

**TOWNSHIP OF WASHINGTON
Franklin County, Pennsylvania**

ORDINANCE NO. 135

**AN ORDINANCE
OF THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF
WASHINGTON, FRANKLIN COUNTY, PENNSYLVANIA, TO
AUTHORIZE THE ESTABLISHMENT OF RULES AND
REGULATIONS BY RESOLUTION FOR CONDUCT AND USE
OF "RED RUN PARK"**

WHEREAS, the Township of Washington, Franklin County, Pennsylvania, is the owner of a certain park commonly referred to as "Red Run Park" in the Township of Washington, Franklin County, Pennsylvania;

AND WHEREAS, said park was acquired by the Township of Washington for the benefit and pleasure of the residents of the Township of Washington, Franklin County, Pennsylvania, and all persons who might use the same;

AND WHEREAS, the Board of Supervisors of the Township of Washington, Franklin County, Pennsylvania, and such other persons who shall use the park to benefit and have pleasure in the use and enjoyment of the park may deem it necessary, from time to time, to establish certain rules and regulations applicable to such park and other parks as in the future may be acquired by said municipal body.

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

SECTION 1: Red Run Park and such other parks as might be acquired by the Township are for the benefit and pleasure of the residents of 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.

SECTION 2: Red Run Park and such other parks as might be acquired shall be closed from sunset prevailing time, until sunrise, prevailing time. All persons found within this park or any parks of the Township between these hours shall be subject to the penalties herein provided by this ordinance unless they have secured written permission from the Chairman of the Board of Supervisors, or his representative, to be in and use the said park during the time that the park is closed, provided, however, that the provisions of this section shall not apply to persons actively fishing in Red Run Lake.

SECTION 3: The Board of Supervisors is hereby authorized to adopt by resolution rules and regulations for Red Run Park and any other parks, from time to time, as the Board of Supervisors deems necessary. This ordinance and any amendments thereto and all rules and regulations established pursuant to this ordinance or its amendments shall be posted at Red Run Park and at any other parks

subject hereto. Any person found to be violating any of the general provisions of this ordinance or its amendments or any rules or regulations established pursuant to this ordinance shall be considered to have constructive knowledge of both this ordinance 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.

SECTION 4: Penalty for violation. Any person who violates or permits the violation of this ordinance, any amendments hereto, or any rules and regulations established pursuant to this ordinance, shall, upon being found liable therefore in a civil enforcement proceeding commenced by the Township, pay the fine set by the Board of Supervisors plus all court costs, including reasonable attorney fees, incurred by the municipality in any enforcement proceeding. In addition, any such person who violates or permits the violation of this ordinance shall be liable for damages or restitution in any additional amount determined in such enforcement proceeding. Violations of this ordinance shall be punishable by a fine of not less than \$50 or more than \$600. Each day's violation of this ordinance, its amendments, or rules and regulations established thereto, shall constitute a separate offense.

SECTION 5: The provisions of this ordinance may be enforced:

- (A) By the Code Enforcement Officer in a civil proceeding commenced by the Township; or
- (B) By the Township Police Department by the institution of summary proceedings if the offender is believed to be a defiant trespasser.

SECTION 6: Severability. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holdings shall not affect the validity of the remaining portions hereof.

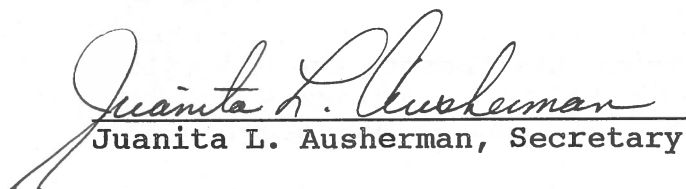
SECTION 7: Conflicting Ordinances. Any ordinance inconsistent with the provisions of this ordinance is hereby repealed to the extent of the conflict.

SECTION 8: Effective Date. This ordinance shall become effective five (5) days after adoption hereof.

ENACTED AND ORDAINED this 20th day of May, 1996, by the Board of Supervisors of the Township of Washington, Franklin County, Pennsylvania, in lawful session duly assembled.

Attest

**TOWNSHIP OF WASHINGTON
FRANKLIN COUNTY, PENNSYLVANIA**


Juanita L. Ausherman, Secretary

By 
Richard D. Eigenbrode, Chairman