

**TOWNSHIP OF WASHINGTON
Franklin County, Pennsylvania**

ORDINANCE NO. 139

**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 AT AND
USE OF THE "PINE HILL RECREATIONAL AREA"**

WHEREAS, the Township of Washington, Franklin County, Pennsylvania, is the owner of a certain recreational area commonly referred to as the "Pine Hill Recreational Area" located off of Mentzer Gap Road in the Township of Washington, Franklin County, Pennsylvania;

AND WHEREAS, said recreational area 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, in order to make sure all persons who might use the Pine Hill Recreational Area will be able to enjoy the recreational area, deem it necessary to establish rules and regulations from time to time to govern all activities at the recreational area.

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: The Pine Hill Recreational Area is for the benefit and pleasure of the residents of the Township of Washington, Franklin County, Pennsylvania, and all persons who use the recreational area 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: The Pine Hill Recreational Area shall be closed from sunset prevailing time, until sunrise, prevailing time. All persons found within this recreational area 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 recreational area during the time that the recreational area is closed.

SECTION 3: The Board of Supervisors is hereby authorized to adopt by resolution rules and regulations for the Pine Hill Recreational Area, 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 the Pine Hill Recreational Area 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 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, 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. The municipal solicitor may assume charge of the prosecution without the consent of the District Attorney as required under Pa. R. Crim. P. No. 83(c) (relating to trial and summary cases). In addition, any such person who violates or permits the violation of this ordinance, its amendments, or rules and regulations promulgated pursuant hereto, 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. A separate offense shall arise for each day or portion thereof in which a violation is found to exist or for each section of the ordinance, its amendments, or the rules and regulations promulgated pursuant hereto, which is found to have been violated.

SECTION 5: Enforcement. The provisions of this ordinance may be enforced by the Washington Township Police Department or its deputies, the Code Enforcement Officer or his deputy, and any other person identified, as necessary, by the Township Manager or the Board of Supervisors.

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 5th day of May, 1997, 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
Juanita L. Ausherman, Secretary

By *Richard D. Eigenbrode*
Richard D. Eigenbrode, Chairman

I, Juanita l. Ausherman, 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 May 5, 1997, in regular session duly assembled.

Juanita L. Ausherman
Juanita L. Ausherman, Secretary

