

**BOARD OF COMMISSIONERS
COUNTY OF YORK
COMMONWEALTH OF PENNSYLVANIA**

ORDINANCE 2017-05

**AN AMENDMENT TO THE YORK COUNTY CODE CHAPTER 75 TO
UPDATE YORK COUNTY PARKS AND RECREATION RULES AND
REGULATIONS**

WHEREAS, the York County Code provides the rules and regulations for the York County Department of Parks and Recreation, as set forth in Chapter 75 of the York County Code (adopted 4-16-2014 by Ordinance No. 2014-01); and

WHEREAS, the York County Commissioners wish to repeal the Code of York County Chapter 75, Articles I through III and replace it with this Ordinance.

NOW, THEREFORE, with the above matters incorporated by reference herein, it is **HEREBY ORDAINED AND ENACTED**, by the Board of Commissioners of the County of York, Pennsylvania, the attached Ordinance:

Section 1. Repealer.

This Ordinance shall supersede and repeal all ordinances, resolutions and parts thereof inconsistent or conflicting herewith. The Code of York County, Chapter 75, Articles I through III are specifically repealed.

Section 2. Effective Date.

This Ordinance shall become effective September 20, 2017.

Section 3. Severability Clause.

If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal, or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair the remaining provisions, sentences, clauses, section or parts of this Ordinance. It is hereby declared to be the intent of the York County Board of Commissioners that this Ordinance would have been adopted and would be enforceable had such unconstitutional, illegal, or invalid sentence, clause, section or part thereof not been included herein.

Duly enacted and ordained this 20th day of September, 2017, by the Board of Commissioners of York County, Pennsylvania in lawful session duly assembled.

ATTEST:

COUNTY OF YORK

Sherry Baer
Chief Clerk/Office Manager

Susan Byrnes
President Commissioner

(SEAL)

Doug Hoke
Vice President Commissioner

(SEAL)

Christopher B. Reilly
Commissioner

The above Ordinance was ordained, enacted, and adopted this 20th day of September 2017, at a regular meeting of the Board of Commissioners of the County of York duly advertised and assembled upon motion of Hoke and seconded by Reilly and passed with a vote of 3 yes and 0 no.

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ARTICLE I
Policy Statement

[The Policy Statement of the County of York for the York County Department of Parks and Recreation is on file at the Department of Parks and Recreation. Said Policy Statement was adopted by the York County Advisory Board of Parks and Recreation on 6-17-1971 and adopted by the York County Board of Commissioners on 10-20-1971.]

REVISED and ADOPTED by York County Board of Commissioners on September 20, 2017 by Ordinance 2017-05.

ARTICLE II
Rules and Regulations

75-1. Definitions.

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

COUNTY – Shall mean the County of York, Pennsylvania.

DEPARTMENT – Shall mean the York County Department of Parks and Recreation.

DIRECTOR – Shall mean the Director for the York County Department of Parks and Recreation, as designated by the York County Board of Commissioners.

FIREARM – Any weapon which is designed to or may readily be converted to expel any projectile by the action of an explosive, the frame, receiver, air, or any other force, or any such weapon, which includes, but is not limited to, revolvers, pistols, shotguns, rifles, air rifles, air guns, water guns, bows (re-curve, compound, cross and straight) or other weapons (i.e., sling-shot) that discharges projectiles (missiles/rockets – air, water, fuel-powered).

PARK SYSTEM – Unless specifically limited, shall be deemed to include any lands or facilities owned or leased by the County and designated or used by the County for park or recreational purposes.

PARK RANGERS – Shall mean all duly sworn in members of the Park Rangers Division.

PERMIT – Any written authorization issued by or under the authority of the Director for the York County Department of Parks and Recreation.

PERSON – Includes any natural person, corporation, organization, company, association, partnership, government, governmental subdivision, agency, or any other legal or commercial entity.

RULES AND REGULATIONS - Any rules and regulations hereby or hereafter promulgated by the Board of Commissioners of York County or its designated department (York County Department of Parks and Recreation) as well as the York County Code. The Parks Director may exempt any of these rules and regulations under written permission. Additional management policies and procedures are maintained at the York County Department of Parks and Recreation and available for public review.

SIGNS – Shall mean permanent and temporarily posted or displayed on the exterior of enclosed buildings, open spaces and the interior and exterior of open buildings, such as pavilions and gazebos.

Signs shall also include, but are not limited, to postings on bulletin boards, directional signs, roadway signs and points of interest.

YORK COUNTY ADVISORY BOARD of PARKS and RECREATION - This Advisory Board is appointed by the York County Board of Commissioners and serves at the will and pleasure of the Board. They act as an Advisory Board, whereby, making recommendations through the Parks Director to the York County Board of Commissioners in a public setting and follows the criteria of the Pennsylvania Sunshine Laws. This Advisory Board operates under a set of bylaws (adopted in December 1996), which is available for review at the York County Department of Parks and Recreation.

75-2. Authority to Act as Agent

The Director is authorized to act as the agent of the County with respect to implementing the terms and conditions of leases and agreements of the Park System. This authorization does not include executing new or amending existing leases or agreements.

75-3. Use of Park System.

A. Any Person may use all areas and facilities within the Park System, subject to any restrictions or limitations contained herein, which are not designated as reserved by Permit granting exclusive use or designated for a specific purpose, which is contrary to the activity in which the Person is participating.

B. A Rental Permit is required to reserve and use a park-designated space.

C. A Special Events Permit and Special Events Agreement (see § 75-4) is required to reserve and use a park-designated space for, but not limited to, the following activities: bounce houses, tents, canopies, pony rides, petting zoos, rallies, competitive and fundraising events. All Special Events shall also be subject to the requirements and restrictions set forth in any applicable Policies and Procedures as established and approved by the Director.

D. An application for Permit shall be made upon the official forms of the Department and shall be accompanied by the required fee, as established and approved by the Director.

1. Any applicable rental fee shall be waived for use of the Parks System by a County related department. This exemption does not apply to individual County employees. All other rules and regulations related to the use of the Park System will apply.

E. Application for a permit may be made at the Department office or other designated locations. Applications must be in the Department office well in advance of the requested Permit or as specified. In the event more applications for reservations are received than space is available, such applications shall be considered in the order they were received by the Department.

F. No person under the age of eighteen (18) years of age shall be issued a Permit for the use of the Park System from sunset of one day to sunrise of the following day unless accompanied by a person eighteen (18) years of age or older.

G. Permit holders must comply with all rules and regulations governing the use of the Park System, including, but not limited to, leaving the rented space in a clean condition.

H. The holder of a Permit shall be held responsible for the actions and conduct of all Persons using the Park System under his/her Permit.

I. Immediately following departure from a reserved space, the Department shall conduct an inspection of the space and surrounding area. The Permit holder shall be held responsible for any debris removal and destruction incurred and, therefore, will be obligated to cover the full cost of damages (including manpower).

J. The Department may revoke any Permit at any time by the Director or his/her designee or a Park Ranger in the field for just cause arising from violations of the Permit, applicable park rules, or the safety of Park System visitors.

K. It shall be unlawful for any Person to use the Park System in a manner for which a Permit is required except through the grant of a Permit and payment of the applicable fee.

L. Unless a Permit is issued that provides exclusive use of a defined area, the Park System is available on a first-come, first-serve basis.

M. It shall be unlawful for any unauthorized Person to charge any other Person for the use of the Park System.

N Use of sport fields for league practice or play without reserving a facility is prohibited. The approval process will proceed pursuant to the applicable policies and procedures.

O. No Person shall install equipment, make any alterations or adjustments to existing equipment of facilities, or erection, construction or maintenance above or below ground, across or beneath the Parks System without the prior express written permission of the Director.

P. Engaging in commercial activity within the Park System is strictly prohibited without the prior express written permission of the Director.

75-4. Special Events Agreement.

A. A Special Events Agreement and Special Events Permit (see § 75-3) is required to reserve and use a park-designated space for, but not limited to, the following activities: bounce houses, tents, canopies, pony rides, petting zoos, rallies, competitive and fundraising events.

B. The Special Events Agreement shall be entered into between the Department and the Permit holder. This agreement shall expire December 31st of each year. The failure of the Permit holder to comply with the conditions of this agreement shall subject the Special Events Agreement to immediate termination.

75-5. Hours.

A. No Person shall be permitted within or remain upon the Park System between dusk and dawn, except at designated fishing and boating sites. At the sole discretion of the Director, or his/her designee, said hours may be extended upon special request made pursuant to any applicable Policies and Procedures as established and approved by the Director.

B. Department sponsored or co-sponsored programs and certain trails as designated by the Director are exempted[GJS1].

75-6. Signs.

A. It shall be unlawful to move, remove, damage or deface a Sign.

B. The Director shall approve all Signs within the Park System prior to posting or installation, whether owned or rented, with the following exceptions:

1. Temporary maintenance signs, such as but not limited to “wet paint,” “area closed” and “caution”.

2. Temporary signs posted at picnic areas giving directions to a specific group, such as “Smith picnic.” All temporary signs shall be removed by the Permit Holder when the related activity is completed.

C. No Person shall disobey a posted or displayed Sign.

75-7. Property Destruction.

No Person shall:

A. Cut, break, mark upon or otherwise damage any building, equipment, vehicle, trailer, boat, materials, bridge, drain, wall, fountain, lamp post, fence, railing, gate, hedge, roadway or highway or other structure or installation within the Park System.

B. Willfully destroy, deface, alter, change, or remove any monument, stone marker, Signs, whether permanent or temporary, benchmark, stake, post or blazed trail, marking or designation of any boundary line or survey line within the Park System.

C. Remove any bench, seat, table or other appliance or any item of property within the Park System.

D. Deface, destroy or remove any placard, notice or Sign, whether permanent or temporary, posted or exhibited within or upon the Park System.

E. Appropriate, excavate, injure, remove or destroy any historical, archeological artifact, relic, object or pre-historical ruin or any object of antiquity within the Park System without the prior express written permission of the Director.

F. Play or other activities on wet ground within the Park System in a manner injurious to the turf or any surface that would result in damage.

G. Excavate, alter, change or disturb stream flow and habitat structures within the Park System.

75-8. Trespass

No Person shall:

A. Enter or attempt to enter upon any grounds within the Parks System that have been posted by the Department with No Trespassing or Special Wildlife Signs or any Sign that would indicate that the area is not open to the general public without first obtaining written permission from the Director.

B. Obtain or attempt to obtain access to any building, box, vehicle, fenced-in or enclosed area or facility within the Park System that is locked or prominently marked as not being open to the public or designed to exclude intruders.

C. Enter upon or disturb any construction or equipment within the Park System except authorized personnel within the Park System.

D. Re-enter onto the Park System after written notice by certified mail (return receipt) by the Chief Park Ranger due to violating Rules and Regulations or due to unwanted or nuisance behavior.

E. Create a private access from/to the Park System.

75-9. Destruction of Plant Life.

No Person shall:

A. Cut, remove or destroy any tree, sapling, seedling, bush or shrub, whether alive or dead; or chip, blaze, box, girdle, trim or otherwise deface or injure any tree or shrub, or break or remove any branch, foliage, tree or shrub, or pick, gather, uproot, remove or destroy any flower, plant or grass except with the prior express written permission of the Director.

B. Remove, or cause to be removed or dig any sod, earth, humus, peat, boulder, rock, gravel, soil or sand except with the prior express written permission of the Director.

75-10. Fires and Lighted Objects.

A. No Person Shall:

1. Willfully set, or cause to be set, a fire in any building, equipment, vehicle, structure, tree, woodland, brush-land, grassland or meadow within or upon the property of the Park System.

2. Build any fire within the Park System, except within the fireplaces approved and designated by the Director, for such purpose. All fires shall be of charcoal or wood.

3. Shall drop, throw or otherwise scatter lighted matches, burning cigars, cigarettes, tobacco paper or other flammable material within or upon any property of the Park System, except in appropriate receptacles.

4. Use charcoal grills except at existing grill sites within the Park System.

5. Use gas grills or gas stoves except in pavilion areas and at individually provided picnic tables within the Park System.

6. Use lighted candles within the Park System.
7. Use or release Chinese lanterns or any other type of flammable and non-flammable luminaries within the Park System.
8. Smoke cigarettes, cigars or other flammable and/or smokable materials, including from a vaporizer, within Park System's enclosed buildings or outside during a burning ban enacted by local, county or state governments.

B. Any permissible fires must be attended at all times by a competent Person, 18 years of age or older. All fires must be thoroughly extinguished before leaving the area.

75-11. Animals, Birds and Reptiles.

A. No Person shall:

1. Pursue, catch, attempt to catch, strike, molest, wound or kill any bird, animal or reptile or any nest, lair, den, burrow or the like of any animal; except, such limited areas which the Department may from time to time designate as authorized hunting and fishing areas.
2. Hunt, fish or trap except in accordance with the laws of the State of Pennsylvania and as authorized by the Department.
3. Permit his/her dog or other pet to pursue, catch, wound or kill any bird, animal or reptile or to disturb the nests, dens, home or place of refuge of any other animal or bird.
4. Drive or pursue any wild bird or animal from the confines of the park within the Park System.
5. Have a pet in attendance while riding a bicycle or other non-powered conveyance within the Park System.

B. All Persons must clean up any fecal matter deposited by his/her pet in all areas of the Park System.

75-12. Hunting and Trapping.

A. No Person shall:

1. Hunt, trap, catch, wound or kill, treat cruelly or attempt to trap, catch, wound or kill any bird or animal, nor allow his/her dog or other pet to do so, except in regulated shooting grounds, fields or training areas opened to hunting and trapping by the Department. Such areas are to be closed to all other park use and will be run in compliance with State laws.
2. Hunt or pursue any bird or animal that has been wounded or injured outside the Park System and has taken refuge within the Park System, without notifying a Park Ranger within the Park System prior to entry upon the Park System.
3. Molest or rob any nest of any bird or any lair, den or burrow of any animal in or upon any land or waters within the Park System.

4. Spotlight wildlife within the Park System while in the possession of a Firearm, except by individuals possessing a license to carry a Firearm permit and only with Firearms authorized by that permit (most sporting Firearms are not authorized), bow and arrow or other devices capable of killing wildlife.

5. Spotlight wildlife within the Park System during regularly scheduled statewide antlered and antlerless deer seasons, including those days separating the seasons.

6. Cast an artificial light upon any building, person, animal or photoelectric cell within the Park System.

B. The Director may, from time to time, designate limited areas in which hunting and trapping will be allowed in the Park System; provided that fishing and hunting will be permitted within or upon the Park System in accordance with the laws of the Commonwealth of Pennsylvania, the rules of the Pennsylvania Fish and Boat Commission and the Pennsylvania Game Commission in such areas designated for such purposes. A York County Parks Hunting Permit is an agreement between Parks and an approved hunter to follow the rules and regulations of the parks (including abiding by the Pa Game Laws). A violation of any of the foregoing regulations will be a direct violation of this section.

C. No Person shall hunt on County Property without first receiving a County Parks Hunting Permit issued and authorized by the Director. An application for a County Parks Hunting Permit shall be made upon the official forms of the Department as established and approved by the Director. A current and valid Pennsylvania Hunting License, and proof thereof, shall also be required for any Person to legally hunt or trap within the Park System.

D. No Person shall disobey the rules and regulations of the current York County Parks Hunting Permit.

E. Hunting within the Park System is strictly prohibited on all Sundays.

F. Use of high power rifles within the Park System to hunt is strictly prohibited.

75-13. Possession of Illegal Animals.

All game, animals, fowl, birds, fish, and other aquatic life hunted, killed, taken or destroyed, bought, sold, bartered or had in possession, contrary to any of the provisions of these Rules and Regulations, and the same declared to be contraband, shall be subject to seizure and confiscation and shall be disposed of in accordance with the Pennsylvania Game Commission or Pennsylvania Fish and Boat Commission for disposal. Refer to § 75-12 for approved possessions[GJS2].
[GAM3]

75-14. Operation of Motor Vehicles within the Park System.

A. Except as provided by sections related to parking and operation of motor vehicles in specific park areas, Pennsylvania Title 75, otherwise known as the Motor Vehicle Code, will govern operation of motor vehicles on all park roadways,

B. No Person shall:

1. Operate a motor vehicle within the Park System and stop, stand or park, said vehicle upon any roadway or in any parking area in such a manner as to form an obstruction to traffic thereon or to block the exit or removal of another vehicle.
2. Park any motor vehicle within the Park System in any area that is designated as a prohibited parking area.
3. Operate a motor vehicle within the Park System and stop, stand or park said vehicle, in any place marked as a passenger or loading zone, other than for expeditious loading and unloading of passengers or for the unloading and delivery or pick up and loading of materials.
4. Operate or park any motor vehicle within the Park System with an invalid or expired inspection certificate and/or registration.
5. Park a motor vehicle within the Park System in such a manner as to take up more than one designated parking space unless approved by a Park Ranger.
6. Park any motor vehicle within the Park System in an identified ADA parking space without proper certification.
7. Operate or park any motor vehicle within the Park System on the grass except in designated areas.
8. Operate a motor vehicle of any kind or nature (including unlicensed and unregistered by the Commonwealth of PA) within the Park System except on roads or designated parking areas.
9. Operate a motor vehicle on any road within the Park System at a speed exceeding twenty-five (25) miles per hour or at any speed greater than that posted.
10. Operate any motor-driven sled, toboggan, snowmobile, All Terrain Vehicle (ATV) or motorbike within the Park System.
11. Operate motor vehicles within the Park System with a pull-behind trailer within a posted (restricted) area.
12. Operate commercial motor vehicles within the Park System, unless providing authorized services. Specifically, no tractor-trailer or any commercial motor vehicle, except a bus or buses that are used to gain access to the Park System, shall be brought upon the premises.
13. Operate any motor vehicle within the Park System while under the influence of intoxicating liquor or narcotics, drugs, barbiturates or any derivatives of barbiturates.
14. Operate a motor vehicle within the Park System while his/her license to operate has been suspended or revoked.
15. Operate a motor vehicle within the Park System without having a valid operator's license, automobile registration certificate and valid certificate of inspection displayed on the vehicle.

16. Operate any motor vehicle [GJS4] within the Park System, including, but not limited to, any area designated for the parking of vehicles, in a careless or negligent manner likely to endanger any person or property.

17. Operate any fuel-powered or battery-powered remote controlled devices or self-propelled devices (scooter, bicycles, hoverboard, wheelchair) within the Park System, except ADA assisted modes.

18. Abandon any motor vehicle and/or equipment and/or personal property within the Park System.

19. Operate a motor vehicle within the Park System in a speed contest or for the purpose of making a speed record, including that commonly known as a “drag race,” whether from a standing start or otherwise.

20. Operate a motor vehicle within the Park System and stop, stand or park said vehicle in such a manner as to block any fire trail, campsite road, maintenance road, boat ramp, or bike/hike/horse trail.

21. Park a motor vehicle in any area restricted for vehicles equipped with boat trailers.

22. Fail to yield the right of way to any Person riding a horse, hiking and biking on marked trails where such trails cross streets or roadways within the Park System.

23. Wash or make mechanical repairs on motor vehicles within the Park System except in an emergency.

75-15. Horses.

No Person shall:

A. Ride, lead, cause or suffer a horse to be upon the Park System, except in specifically designated parks and on park trails.

B. Ride a horse within the Park System in a careless, negligent or reckless manner so as to create a nuisance or to endanger the life, property or Persons within the Park System.

75-16. Bicycles.

A. No Person shall:

1. Operate a bicycle or pedacycle within the Park System unless as close to the right-hand curb or right-hand side of the path, trail or roadway as conditions will permit, and not more than two (2) bicycles or pedacycles shall be operated abreast.

2. Operate a bicycle or pedacycle upon any path, trail or roadway within the Park System to carry any person upon the handlebar or frame of any bicycle or pedacycle or for any person to so ride upon such bicycle or pedacycle.

3. Operate a bicycle or pedacycle upon paths, trails or roadways within the Park System unless posted for such use; provided, however, that no such use shall be allowed between dusk and dawn without the prior express written approval of the Director.

4. Operate a bicycle or pedacycle within the Park System in a careless or reckless manner, in disregard of the rights and safety of others, in a nuisance, unsafe, reckless, speeding in excess of conditions, negligent manner, or in any manner so as to endanger any person or property within the Park System.

5. It shall be unlawful for any person to ride upon any park property except upon specially designated areas within the Park System.

B. Bicycles and pedacycles shall yield the right-of-way to all pedestrians/Persons with horses where such paths, trails or roadways within the Park System cross or become one.

C. Bicycles shall pass on the left and use an audible signal while being operated in the Park System.

75-17. Peddling and Soliciting.

A. No Person shall:

1. Within the Park System, peddle or solicit business of any nature whatsoever, collect any fund for any service or charity, distribute/post/display handbills or other advertising matter, engage in political activities, post unauthorized signs on any lands, waters, structures, or property; or to use such lands, waters, structures, or property for such purposes, without the prior express written permission of the Director.

B. No Person shall set up any booth or table, or stand or dispense from a vehicle the sale of any article or service whatsoever within the Park System, or to distribute, sell, service or rent any services or commodity or solicit, including political activities for any purpose within the Park System, without the prior express written permission of the Director .

75-18. Unlawful Obstruction.

No Person shall, by force, threats, intimidations, unlawful fencing, encroachments, enclosing or by any other means, prevent or obstruct any Person from entering, leaving or making full use of the Park System (at designated or non-designated accesses), except for law enforcement officials (including Park Rangers) during the performance of their official duties.

75-19. Interference with Park Personnel.

No Person shall:

A. Interfere with, use profanity towards or in any manner hinder any Park Ranger, employee or agent of the Department in the discharge of his or her duties within the Park System.

B. Interfere with, use profanity toward any Park Ranger in the performance of his or her duties, or fail or refuse to obey any lawful command or refuse to assist any Park Ranger in the performance of his or her duties within the Park System.

C. Disobey, disregard or fail to comply with any the Rules and Regulations, warnings, prohibitions, instructions or directions given by an authorized personnel within the Park System.

D. Interfere with, or in any manner hinder, any employees or agents of the York County Board of Commissioners, while performing their official duties within the Park System.

E. Upon reasonable suspicion that the Person is acting in violation of the Rules and Regulations, or federal, state or municipal laws, refuse to provide valid identification upon request by a Park Ranger or authorized personnel.

75-20. Impersonation of Park Rangers.

No Person shall impersonate any member of the Park Ranger unit for any reason whatsoever.

75-21. Alcoholic Beverages and Drugs.

A. No person shall:

1. Transport, sell, consume or have in their possession, any intoxicating beverages or substances while within the Park System.

2. Sell, use, transport or have in their possession any drug or narcotic of which is prohibited by state or federal law while within the Park System.

3. Be under the influence of any narcotics of intoxicants or intoxicating beverages while within the Park System.

4. Grow illegal or controlled plants or otherwise, as defined by state and federal law such as marijuana, within the Park System.

B. Any alcoholic beverage, its container, and/or dispensing system in any Person's possession shall be confiscated by the Park Rangers and disposed of according to Department policies and procedures.

C. Notwithstanding paragraphs A & B, alcoholic beverages may be permitted with the Park System with prior expressed written approval of the Director.

75-22. Recreational Activities.

A. Any Person who desires to engage in any activities, for which no designated area has been made within the Park System, shall first obtain expressed written permission from the Director before conducting said activity. Without the aforementioned authorization, such activities shall be prohibited.

B. Special events or activities involving more than ten (10) participants must receive prior expressed written permission from the Director to hold such an activity or event. Without the aforementioned authorization, such an activity or event shall be prohibited. As part of the approval process, a certificate of insurance naming the County of York as additionally insured may be required.

C. The establishment of geocaching/letterboxing within the Parks System is subject to approval by the Director.

D. It shall be unlawful to:

1. Rope climb, climb, repel or otherwise from any object or structure in the Park System.
2. Hit golf balls in the Park System.
3. Metal detect within the Park System except with a special use agreement with the Department.
4. Sled on dam breasts within the Park System.
5. Bike, hike or horseback ride on dam breast within the Park System, except on designated trails.
6. Launch Hot Air Balloons from within the Park System except with the prior expressed written permission of the Director.
7. Operate remote control devices within the Park System except in designated areas or with the prior expressed written permission from the Director.
8. Operate drones within the Park System except with the prior expressed written permission of the Director.
9. Release lighter than air balloons (example helium balloons) within the Park System.
10. Conduct film making within the Park System except with the prior expressed written permission of the Director.

E. Camping.

1. No Person shall:
 - a. Camp (either overnight or otherwise) in the Park System, except in such areas as may be provided and designated for such purposes by the Director. No Person shall camp without the prior expressed written permission of the Director and pursuant to the applicable policies and procedures[GJS5].
 - b. Fail to remove all camping equipment and gear from campsite at the end of the camping period.
 - c. Camp in violation of any of the current camping regulations or general park rules as promulgated by the Director.
 - d. Enter upon the campsite of another or be within twenty (20) feet of any tent, shelter or cabin of another, whether occupied or not, without first obtaining an invitation or permission to do so by the Person of the other campsite.

75-23. Personal Conduct.

No Person shall:

A. Engage in any violent, abusive, loud, boisterous, vulgar, lewd, wanton, obscene or otherwise disorderly conduct tending to create a breach of the peace or to disturb or annoy others, while in or on the Park System, including, but not limited to:

1. Fighting, or physical or verbal threatening.
2. Causing or creating a noise, which would likely annoy or disturb a reasonable person of normal sensitivities.
3. Urination or defecation in any area of the park and recreational facilities other than a toilet.
4. Deliberately follow or observe another individual within or upon park property in order to intimidate or to make an individual feel unsafe.

B. Commit any indecent or immoral act tending to debauch the morals or manners of the public while in or on the Park System, including, but not limited to:

1. Disrobing or changing clothing, except in buildings or facilities made available for that purpose.
2. Failing to cover one's genitals, pubic area, buttocks and female breast[GAM6], below the top of the nipple, with clothing that is impossible to see through.
3. Perform or engage in sexual activities in which genitalia or female breast is exposed or is touched through clothing.
4. Solicitation for sexual activity

75-24. Gambling.

It shall be unlawful to conduct or to participate in any form of gambling, lottery or game of chance within the Park System except as authorized by the issuance of a Special Events Permit and execution of a Special Events Agreement.

75-25. Use of Loudspeaker, Radio, Phonograph, Tape Recorders, and Television.

No person shall:

A. Use a loud speaker, public address system, or amplifier within the Park System without the prior expressed written permission of the Director.

B. Play or cause to play any radio, phonograph, tape recorders, television, stereo tape, etc. within the Park System in a loud or boisterous manner which tends to disturb or annoy any visitor.

75-26. Loitering.

No Person shall remain in an area of the Park System for no obvious reason(s) or maliciously prowl around.

75-27. Fireworks.

No Person shall fire, discharge or have in his or her possession any rocket, firecracker, torpedo, squib, or other fireworks or any substance of an explosive nature within the Parks System without the prior expressed written permission of the Director.

75-28. Firearms, Projectiles and Weapons

A. No Person shall:

1. Bring into or upon the Park System a Firearm unless the Firearm is properly registered and transported in accordance with Pennsylvania law.
2. Discharge or set off anywhere within or upon the Park System a Firearm. The prohibition contained in this section does not apply to duly-appointed Park Rangers or law enforcement officers while carrying out the duties and responsibilities of his or her position within the Park System, nor to any Person while on or in those areas which may, from time to time, be designated as hunting areas by the Director conditioned upon such Person having a valid County Parks Hunting Permit and Pennsylvania Hunting License.
3. Possess any type of bladed weapon, with the exception of knives not to exceed twelve (12) inches in length, in any area of the Park System except for those park users camping in campsites.

B. It shall be the duty of the Park Ranger to confiscate any of the above articles except as permitted in Section A, which shall be disposed of according to law.

75-29. Water Activities and Fishing

A. Subject to all Pennsylvania Fish and Boat Commission Rules and Regulations, it shall be unlawful to:

1. Tow any type of device on any body of water within the Park System, except for emergency purpose only.
2. Operate within the Park System the following: watercraft driven by air propeller and/or gasoline motor, inner tube and/or air mattress, water-ski, seaplane, toy water craft, any watercraft not designated or constructed as a means of water transportation, or any unseaworthy watercraft.
3. Operate a self-propelled or electric motor watercraft, except as permitted at Kain Park.
4. Swim, scuba dive or snorkel within the Park System
5. Operate a permissible watercraft within 100 feet of any dam and areas marked by buoys within the Park System.

6. Operate any permissible watercraft within the Park System which endangers any person or watercraft or property
7. Launch at non-designated launching areas within the Park System.
8. Use drinking fountains, springs, lakes or waterways within the Park System for washing purposes.
9. Withdraw water from a stream, lake or pond within the Park System. [[GJS7].

B. Fishing within the Park System waters shall be permitted only in such areas and at such times as are designated by the Department. In all cases, the Pennsylvania fishing laws shall be applicable to all Park System waterways. The failure to comply with such Pennsylvania fishing laws shall be in direct violation of this section.

1. No Person shall:
 - a. Fish in any wildlife sanctuary or outdoor education area or any place where “No Fishing” signs have been posted by the Department.
 - b. Enter the Park System for fishing after sunset except via designated areas open for 24 hour fishing.
 - c. Fish without being the holder of a current resident or non-resident State fishing license where required by applicable State laws.
 - d. Fish (including bow fishing) within the Park System at non-designated areas either from the shore, dam or from a permissible watercraft.

75-30. Contraband.

All game, animals, fowl, birds, fish, and other aquatic life hunted, killed, taken or destroyed, bought, sold, bartered or possessed contrary to State or Federal laws shall be declared to be contraband and the same shall be subject to seizure and confiscation and shall be turned over to the appropriate authority for disposal.

75-31. Littering.

No Person shall:

- A. Litter, discard, deposit, dump or allow to blow away refuse of any kind or nature within or upon the Park System, except by placing said refuse in appropriate refuse containers provided for such purpose.
- B. Throw, cast, lay, drop or discharge into or leave in waters of the Park System any substance, matter or thing, liquid or solid, which may or shall result in the pollution of said waters.
- C. Dispose of any personal item(s) into a designated trash container within the Park System.
- D. Pour or cause to spill or permit to escape in any area of the Park System any oil, gas, salt, acid or other deleterious substance whether liquid, solid, gaseous, except pursuant to the provisions of an official permit.

E. Bring to or dispose of any type of trash, refuse or debris, including, but not limited to, waste paper sweepings, ashes, household waste, glass, refuse or rubbish or any dangerous or detrimental substance in the Park System whether disposing of it in receptacles or not, if such was not generated from park usage.

F. Deposit any bodily waste in or on any portion of the Park System except in a container for that purpose.

G. Place any bottle, can, rag, towels, wood, stone or substance in any plumbing fixtures within the Park System.

75-32. Animal Control.

A. No Person shall:

1. Fail to have his or her pet or other animal or fowl on a tethered leash and under the Person's immediate control while within the Park System. The use of voice command and/or electronic device for control is prohibited and does not constitute immediate control as required under this section. Dogs may only be unleashed in the following areas:

a. Inside Rudy Park – Canine Meadows off leash designated area.

b. Inside identified dog training areas with valid **permit** from the Department[GJS8].

2. Bring, drive, or lead any animal, except as set forth below, onto the Park System except that horses, other beasts of burden and draft animals may be ridden by Persons in charge thereof, or driven before a vehicle attached thereto, on such portions of the Park System as may be designated for riding by the Director.

3. Bring, drive, lead or carry any dog or other animal or pet which is unleashed, upon the Park System, except for animals used in waterfowl hunting or dog shows or designated areas, as such may be permitted by the Director.

4. Permit his or her dog or pet to enter any public building, pavilion or gazebo within the Park System, except a trained and working leader dog, such as a "Seeing Eye" dog.

5. Cause or permit any horse or other animal to stand unattended upon or within the Park System, unless securely hitched or under the control of a competent Person.

6. Torture, ill-treat or neglect any animal or pet upon the Park System.

7. Bring any pet or animal into the Park System unless said pet or animal has been properly inoculated and has a current year's license if so required.

8. Cause or allow his or her pet up to and including dogs and horses to relieve themselves within or upon the Park System without cleaning up afterwards in designated areas.

9. Feed wild animals within the Park System, including but not limited to geese, ducks, deer, birds and squirrels.

10. Store or leave food within or upon the Park System in a manner that is reasonably likely to attract wildlife.

11. Release or abandon any animal within or upon the Park System.

12. Stage any animal fights for any reason within or upon the Park System.

13. Allow any pet or animal to run at large which is deemed after due consideration by the Park Ranger to constitute a threat to the public health and welfare; therefore, it shall be the responsibility of every Park Ranger to kill the animal if other means are not available or prove unsuccessful within the Park System.

B. In the event of a pet bite to a human or other, the owner is required to provide personal identification and pet health records to the park ranger department within two (2) days of the incident.

75-33. Rudy Park – Canine Meadows off leash designated area

A. Dogs must be under the immediate control of their handler at all times while in the off leash area and when entering and exiting Canine Meadows located at Rudy Park.

B. No person shall:

1. Bring an unlicensed dog into the area.

2. Bring an unhealthy dog or a dog without current vaccinations into the area.

3. Bring a dog without identification tags into the area.

4. Bring a dog under the age of four (4) months into the area.

5. Allow his or her dog to be unleashed when entering and exiting the area.

6. Allow his or her dog to enter into an inappropriate area as posted and designated by the weight of the dog.

7. Allow a dog showing aggressive behavior in the unleashed dog area.

8. Allow his or her dog to relieve themselves without immediately cleaning up afterwards and properly disposing in the dumpster.

9. Allow his or her dog to be unattended at any time while in the area.

10. Allow a child under 49” in height to enter into area.

11. Allow anyone under the age of 15 years to enter the area without a responsible adult.

12. Bring more than three (3) dogs per adult handler into the area.

13. Bring food or treats, both dog and human, into the area.

75-34. Fees, Charges, Permits and Agreements.

No Person shall use any Department facility or area for which a permit or agreement is necessary, or fee or charge has been established by the Department without issuance of such permit, execution of such agreement, and payment of such fee or charge receipted by the appropriate Departmental permit.

75-35. Emergency Powers.

Nothing in these rules shall:

A. Prohibit or hinder duly authorized agents of the Department and/or the York County Board of Commissioners, or any law enforcement officers, from performing their official duties.

B. Prohibit the Department, the York County Board of Commissioners and/or their respective agents from establishing emergency rules and regulations, as well as policies and procedures, required to protect the health, welfare, and safety of park visitors and property within the Park System, including, but not limited to, the right of the Board of Commissioners to order all Persons off county property and to close all or any portion of the county park.

75-36. Additional Rules and Regulations.

The Director is authorized to establish additional rules and regulations, as well as policies and procedures, which when prominently posted, shall be obeyed by all Persons utilizing the Park System. The violation of such additional rules, regulations, policies and/or procedures shall be a violation of this Article and shall be subject to the penalties herein.

75-37. Authority to Close Areas.

Any park employee may close any park or recreation area within the Park System which becomes hazardous or unsafe for public use due to weather, water, fire, public safety or unforeseeable conditions with immediate notification to the Director and/or Chief Park Ranger.

75-38. Enforcement.

The Park Rangers and any police officers having jurisdiction may enforce the provisions of the rules and regulations herein established, in accordance with the procedure set forth herein.

75-39. Violations and Penalties.

A. Any Person who violates any provision of this Article shall, for every such offense, upon conviction thereof, in a summary proceeding, be sentenced to pay a fine of not less than Seventy-Five Dollars (\$75.00) and not more than Eight Hundred Dollars (\$800.00) and/or to undergo imprisonment for a term not to exceed thirty (30) days, or both, plus costs of prosecution and restitution, if applicable, to the County of York for any damage caused by the Person. Restitution shall include, but not be limited to, reimbursement for hours spent by County of York employees performing repairs, as well as replacement costs and material costs. All prosecutions shall be brought in the name of the County of York, and all fines, court costs and restitution shall be paid to the County of York.

B. Enforcement of 75-39.A. shall be the duty of the York County Park Rangers. The York County Park Rangers shall have the authority, upon view of a violation of this Article, to arrest and detain a suspected violator and to issue to him or her a non-traffic citation under the Pennsylvania Rules of Criminal Procedure for a violation of this Article.

C. Notwithstanding any provision in this Article to the contrary, the York County Park Rangers shall also have authority to enforce the Pennsylvania Crimes Code, the Motor Vehicle Code, the Juvenile Act and the Drug, Device, Controlled Substance and Cosmetic Act.

D. The York County Park Rangers shall have authority to make arrests and/or institute prosecutions (including without limitation the issuance of traffic and non-traffic citations, criminal complaints, and arrest warrants) in accordance with the Pennsylvania Rules of Criminal Procedure and the York County Park Rangers shall be bound by such rules.

E. The enforcement authority of the York County Park Rangers, including the issuance of non-traffic citations, is limited in jurisdiction solely to property within the York County Park System.

F. The York County Park Rangers shall carry Department issued service weapons whenever on official duty[GJS9].

1. These weapons may be used only in the act of self-protection or the protection of a park patron/patrons from a life threatening situation.

2. Before any Park Ranger may possess or carry a Department issued weapon he/she must pass psychological testing administered by the County and must qualify semi-annually by a state certified firearms instructor.

G. It shall be the duty of any Park Ranger to cause the removal of any person that he feels is jeopardizing the safety or well-being of any park patron(s).

H. Any Person(s) that witnesses a violation of a Rule or Regulation can provide that information to a Park Ranger, thereby, a Park Ranger can issue a citation of this information received if the witness is willing to testify at a hearing. If the witness is unwilling to testify, the Park Ranger will contact the violator, if known and inform the violator of that reported violation.

I. Items and objects are subject to confiscation as allowed under this Article, the PA Vehicle Code, Crimes Code, or statutes.

J. Any Person(s) submitting a false statement to any Park Ranger regarding a Rules and Regulations violation is subject to a violation and the highest penalty as allowed by this Article.

K. Nothing in this Article shall be construed as a waiver of the County of York's right to pursue recovery of damages in a civil proceeding.

ARTICLE III Citation Procedures

75-40. Use of citation form.

The citation form shall be used to institute proceedings in all summary cases for violations of the park Rules and Regulations. The defendant's copy of the citation outlines his/her responsibility in responding to the charge of which he/she is accused. With the exception of the defendant's and issuing

authority's copies, all other copies will serve as prosecution reports and audit trails in all park Rules and Regulations cases by the citation process.

75-41. Numbering of citations and record keeping.

Each citation will be pre-numbered by the printer, and it shall be the duty of the Park Ranger Unit to maintain an accurate number record of all such forms issued to Park Rangers. Park Rangers shall return all such citations either in the form of (prosecution) reports or as voided forms.

75-42. Preparation of non-traffic citations.

A. All entries on the citation shall be printed in ballpoint pen. Sufficient pressure and care must be exercised to ensure that the data printed on this report is clear and legible in order to facilitate the transmittal of funds and retention of this data. Standard abbreviations may be used when practical.

B. When an error is committed in preparing a citation, the Park Ranger initiating the report will draw a single line through the error and print the correct information immediately above it.

C. When applicable, the word "void" shall be printed horizontally across the center front of the involved report. On the reverse side, the Park Ranger shall place an explanation for such action. The Chief Park Ranger shall review all such reports. One (1) copy shall be retained at the Park Ranger Unit and the remaining copies forwarded to the proper Magisterial District Judge.

75-43. Multiple offenses and/or defendants.

In the event that a Person is responsible for several summary offenses, a citation will be prepared for each offense. If an investigation reveals more than one (1) defendant is responsible for a summary offense, a separate citation form shall be prepared concerning each defendant.

75-44. Information to be included on reports.

Refer to citation form for details.

75-45. Processing of non-traffic citations.

After the Park Ranger has issued a citation, a supplemental report shall be completed. Both the (gold) police copy and the supplemental report shall be presented to the Chief Park Ranger for approval. A copy of the original citation will be attached to the supplementary report.

75-46. Distribution of citation forms.

Within five (5) days of the issuance of a citation, the issuing Park Ranger shall deliver the citation to the appropriate Magisterial District Judge.

**ARTICLE IV
Park Rangers**

75-47. Definitions

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

ACT 235 – The Lethal Weapons Training Act of October 10, 1974
(P.L. 705, No. 235,22 P.S. 41 et seq.)

EQUIPPING – Includes but is not limited to uniforms and lethal and non-lethal weapons.

75-48. Statutory Authority.

Pursuant to the provision of Public Law 323, August 9, 1955, codified at 16 P.S. 2511, the County authorizes the employment or appointment, and equipping of persons as Park Rangers for the following purposes:

A. Performing all necessary duties relating to the establishing, making, enlarging, extending and maintaining the Park System.

B. Enforcing the Park System Rules and Regulations ordained or resolved by the County.

75-49. Duties.

It shall be the duty of Park Rangers to:

A. Issue a citation, or arrest without warrant, any Person detected in the violation of any Rule or Regulation adopted by the County by ordinance or resolution.

B. Take the arrested Person before the Magisterial District Judge having jurisdiction.

C. Secure all crime scenes, including Persons and evidence, where there is probable cause to believe that there is or has been a violation of any provision of the Pennsylvania Crimes Code. Park Rangers shall immediately request County Control 911 to dispatch a police officer with jurisdiction to the scene and shall assist the officer as directed or requested.

D. Follow all directives, details, standard operating procedures and other notices and communications as determined by the Chief Park Ranger and/or Director.

E. Use discretion in performing duties, enforcement of Rules and Regulations and procedures and assure the safety of Park System personnel, park users and co-workers.

75-50. Qualifications - Weapons.

All Park Rangers who are required as a condition of employment to carry and use lethal weapons shall be certified pursuant to ACT 235 or possess municipal police officer certification.

75-51. County District Attorney's Duties.

The County District Attorney's office shall have the duty and responsibility to:

A. Review Park Ranger general directives and standard operating procedures, including annual training requirements, and recommend changes to the Director and/or Chief Park Ranger.

B. Investigate criminal acts or Firearm incidents involving Park Rangers and make recommendations for disciplinary actions, including termination if warranted, to the Director.

75-52. Training.

Park Rangers shall successfully complete annual training requirements as required in the Park Ranger general directive and standard operating procedures. Training shall include standard operation procedures to comply with the duties in 75-49.