ORDINANCE 2026-___

AN ORDINANCE OF HEIDELBERG TOWNSHIP, YORK COUNTY, PENNSYLVANIA, REPEALING ORDINANCE NO. 2023-03, WHICH CREATED THE HEIDELBERG TOWNSHIP PARKS AND RECREATION BOARD, AS WELL AS SUBSEQUENT AMENDMENTS THERETO, AND RESTATING THE TOWNSHIP'S REGULATIONS FOR THE USE AND ENJOYMENT OF ANY PARK OR RECREATIONAL GROUNDS

WHEREAS, Heidelberg Township, York County, Pennsylvania ("Township") is a township of the second class, organized and existing pursuant to Pennsylvania's Second Class Township Code, 53 P.S. § 65101, *et seq*.; and

WHEREAS, on October 4, 2023, the Township Board of Supervisors enacted Ordinance No. 2023-03, which created a Township Parks and Recreation Board and prescribed rules and regulations governing the use and enjoyment of Township park facilities; and

WHEREAS, on April 4, 2024, the Township Board of Supervisors enacted Ordinance 2024-01, which added an alternate member to the created Parks and Recreation Board; and

WHEREAS, Section 67204(a) of the Second Class Township Code provides "[t]he board of supervisors may by ordinance create a recreation board to supervise, regulate, equip and maintain township-funded recreation programs and facilities. The recreation board has only those powers specifically delegated to it by the board of supervisors."; and

WHEREAS, Further, Section 67203(a) of the Second Class Township Code provides "[t]he board of supervisors may by ordinance regulate the use and enjoyment by the public of any park or recreation grounds owned and operated by the township or charitable organizations for the use of the public."; and

WHEREAS, the Board of Supervisors may enact, amend, and repeal ordinances from time to time for the proper management, care and control of the Township to serve the maintenance of peace, good government, health and welfare of the Township and its citizens; and

WHEREAS, the Board of Supervisors now wish to repeal Ordinance No. 2023-03, as amended, and to restate rules and regulations for Parks, Open Spaces and Recreational Lands in the Township.

NOW THEREFORE, the Board of Supervisors of Heidelberg Township, York County, Pennsylvania, enacts and ordains as follows:

SECTION 1: Recitals. The above recitals are incorporated herein by reference.

SECTION 2: Enactment.

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A. Ordinance No. 2023-03, as amended by Ordinance No. 2024-01, is hereby repealed, eliminating the Township's Park and Recreation Board in its entirety, and removing any powers delegated to it.

B. The Board of Supervisors re-enacts the following rules and regulations governing the use and enjoyment of any park or recreation grounds owned and operated by the Township or charitable organizations for the use of the public:

1. Hours of Operation. All Parks, Open Space and Recreation Lands ("Parks") shall be open from sunrise to sunset. No person shall camp, either overnight or otherwise, in the Parks unless authorization has been given to do so.
2. Speed Limits. The speed limit within the Parks shall be fifteen (15) miles per hour.
3. Adult Supervision. No children under the age of 12 may be in the Parks unless supervised by an adult.
4. No Pets Without Leash and Waste Bag. Pets are permitted in the Parks but must be always leashed and under the direct control of the owner. The use of voice command and/or electronic device for control is prohibited and does not constitute immediate control as required under this section. Pet waste must be cleaned up, bagged, and removed from the Parks by the pet owner.
5. Organized Events. No organized activity that does not have designated area is permitted. Any person who desires to engage in any organized activities shall first obtain expressed written permission from the Township before conducting said activity. Any publicly advertised activities must receive prior written authorization by the Township to hold such an activity or event. Absence of such authorization shall result in the activity or event being prohibited. As part of the approval process, a certificate of insurance naming Heidelberg Township as additionally insured may be required.
6. No Alcohol or Illegal Drugs. No person shall transport, sell, consume or have in their possession any intoxicating beverages or illicit substances while in the Parks. This includes but is not limited to the sale, use, transport, or possession of any drug or narcotic which is prohibited by state or federal law while within the Parks.
7. No Loud, Lewd, or Indecent Behavior. No person shall 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 Parks grounds, including by not limited to: fighting or physical or verbal threats, causing or creating a noise which would likely annoy or disturb a reasonable person of normal sensitivities, urination or defecation in any area of the Parks other than a toilet, or deliberately follow or observe another individual within or upon Parks property in order to intimidate or make them feel unsafe. No person shall commit any indecent or immoral act tending to debauch the morals or manners of the public while in or on Parks grounds, including but not limited to: disrobing or changing clothing, except in buildings or facilities made available for that purpose; failing to cover one's genitals, public area, buttocks and female breast, below the top of the nipple, with clothing that is impossible to see through; perform or engage in sexual activities in which genitalia or female breast is exposed or is touched through clothing; or solicitation for sexual activity.

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8. No Littering. No person shall litter, discard, deposit, dump or allow to blow away refuse of any kind or nature within or upon the Parks, except by placing said refuse in appropriate refuse containers provided for such purposes.
9. No vandalism, graffiti, or Destruction of any Parks property. And destruction or defacement of Parks property is expressly prohibited. Any and all violations shall be prosecuted to the fullest extent permitted by law.
10. Protection of Wildlife. All persons using the Parks shall protect, wherever possible, wildlife in the park. To accomplish this goal, no person shall injure deface, climb, mutilate, pull up, remove, or destroy any vegetation in the park, whether sod, tree, brush, shrub, vine, fern, flower, or fruit. No person shall hunt, trap, chase, capture, or molest in any manner whatsoever wildlife of any kind or disturb the nests or eggs of birds or fish or homes of animals, except as may be authorized by the Township through the issuance of a related permit.
11. Prohibited Items. No motorized toys, ATVs or drones of any kind shall be operated in the Parks. No skateboards or roller blades shall be allowed in the Parks. No firearms, air guns, slingshots, paintball, fireworks, or explosives shall be allowed in the Parks to the extent permitted by law.
12. No Fires. No open fires of any kind are permitted in the Parks.
13. No Loitering. No person shall remain in an area of the park system for no obvious reasons or maliciously prowl around.
14. Use of Property. Park property is primarily for the use of Heidelberg Township residents; however, as Heidelberg Township property, no discrimination shall be permitted between residents of the Township and visitors from other areas. Parents are responsible for the safety and behavior of their children while on park property. No Township supervision will be available or provided. Users of park property shall respect the rights of others and conduct themselves in a manner acceptable and becoming of others. Users of the park are required to follow the direction of Heidelberg Township personnel, or other duly authorized authorities, who are working or monitoring the park property and any activities.
15. Enforcement and Penalties. Any person who violates the above Rules and Regulations shall be subject to enforcement by an action brought before a district justice in the same manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, a fine not to exceed one thousand dollars ($1,000) per violation, per day, and imprisonment to the extent allowed by law for the punishment of summary offenses.

SECTION 3: Repealer. The provisions of Ordinance No. 2023-03, as amended and supplemented, are expressly repealed.

SECTION 4: Severability. The provisions of this Ordinance are severable, and if any of its sections, clauses, or sentences shall be held illegal, invalid, or unconstitutional, such provision shall not affect or impair any remaining sections, clauses, or sentences of the same.

SECTION 5: Effective Date. This Ordinance shall become effective in accordance with law.

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IT IS HEREBY ENACTED AND ORDAINED by the Board of Supervisors of Heidelberg Township this ____ day of _____, 2026 at a meeting duly and legally held at which a quorum was present.

ATTEST:

HEIDELBERG TOWNSHIP BOARD OF SUPERVISORS:

_____
Secretary

_____
Timothy Hansen, Chairman

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