort and convenience of all. Visitors shall comply with any and all directions given to achieve this end.

V. **Availability of Picnic Areas**

Violate the regulation that use of individual fireplaces, fire rings, grills and tables follows generally the rule of "First Come, First Served", except for those group facilities that have been reserved through a permit. Any person using a pavilion which has not been reserved by permit, must provide the same information as those who pay to reserve the pavilion when requested by any County agent.

W. **Duties of Picnickers**

Leave a picnic area before the fire or hot coals are completely extinguished and before all trash in the nature of boxes, papers, cans, bottles, garbage, and other refuse is placed in the disposal receptacles where provided. If no such trash receptacles are available, then all refuse and trash shall be carried out of the park by the picnicker to be properly disposed of elsewhere. No person shall move any tables from any area without the authorization of the Director of Public Works or any other authorized agents. Nor shall any person place on any table any cooking device whether operated by gas, electric, chemicals, or charcoal for the purpose of cooking or providing heat, nor shall any person staple, nail, or screw any table covering to any table. No person shall attach in any manner any type of electrical or any other device for the purpose of audio or visual assistance or cooking or heating devices to any pier, rafters, or any other supports or the outside edge of any roof line of any building or structure unless granted a permit. No person shall use any electrical devices which exceed the capabilities of the power supply to support them. No person shall use any portion of any picnic areas or any of the buildings or structures therein for the purpose of holding picnics to the exclusion of other persons, except when such areas or facilities are reserved through a permit, nor shall any person use such areas or facilities under general conditions for an unreasonable length of time if the facilities are crowded.

X. **Ice Skating**

Go onto the ice of any park lake except in that area which is designated for ice skating and provided an attendant is on duty. Ice skating will not be permitted unless the ice meets the thickness standards set below.

Y. **Ice Fishing**

Ice fish on any lake or pond except those designated for such activity. Breaking the ice by throwing any object from the shore line. Ice fishing will not be permitted unless the ice thickness meets the standards set below.

Z. **Thickness for Ice Activities**

Ice safe for 24-hour periods at:

	0 - 30°F	**30-40°F**	**40-50°F**
SKATING	**3.75 inches**	**4.75 inches**	**12 inches**
FISHING	**3.75 inches**	**4.75 inches**	**12 inches**
BOATING	**5.75 inches**	**6.75 inches**	**16 inches**

These figures are for clear water ice. For snow ice add two (2) inches. For water logged ice add three (3) inches. If skates cut in, do not skate. Also, thickness in the 40-50 degree columns are safe for short periods of time only.

AA. **Sledding, Tobogganning, Skiing**

Sled ride, toboggan, or ski in any area of any county owned property except in those areas designated for such activities.

BB. **Reserved Facilities**

Use reserved facilities in any manner which may deviate from the following rules governing such facilities:

1. No grant of permission to use park or county owned properties or facilities shall carry with it the right to exclude members of the Bureau of Parks & Recreation Department, County Officials, or their representatives from the property or facilities of any park or other property when they are on official business. Any member of these agencies, or any of their representatives shall have full and free access at all times to any part of any property or facility when on official business or when such access does not infringe upon the privileges of those people already using said facilities. The County of Westmoreland will not divest itself of the right to exclusive control over the property or facilities at any time.

2. Permission to use specified property, facilities, or structure does not carry with it any right to use supplies, apparatus, tools, etc., not definitely covered in the permit.

3. Unless granted a permit, all activities shall terminate no later than 9:00 P.M., except activity building hours of operation, which shall be set by the Director of Public Works.

4. Admission fees cannot be charged unless under the auspices and control of the County of Westmoreland.

5. Games of chance or solicitation shall not be permitted unless licensed by the State and granted a permit by the County of Westmoreland.

6. The party or parties reserving any property or facilities shall relinquish their rights to the use of the property or facilities when deemed necessary by the County of Westmoreland.

7. The use of park property or facilities for County purposes shall have priority over any other application.

8. A permittee shall be bound by all park rules and regulations and all applicable ordinances fully as though the same were inserted in any application.

SECTION VII. PERSONAL CONDUCT, ALCOHOLIC BEVERAGES, AND DRUGS

NO PERSON EXCEPT THOSE AUTHORIZED BY WESTMORELAND COUNTY OR CONDUCTING OFFICIAL COUNTY BUSINESS, SHALL, ON ANY COUNTY OWNED PROPERTY:

A. **Animals**

Owners or guardians of domesticated animals shall not permit the animal within any park without being controlled by a leash not more than six (6) feet long and must be within designated areas only. The owner or other person bringing an animal into a County Park or onto any County owned property shall be responsible for any damage caused by the animal and for the cleaning and properly disposing of any

feces of such animal. No person shall bring any reptile or dangerous animal onto any county owned property.

B. **Controlled Substances, Drugs, and Devices**

Possess, transport, solicit, offer for sale, or use any controlled substance, drug, or device in violation of Act 64, "The Controlled Substance, Drug, Device and Cosmetic Act" or any other related laws. No person shall enter any park or county owned property while under the influence of any controlled substance or drug in violation of the Controlled Substance, Drug, Device, and Cosmetic Act.

C. **Maintenance and Storage Areas**

Enter into or attempt to enter into any and all maintenance and storage areas without permission from the Director of Public Works or Authorized Agent and without adequate supervision.

D. **Games of Chance**

Participate in or abet any game of chance, except as specified in Section V, BB, (5).

E. **Alms**

Solicit alms or contributions for any purpose whether public or private.

F. **Dress**

Dress or undress at any area or in any vehicle, rest room, toilet, or other place, except in such bathing houses or structures as may be provided for that purpose.

G. **Fires**

Build or attempt to build or start fires except in picnic areas, facilities, at certain winter recreational areas when open and under supervision and the fire must be in a container approved by the Director of Public Works. No person shall drop, throw, or otherwise scatter lighted matches, burning cigarettes, or cigars, tobacco, paper, or other inflammable materials whether solid, liquid, or gaseous, within any park area or on any highway, road or street abutting or contiguous thereto, nor leave any fire, grill, or stove unattended when in operation in any park or on any county owned property.

H. **Closed Areas**

Enter into or attempt to enter into any area which is locked, or posted "closed" or "do not enter".

I. **Behavior**

1. Assault, hinder, harass, intimidate, threaten or obstruct any person, agent or agencies in the enforcement of this ordinance or conducting official county business.

2. Disturb the peace or use profane, indecent, or obscene language.

3. Endanger the safety or health of any person by any conduct or act.

4. Violate any rule of this ordinance.

I. Behavior - Continued

5. Prevent any person from using any park or park facilities, or interfere with such use in compliance with this ordinance and the rules and regulations applicable to such use.

6. Act in an unlawful, disorderly, or disruptive manner or against the best interest of the areas or other people.

7. Commit any unnatural or violent act against any person, properties, or facilities.

8. Throw, discharge or cause to be discharged any missiles or projectiles.

9. Congregate in, on or within ten (10) yards of any parking area, road, road berms or parked vehicles; Provided that this prohibition shall not apply to pavilion areas when pavilion is reserved, areas where congregation is authorized by permit, or other specifically posted or designated areas.

10. Engage in any conduct which may distract vehicle drivers or which may impede or interrupt the flow of traffic.

J. **Intoxicating Beverages**

No intoxicating beverages shall be consumed in, on, or within 20 yards of any parking areas, roads, road berms or vehicles.

K. **Bottles**

No bottled beverages or glass containers are permitted.

L. **Minors**

No person under the age of twenty-one (21) shall: possess, transport, or consume alcoholic beverages. No person shall provide, furnish, or knowingly permit any person under the age of twenty-one (21) to possess, consume, or transport alcoholic beverages.

SECTION VIII. MERCHANDISING, ADVERTISING, AND SIGNS

NO PERSON EXCEPT THOSE AUTHORIZED BY WESTMORELAND COUNTY OR CONDUCTING OFFICIAL COUNTY BUSINESS, SHALL, ON ANY COUNTY OWNED PROPERTY:

A. **Vending and Peddling**

Expose or offer for sale or trade any article, thing or service nor any person station or place any stand, cart, or vehicle for the transportation, sale, trade, or display of any such article, thing, or service except when a permit is issued for such purposes.

B. **Advertising**

Announce, advertise, or call public attention to in any manner any article, thing, or service for sale, trade, or hire except when a permit is issued for such purpose.

C. **Signs**

Paste, tie, glue, tack, post, fasten, paint, write, draw, carve, or otherwise affix any placard, bill, notice, advertisement, sign, or any inscription whatever upon any structure, tree, stone, fence, building, property, or thing or enclosure within any park or county owned property, or on highways or roads adjacent to or running through any park, or county owned properties, except that the County of Westmoreland may place informational signs within such areas.

SECTION IX. **OPERATING PROCEDURES**

A. **Hours**

The County Parks and Recreational Areas shall be open to the public from the hours of 9:00 a.m. to dusk, unless different hours are designated or permit is issued.

B. **Applications**

A person seeking issuance of a permit hereunder shall file an application with the Bureau of Parks & Recreation, R.D.#12, Box 203, Donohoe Road, Greensburg, PA 15601.

C. **Standard for Issuance**

The Bureau of Parks & Recreation shall issue permits hereunder when it is found:

1. That the proposed activity or use of the park will not unreasonably interfere with or detract from the general public use and enjoyment of the park.

2. That the proposed activity and use will not unreasonably interfere with or detract from the promotion of public health, welfare, safety and recreation.

3. That the proposed activity or use is not reasonably anticipated to incite violence, crime or disorderly conduct.

4. That the proposed activity will not entail unusual or burdensome expenses or police operation. The County reserves the right to be reimbursed for County expenses and/or Police operation for any Non-County activity.

5. That the facilities desired have not been reserved for other use at the day and hour required in the application.

D. **Exhibit Permits**

Fail to produce and exhibit any permit from the Bureau of Parks and Recreation or any other County Department one claims to have, upon request of any authorized person who shall desire to inspect the same for the purpose of enforcing compliance with any rule, regulation or ordinance.

E. **Interference with Permits**

Disturb or interfere unreasonably with any person participating in any activity or party occupying any area, under the authority of a permit.

F. **Effect of Permit**

A permittee shall be bound by all park rules and regulations and applicable ordinances fully as though the same were inserted in said permits.

G. **Liability of Permittee**

The person or persons to which a permit is issued shall be liable for any loss, damage, or injury sustained by any person whatever by reason of the negligence of the person or persons to whom such permit shall have been issued.

H. **Revocation**

The Director Public Works, the Park Supervisor, or the Park Police shall have the authority to revoke a permit upon finding a violation of any rule, or upon good cause shown.

I. **Permits in Use**

No refunds will be issued because of failure to use a park permit or because of revocation of a permit pursuant to section IX. H.

SECTION X. **ENFORCEMENT AUTHORITY**

A. Under the provisions of 16 Pa.C.S.A. Sections 2511 and 2512, Westmoreland County Resolution No. 22 of June 22, 1978 and Westmoreland County Ordinance No. 1 of September 24, 1992, the Officers of the Westmoreland County Park Police Department have been granted the authority to enforce all County Ordinances and Pennsylvania State Laws.

B. The Westmoreland County Commissioners and agents designated by them, primarily the Park Police, shall administer the provisions of this ordinance including the establishment and collection of fees, preparation and application forms, issuance and revocation of permits, promulgation of rules and regulations to implement the provisions of this Ordinance and all other decisions relative thereto. When acts or conduct of individuals or groups is determined to be in violation of this Ordinance or rules and regulations promulgated by the authority of this Ordinance; or not to be in the best interest of the recreation, park, conservancy sites or other County owned properties; or when such acts or conduct endangers other people, private or public property; or when such acts are deemed to be disruptive to the surrounding neighborhood, the Park Police, Director of Public Works or his agent assigned to such acts to be terminated, or to expel the perpetrators of such acts from the area, or call the County Park Police, Township Police or State Police to arrest and detain such individual or individuals, or to file a complaint or issue a citation for the violation of this Ordinance with a District Magistrate.

SECTION XI. **PENALTIES**

A person violating any of the provisions of this Ordinance and convicted of the same shall be liable to a fine of not less than $25 nor more than $600. Where such violator has removed, destroyed, damaged, defaced, or befouled the County owned properties or the contents thereof, the cost of maintenance, repair, or replacement shall be charged to such person or group in addition to any fine. Further use of recreation and park facilities may be denied to violators of this Ordinance in addition to the imposition of fines, imprisonment, or costs.

SECTION XII. **REPEALER**

Any Ordinance or part of an Ordinance in conflict with any of the provisions of this Ordinance is hereby repealed insofar as the same is inconsistent with this Ordinance.

SECTION XIII. **SEVERABILITY**

The provisions of this ordinance shall be severable. If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the ordinance, and the application of such provision to other persons or circumstances, shall not be affected thereby.

EFFECTIVE DATE

This Ordinance shall become effective and be in full force and effect beginning immediately.

ORDAINED AND ENACTED by the Board of Commissioners of the County of Westmoreland, Pennsylvania, this 28th day of December, 1995.

COUNTY OF WESTMORELAND
BOARD OF COMMISSIONERS

ATTEST:

_____
Richard Vidmer, Chairman

_____
Terry R. Marolt, Vice-Chairman

Ted Simon, Secretary _____

Ordinance No. 1 of 1999

Bureau of Parks and Recreation

Rules and Regulations

AMENDMENT TO THE ORDINANCE OF THE COUNTY OF WESTMORELAND, PENNSYLVANIA ENTITLED " THE RULES AND REGULATIONS OF WESTMORELAND COUNTY, PERTAINING TO COUNTY PARKS, BUILDINGS, AND OTHER COUNTY OWNED PROPERTIES," PRESCRIBING RULES AND REGULATIONS FOR THE USE OF PUBLIC PARK, RECREATION, CONSERVATION LANDS, BUILDINGS, AND ALL OTHER COUNTY OWNED PROPERTY, EQUIPMENT, AND FACILITIES, PROVIDING PENALTIES FOR VIOLATION OF SUCH RULES AND REGULATIONS, AND DESIGNATING THE ENFORCEMENT AUTHORITY, PURSUANT TO SECTIONS 509, 2326, 2511, AND 2512 OF THE COUNTY CODE, ACT OF AUGUST 9, 1955, PUBLIC LAW 323 AS AMENDED, INCLUDING ACT #7, 1974.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Board of County Commissioners of the County of Westmoreland, Pennsylvania, Ordinance No. ORD-4-1995, entitled "The Rules and Regulations of Westmoreland County, Pertaining to County Parks, Buildings and Other County Owned Properties," is amended as follows:

SECTION I. Section III. Definitions is amended to add the following:

F. Migratory Waterfowl: Migratory Waterfowl shall include those species of birds commonly known as swans, geese, river ducks and sea ducks.

SECTION II. Section IV. is amended to add the following:

L. Feeding of Migratory Waterfowl:

Feed any migratory waterfowl

SECTION III: Effective Date

This ordinance shall become effective and be in full force and effect beginning March 1, 1999.

ORDAINED AND ENACTED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF WESTMORELAND, PENNSYLVANIA, THIS 11TH DAY OF FEBRUARY, 1999.

COUNTY OF WESTMORELAND
BOARD OF COMMISSIONERS

ATTEST:

Chief Clerk

Richard F. Vidmer

Terry R. Marolt

Tom Balya

Ordinance No. 1 of 2010

Bureau of Parks and Recreation

Rules and Regulations

AMENDMENT TO THE ORDIANCE OF THE COUNTY OF WESTMORELAND, PENNSYLVANIA ENTITLED "THE RULES AND REGULATIONS OF WESTMORELAND COUNTY, PERTAINING TO COUNTY PARKS, BUILDINGS, AND OTHER OCUNTY OWNED PROPERTIES," PRESCRIBING RULES AND REGULATIONS FOR THE POSSESSION OF FIREARMS IN COUNTY PARKS.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Board of County Commissioners of the County of Westmoreland, Pennsylvania, Ordinance No. ORD-4-1995, as amended, entitled "The Rules and Regulations of Westmoreland County, Pertaining to County Parks, Buildings and Other County Owned Properties," is amended to delete the prior Paragraph Section VIG, and replace with the following:

SECTION VI. G. Hunting, Trapping and Firearms

No person shall hunt, trap and/or discharge a firearm in any park except in areas as designated for such purposes, nor shall any person shoot into any park or county owned property form beyond its boundaries. Nothing contained in this Ordinance shall prohibit any person from carrying a firearm in accordance with the Pennsylvania Uniform Firearms Act, 18 P.S. §6109 or in accordance with other applicable laws and regulations.

1. **Hunting Areas Special Restriction**
   Areas in County Parks that are open for hunting will be restricted by the type of firearm or bow and arrow that may be used for hunting.

2. **Deer Hunting**
   In County Parks will be permitted with shotguns using rifled slugs, muzzle loaded rifles, or with bows and arrows in accordance with Pennsylvania Game Commission rules and regulations

3. **Small Game and Fur Bearers**
   Are permitted to be taken with shotguns and bows and arrows only.

EFFECTIVE DATE

This ordinance shall become effective and be in full force and effect beginning immediately.

ORDAINED AND ENACTED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF WESTMORELAND, PENNSYLVANIA, THIS 22ND DAY OF APRIL, 2010.

COUNTY OF WESTMORELAND
BOARD OF COMMISSIONERS

ATTEST:

Tom Balya

Chief Clerk

Tom Ceraso

Charles W. Anderson

Ordinance No. 3 of 1996

Bureau of Parks and Recreation

Rules and Regulations

AMENDMENT TO THE ORDINANCE OF THE COUNTY OF WESTMORELAND, PENNSYLVANIA ENTITLED " THE RULES AND REGULATIONS OF WESTMORELAND COUNTY, PERTAINING TO COUNTY PARKS, BUILDINGS, AND OTHER COUNTY OWNED PROPERTIES," PRESCRIBING RULES AND REGULATIONS FOR THE USE OF PUBLIC PARK, RECREATION, CONSERVATION LANDS, BUILDINGS, AND ALL OTHER COUNTY OWNED PROPERTY, EQUIPMENT, AND FACILITIES, PROVIDING PENALTIES FOR VIOLATION OF SUCH RULES AND REGULATIONS, AND DESIGNATING THE ENFORCEMENT AUTHORITY, PURSUANT TO SECTIONS 509, 2326, 2511, AND 2512 OF THE COUNTY CODE, ACT OF AUGUST 9, 1955, PUBLIC LAW 323 AS AMENDED, INCLUDING ACT #7, 1974.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Board of County Commissioners of the County of Westmoreland, Pennsylvania, Ordinance No. ORD-4-1995, entitled "The Rules and Regulations of Westmoreland County, Pertaining to County Parks, Buildings and Other County Owned Properties," is amended as follows:

SECTION I. SECTION VI. Recreational Activities is amended to add the following:

C.1 GENERAL BOATING REGULATIONS FOR LAKES AND WATER AREAS WHERE THE COUNTY DOES NOT MAINTAIN BOATING CONCESSIONS:

1. GENERAL BOATING SHALL BE PERMITTED ONLY ON THOSE LAKES AND WATER AREAS SO DESIGNATED BY THE COUNTY.

2. AN INTERNAL COMBUSTION ENGINE MAY NOT BE USED TO PROPEL A BOAT OR TO PROVIDE ENERGY TO THE ELECTRIC MOTOR ON COUNTY LAKES AND WATER AREAS. BOATS PROPELLED BY BATTERY POWERED ELECTRIC MOTORS AND NON-MECHANICALLY PROPELLED BOATS, SUBJECT TO RESTRICTIONS ON SAILBOATS AND INFLATABLE, MAY BE USED. NOTWITHSTANDING THIS SECTION, INTERNAL COMBUSTION ENGINES MAY BE USED IN THE PERFORMANCE OF OFFICIAL DUTIES BY PERSONS SO AUTHORIZED BY THE COUNTY.

3. SAILBOATS MAY NOT BE OVER 14 FEET IN LENGTH ON LAKES AND WATER AREAS UNDER 100 ACRES IN SIZE.

4. WATERCRAFT ON COUNTY LAKES AND WATER AREAS SHALL HAVE ON BOARD A COAST GUARD APPROVED PERSONAL FLOATATION DEVICE IN GOOD SERVICEABLE CONDITION FOR EACH OCCUPANT. CHILDREN 16 YEARS OF AGE AND YOUNGER AND NON-SWIMMERS ON THE CRAFT SHALL WEAR A DEVICE AT ALL TIMES.

5. THE COUNTY MAY REFUSE TO PERMIT THE USE OF A BOAT CONSIDERED UNSEAWORTHY. BOATS MAY NOT BE RENTED OR OFFERED FOR HIRE EXCEPT FOR BOATS OWNED AND USED BY AUTHORIZED COUNTY CONCESSIONAIRES.

6. BOATS ABANDONED, SUNKEN, OBVIOUSLY UNSEAWORTHY OR WHOSE OWNER IS UNIDENTIFIABLE WILL BE IMPOUNDED. THE COUNTY POLICE WILL ATTEMPT TO NOTIFY THE OWNER, AND REQUIRE REMOVAL OF THE VESSEL WITHIN 10 DAYS. IMPOUNDED VESSELS WILL BE SOLD OR DESTROYED AT THE OWNER'S EXPENSE IF NOT CLAIMED WITHIN 3 MONTHS.

7. INFLATABLE BOATS USED ON COUNTY LAKES AND WATER AREAS SHALL BE AT LEAST 7 FEET IN LENGTH, MADE OF A DURABLE CORDED FABRIC, REINFORCED WITH SOME TYPE OF CLOTH AND COATED, AND HAVE AT LEAST TWO SEPARATE BUOYANCY CHAMBERS, EXCLUDING AN INFLATABLE FLOORING OR BOTTOM.

8. A BOAT USING COUNTY LAKES AND WATER AREAS SHALL BE REGISTERED AND DISPLAY THE OFFICIAL REGISTRATION NUMBER AND CURRENT VALIDATION STICKERS REQUIRED BY THE FISH AND BOAT COMMISSION.

9. FLOAT TUBES SHALL BE USED UNDER THIS REGULATION ONLY ON LAKES AND WATER AREAS DESIGNATED BY THE COUNTY, INCLUDING ACME DAM AT CHESTNUT RIDGE COUNTY PARK AND BRIDGEPORT DAM AT BRIDGEPORT COUNTY PARK.

a. A FLOAT TUBE IS A DEVICE CONSTRUCTED TO PROVIDE STABLE FLOATATION AND A LEVEL RIDE TO A SINGLE ANGLER IN A MANNER THAT MINIMIZES THE POSSIBILITY OF A CAPSIZE. THE FLOAT TUBE SHALL CONSIST OF A BLADDER SYSTEM MADE OF HEAVY GAUGE RUBBER OR RUBBER IMPREGNATED SUPPORT FABRIC. THE BLADDER SHALL BE COVERED WITH A DURABLE FABRIC SHELL WHICH PROVIDES A SEAT FOR THE USER AND TWO LEGHOLES. A SECONDARY BLADDER IN THE FORM OF A BACKREST OR SIMILAR COMPONENT SHALL BE INCLUDED WITH A FLOAT TUBE TO PROVIDE ADDITIONAL EMERGENCY FLOATATION.

b. IT IS UNLAWFUL TO USE A FLOAT TUBE OR SIMILAR DEVICE ON COUNTY LAKES AND WATER AREAS OTHER THAN A FLOAT TUBE AS DEFINED IN SUB-SECTION (a).

c. IT IS UNLAWFUL TO USE A FLOAT TUBE ON COUNTY LAKES AND WATER AREAS UNLESS THE USER IS PROPERLY WEARING A COAST GUARD APPROVED PERSONAL FLOATATION DEVICE AT ALL TIMES WHILE USING THE FLOAT TUBE ON THE WATER.

d. IT IS UNLAWFUL TO PROPEL FLOAT TUBES ON COUNTY LAKES AND WATER AREAS BY MOTORS OR OTHER MECHANICAL PROPULSION OF ANY TYPE.

e. IT IS UNLAWFUL TO USE A FLOAT TUBE ON COUNTY LAKES AND WATER AREAS EXCEPT FOR THE PURPOSE OF LAWFUL PUBLIC FISHING.

SECTION II. SECTION VII. IS AMENDED TO ADD THE FOLLOWING:

M. ALL INDIVIDUALS ARE BOUND BY THE FISHING AND BOATING REGULATIONS AND THE FISH AND BOAT CODE OF THE COMMONWEALTH OF PENNSYLVANIA AND ALL COUNTY AND BUREAU OF PARKS AND RECREATION RULES, REGULATIONS AND ORDINANCES AS THOUGH THE SAME ARE INCORPORATED HEREIN.

SECTION III. SECTION XIX.A. HOURS IS AMENDED TO ADD THE FOLLOWING:

FISHING AND BOATING SHALL BE PERMITTED DURING THE HOURS OR 7:00 A.M. TO DUSK ONLY IN THOSE AREAS WHERE THERE ARE NO BOATING CONCESSIONS.

EFFECTIVE DATE

THIS ORDINANCE SHALL BECOME EFFECTIVE AND BE IN FULL FORCE AND EFFECT BEGINNING IMMEDIATELY.

ORDAINED AND ENANCTED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF WESTMORELAND, PENNSYLVANIA, THIS 13TH DAY OF JUNE, 1995.

COUNTY OF WESTMORELAND
BOARD OF COMMISSIONERS

ATTEST:

Chief Clerk

Richard F. Vidmer

Terry R. Marolt

Tom Balya