

**TOWNSHIP OF WASHINGTON  
FRANKLIN COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 272**

**ORDINANCE AMENDING THE PARKS AND  
RECREATION AREAS CHAPTER OF THE CODE –  
INCORPORATING MONTEREY PARK AND THE  
ROUZERVILLE COMMUNITY CENTER**

WHEREAS, Section 1506 of the Second Class Township Code states: “The board of supervisors may make and adopt any ordinances, bylaws, rules and regulations not inconsistent with or restrained by the Constitution and laws of this Commonwealth necessary for the proper management, care and control of the township and its finances and the maintenance of peace, good government, health and welfare of the township and its citizens, trade, commerce and manufacturers.”; and

WHEREAS, Section 2203(a) of the Pennsylvania Second Class Township Code states: “The 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, Washington Township is the owner of three parks commonly referred to as Monterey Park (formerly known as Rolando Woods Park), the Rouzerville Community Center; and the Pat O’Connor Nature Park

WHEREAS, said parks were acquired by the Township for the benefit and pleasure of the residents of and visitors to the Township; and

WHEREAS, the Board of Supervisors, in order to make sure all persons who might use Monterey Park, the Rouzerville Community Center and the Pat O’Connor Nature Park will be able to enjoy the parks, deem it necessary to establish rules and regulations to govern activities at the parks; and

WHEREAS, the current language and provisions in Chapter 232 of the Washington Township Code is, in places, duplicative and currently establishes different penalties for different parks.

**NOW, THEREFORE, BE IT ENACTED AND ORDAINED** by the Board of Supervisors of Washington Township, Franklin County, Pennsylvania as follows:

**I.** The existing Article II in Chapter 232 of the Washington Township Code is removed in its entirety and replaced with the following Article II:

“Article II – Parks

§ 232-6 Purpose.

Parks acquired by the Township are for the benefit and pleasure of the residents of and visitors to the Township of Washington, Franklin County, Pennsylvania, and all persons who use the parks shall do so in accordance with rules and regulations which may be adopted, from time to time, by resolution of the Board of Supervisors.

§ 232-7 List of Township Parks.

The following parks are owned by the Township and subject to the provisions of this Article:

Red Run Park

Pine Hill Recreation Area

Antietam Meadow Park

Baileys Run Recreation Area

Happel's Meadow Wetlands

Monterey Pass Battlefield Park

Monterey Park (formerly known as Rolando Woods Park)

Rouzerville Community Center

Pat O'Connor Nature Park

§ 232-8 Hours.

- A. All Township parks shall be closed from sunset prevailing time, until sunrise, prevailing time. Subject to the following exceptions, all persons found within any park of the Township between these hours shall be subject to the penalties provided in this article.
- B. Individuals, groups, or events may obtain written permission from the Chairman of the Board of Supervisors, or his representative, to be in and use any park during the time that the park is closed.
- C. Individuals, groups, or events may obtain written permission from the Chairperson of the Friends of the Monterey Pass Battlefield, Inc. Board, or their representative, to be in and use the Monterey Pass Battlefield Park during the time that the park is closed.
- D. The provisions of this section shall not apply to persons actively fishing in Red Run Lake.

§ 232-9 Rules and regulations.

The Board of Supervisors is hereby authorized to adopt by resolution rules and regulations for Township parks, from time to time, as the Board of Supervisors deems necessary.

This article and any amendments thereto and all rules and regulations established pursuant to this article or its amendments shall be posted at each and every Township park to which they apply.

Any person found to be violating any of the general provisions of this article or its amendments or any rules or regulations established pursuant to this article shall be considered to have constructive knowledge of both this article and its amendments and the rules and regulations and may be considered to be a defiant trespasser pursuant to applicable provisions of the Crimes Code.

§ 232-10 Violations and penalties.

A. Any person who violates or permits a violation of this article shall, upon conviction in a summary proceeding brought before a Magisterial District Judge under the Pennsylvania Rules of Criminal Procedure, be guilty of a summary offense punishable by imprisonment not to exceed ninety days and a fine not to exceed \$1,000, plus all court costs, including reasonable attorney fees, incurred by the municipality in any enforcement proceeding. Each day or portion thereof that such violation continues or is permitted to continue shall constitute a separate offense, and each section of this article that is violated shall also constitute a separate offense. The minimum fine to be imposed is \$50 per day or portion thereof for a first offense; \$100 per day or portion thereof for a second offense and \$500 per day or portion thereof for each subsequent offense. The Magisterial District Judge may impose a fine of more than the minimum amounts set forth above.

B. In addition, any such person who violates or permits the violation of this article shall be liable for damages or restitution in any additional amount determined in such enforcement proceeding.

C. The provisions of this article are enforceable pursuant to Chapter 224, Section 8 of the Washington Township Code.”

II. The existing Articles III through VI in Chapter 232 of the Washington Township Code are removed in their entirety.

**III. SEVERABILITY**

If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held to be invalid or unconstitutional by any Court or competent jurisdiction, such portion shall

be deemed as a separate, distinct, and independent provision, and such portion shall not affect the validity of the remaining portions hereof.

#### IV. REPEAL

This ordinance repeals the portions of any and all other resolutions and ordinances which are inconsistent with the terms of this ordinance. Any and all such provisions, and any and all regulations governing Township parks previously adopted by the Board of Supervisors, not inconsistent with this ordinance are hereby continued in full force and effect and are hereby reaffirmed as to their adoption by the Board of Supervisors of the Township. It is the intention of said Board of Supervisors that only such provisions as this ordinance expressly amends shall be deemed repealed, and only changed provisions in this ordinance shall be deemed to be enacted from the effective date of this ordinance.

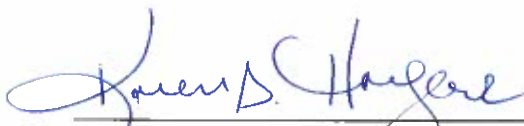
#### V. ENACTMENT


This ordinance shall take effect five (5) days after enactment; however, enactment of this ordinance with respect to the Pat O'Connor Nature Park does not otherwise open the park to the public until repairs and renovations are deemed complete by the Board of Supervisors.

DULY ENACTED AND ORDAINED this 3rd day of August 2020, by the Board of Supervisors of the Township of Washington, Franklin County, Pennsylvania, in lawful session duly assembled.

ATTEST:  
BY:

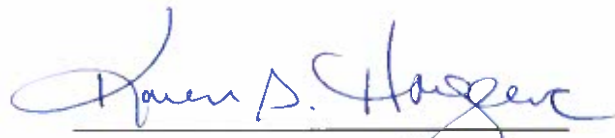
WASHINGTON TOWNSHIP  
BOARD OF SUPERVISORS

  
\_\_\_\_\_  
Karen Hargrave, Township Secretary

  
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Chad Reichard, Chairman

I, Karen S. Hargrave, Secretary of the Board of Supervisors, Washington Township, Franklin County, Pennsylvania, do certify that the foregoing is a true and correct copy of an Ordinance adopted at a regular meeting of the Washington Township Supervisors held August 3, 2020, in a regular session duly assembled.

Date: 8-3-2020

  
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Karen S. Hargrave, Secretary