

CHAPTER 16

PARKS AND RECREATION

(See also, Park and Shade Tree Commission, Chapter 1, Part 2B)

PART 1

PARK LAND AND RECREATION LAND

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PARKS AND RECREATION

PART 1

PARK LAND AND RECREATION LAND

§101. Definitions.

The following words as used in this Part shall have the following meanings hereby ascribed thereto:

PARK SYSTEM — all land and facilities thereon, including park facilities, under the jurisdiction of the Park and Shade Tree Commission of the Borough of Wyomissing.

PERSON — any natural person, partnership, association, firm or corporation. The singular shall include the plural and the plural shall include the singular. The masculine shall include the feminine and neuter.

RECREATION AREA — all land and facilities thereon, including recreation facilities, under the supervision and jurisdiction of the Recreation Board of the Borough of Wyomissing.

(Ord. 1246, 7/13/2004, §1)

§102. Prohibited Uses, Conduct, Activities.

No person shall:

- A. Swim, bathe, wade, enter in any way any waters or waterway except in the Borough swimming pool, and then only when such pool is open to the public for such use.
- B. Boat in or on any waters or waterway or erect, install or use a rope or other device attached to a tree or other object to propel or cause the person or thing to move into or over any such body of water.
- C. Drive, operate or ride in or upon any automobile, truck, tractor, motorbike, motorized scooter, motorcycle, mini-bike, snowmobile or motorized vehicle, device or contraption of any sort, nor shall the owner of any such vehicle, device or contraption permit or allow another person to drive, operate or ride in or upon the same, except where a roadway has been so marked and designated for such purpose, and provided the foregoing shall not apply to authorized personnel or vehicles of Wyomissing Borough or personnel or vehicles of its authorized agents.
- D. Park any vehicle except in the parking lots at the Borough swimming pool and along Parkside Drive South at the footbridge or other area so marked or designated for such purpose. Any such parking shall be solely in conjunction

with concurrent use of the Borough park system or of a Borough recreation area. Parking of any trailer is prohibited at all times in any parking lot or other area.

- E. Engage in any act of vehicle maintenance including, but not limited to, washing, waxing cleaning, repairing, lubricating such vehicles:
 - (1) On or along Old Wyomissing Road;
 - (2) In, on or upon the Borough park system or any recreation area.
- F. Camp out or sleep overnight except as may be specifically authorized by the Park and Shade Tree Commission or Recreation Board within its particular area of jurisdiction.
- G. Ignite or maintain any open or other type fire; provided, however, picnicking and cooking fires may be permitted in all picnic areas by permit.
- H. Ride or walk a horse, pony or similar animal except upon marked or designated paths for such purpose.
- I. Build, create or cause to be erected any structure, building lean-to, campsite, treehouse, cave, shelter or any similar type building or structure.
- J. Wildlife.
 - (1) Place, set or maintain any trap or trapping device in or about any waters in the park system or any recreation area; place, set or maintain any trap or trapping device in, on, under or upon any portion of the park system or any recreation area.
 - (2) Hunt with any weapon whatsoever or discharge any firearm or other weapon in the park system or in any recreation area.
 - (3) The Borough reserves the right to control the population level of all species of wildlife within the park system or any recreation area commensurate with sound principles of fish and game management and the regulations of the Fish and Game Commissions.
- K. Use any profanity or profane language or expressions.
- L. Enter into or remain within the park system or any recreation area between one hour before sunset and one hour after sunrise except when specifically authorized by the Park and Shade Tree Commission or Recreation Board.
- M. Post, place or otherwise display, attach or erect any poster, signs, leaflets or similar type material except for those signs permitted pursuant to Chapter

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27, "Zoning", Part 6, "General Regulations", Section 606, "Signs", Subsection F "Requirements for Non-Permanent Signage in the C-2 District".

- N. Deface, injure, destroy or remove:
- (1) Any natural object including, but not limited to, wild flowers, shrubs, bushes, trees or other plant growth.
 - (2) Any physical object, part or portion thereof including, but not limited to, any structure, building, facility or other property of the Borough.
- O. Permit any dog or other animal or pet to be in, on or upon Old Wyomissing Road, the park system or any recreation area unless such dog or other animal or pet is on a leash. Persons shall be required to immediately clean-up any fecal matter upon Old Wyomissing Road, the park system or any recreation land and dispose of same in a sanitary manner.
- P. Alcoholic Beverages; Controlled Substances.
- (1) Bring into, consume upon, have in his/her possession or control or be under the influence of any alcoholic or intoxicating beverage in or on any Borough owned facility or property, including, but not limited to, any Borough owned pool.
 - (2) Bring into, use or possess or be under the influence of any controlled substance pursuant to all applicable provisions of the applicable State law in or on any Borough owned facility or property, including, but not limited to, any Borough owned pool.
- Q. Litter, abandon, place, deposit or leave any trash, garbage, refuse or similar type material or property other than in a container or receptacle provided for such purpose.
- R. Bring into, possess or utilize any drink or foodstuff in any glass container or other glass product or object exclusive of personal optical products; nor shall any person in any manner break any glass product or object.
- S. Engage in jogging, biking, ice skating, swimming, tennis or any other activity or conduct in the park system, in any recreation area or on Old Wyomissing Road, other than in a manner which demonstrates due courtesy and due regard for the safety and well being of other persons. Any such activity shall be subject to any other personal conduct requirements as may be adopted and posted by the Park and Shade Tree Commission or Recreation Board for their respective areas of jurisdiction.
- T. Fail to promptly heed and obey a request or instruction of Recreation Board personnel or Park and Shade Tree Commission personnel to cease and desist from any form or mode of conduct or activity contrary to or detrimental

to the health, safety and general welfare of others or in violation of any rule or regulation. Noncompliance will result in loss of enjoyment of privileges as defined elsewhere by these regulations.

- U. Fail to secure, wear, display or otherwise possess such form of identification including, but not limited to, a badge, as may be required for access to, use of or participation in a particular activity or facility. Noncompliance will result in denial of access to, use of or participation in the particular activity or facility.
- V. Interfere with or in any way disrupt any ongoing recreational activity in any recreation area, the park system or on Old Wyomissing Road.
- W. Use of recreation areas and the park system by guests of Borough residents shall be as determined by the policies of the Recreation Board or Park and Shade Tree Commission for its respective area.
- X. Smoking Prohibited.

Smoking shall be prohibited at the following Borough owned Parks and Recreational property and facilities:

- (1) Stone House.
- (2) Swimming Pool.

- Y. Fail to adhere to and comply with the following at the Borough swimming pool:
 - (1) Only one (1) person permitted on diving board at a time.
 - (2) All dives from front of board only.
 - (3) No diving to the side.
 - (4) No swimmers allowed in diving area.
 - (5) Divers must swim directly to an exit point before next dive is permitted.
 - (6) Divers exiting the diving well may not swim underneath the other diving board.
 - (7) No flotation devices or throwable objects are permitted in the diving well.
 - (8) No running on the decks around the pool.

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- (9) No pushing or pulling of people into the water.
- (10) No diving into the shallow end of the pool.
- (11) No food or drink permitted in or around pool area.
- (12) No sitting or hanging on lifelines around the pool.
- (13) No swimming permitted in the diving well.
- (14) No pets permitted on pool grounds.
- (15) No glass of any type permitted on pool grounds.
- (16) No littering. Trash to be placed in containers provided.
- (17) Standing front dives are only dives permitted from the pool edge.
- (18) No swimmers over eight (8) years of age permitted in baby pool.
- (19) Nerf balls are the only throwable objects permitted in the pools.
- (20) Swimmers not to talk to lifeguards on duty.
- (21) Ladders are not to be used as diving boards.
- (22) No diving or jumping on another swimmer.
- (23) Obey instructions of the lifeguard and/or pool personnel at all times.
- (24) All children under the age of ten (10) entering the pool facility must be accompanied by an individual responsible for their safety and well-being.
- (25) Wear appropriate swim attire at all times.
- (26) Swim diapers or rubber pants over diapers must be worn by all children that are not toilet trained.
- (27) Ramp to be utilized for entering and exiting the pool only.
- (28) No jumping or diving on another swimmer.
- (29) Children unable to swim are not permitted in the diving well.
- (30) Children using swimming aids in the main pool must be accompanied by an adult at all times.

- (31) Children in the wading pool must be under adult supervision at all times.
- (32) Smoking is not permitted.
- (33) Possession, supplying or consumption of alcohol or controlled substance is prohibited.
- (34) Ensure guests comply with the above and Pools Rules and Regulations. Members are responsible for behavior of their guests and compliance with the rules as stated above and the Pool Rules and Regulations.

Z. Violators of this Part or rules and regulations established by the Recreation Board or Park and Shade Tree Commission as authorized herein may lose privileges. Any violator who suffers a loss of privilege(s) shall receive no refund. Depending upon the seriousness, frequency and extent of the violation(s), one or more of the following loss of privileges may be imposed:

- (1) Leave area remainder of day.
- (2) Excluded from area next three (3) days.
- (3) Excluded from area next seven (7) days.
- (4) Excluded from area for length of time in addition to the above as determined by the Recreation Board or Park and Shade Tree Commission as the case may be.
- (5) Excluded from area for length of time as determined by the Recreation Board or Park and Shade Tree Commission as the case may be.
- (6) Excluded from area remainder of season.
- (7) Excluded from area for length of time in following season as determined by the Recreation Board or Park and Shade Tree Commission as the case may be.
- (8) Revocation of pool membership for one year for violation of Section 16-102.Y or Pool Rules and Regulations by member or guest of member.
- (9) Removal of rental privileges of Borough Facility for one year.

(Ord. 1246, 7/13/2004, §1; as amended by Ord. 1255, 4/12/05, §1; as amended by Ord. 1332, 4/10/2012, §§1-7)

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§103. Authorized Work or Maintenance.

Nothing stated herein or in any rules or regulations promulgated shall in any way be taken to preclude or prohibit any authorized work or maintenance to or in the park system or recreation areas by Borough employees, Park and Shade Tree Commission or Recreation Board employees or authorized agents thereof.

(Ord. 1246, 7/13/2004, §1)

§104. Fees.

The Park and Shade Tree Commission and Recreation Board shall be responsible for the establishment of fees in its respective area of jurisdiction and as the case may be for the use of recreational areas and facilities or of the park system and its facilities or for any related activities under the supervision, sponsorship or auspices of the Recreation Board or Park and Shade Tree Commission.

(Ord. 1246, 7/13/2004, §1)

§105. Rules and Regulations.

The Recreation Board or Park and Shade Tree Commission shall have the authority to create Rules and Regulations, in addition to the rules under this Part, to govern activities and behavior at Borough owned facilities and property provided they are consistent with the intent of this Ordinance, subject to review and approval of Borough Council.

(Ord. 1332, 4/10/2012, §8)

§106. Posting.

There may be posted at conspicuous places in the park system or in any recreation area an appropriate sign or notice whereupon there shall be set forth in abbreviated or other form, in whole or in part, the nature and content of this Part and/or Park and Shade Tree Commission and Recreation Board rules and regulations.

(Ord. 1246, 7/13/2004, §1; as amended by Ord. 1332, 4/10/2012, §9)

§107. Violations.

Except as provided in Section 102.Z for violations of Section 102.Y, any violation or failure to comply with any provision of this Part or the Rules and Regulations established by the Recreation Board or Park and Shade Tree Commission as authorized herein shall constitute a summary offense.

(Ord. 1332, 4/10/2012, §10)

§108. Penalties.

Except for those violations listed under Section 102.Y, any person who shall violate any summary offense provision of this Part shall, upon conviction thereof, be sentenced to pay a fine not exceeding \$1000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues shall constitute a separate offense. Penalties for violations of the rules listed under Section 102.Y, shall be as provided under Section 102.Z

(Ord. 1246, 7/13/2004, §1; as amended by Ord. 1332, 4/10/2012, §§11-12)

§109. Non Exclusive Remedies.

The penalty under section 108 and loss of privileges under section 102.Z of this Part shall be independent, nonmutually exclusive separate remedies, each of which separately, or all of which together, shall be available to the Borough of Wyomissing as the Borough or its designated enforcement personnel may deem appropriate for carrying out the purposes of this Part under the circumstances of the particular situation. Provided, however, that violation of Section 102.P, shall be exclusively enforced as a summary offense with a penalty of a monetary fine under Section 108 of this Part. Also, the remedies and procedures provided in this Part for violation hereof are not intended to supplant or replace to any degree the remedies and procedures available to the Borough in the case of a violation of any other Borough of Wyomissing Code or Codified Ordinances, whether or not such other code or ordinance is referenced in this Part and whether or not an ongoing violation of such other code or ordinance is cited as the underlying ground for a finding of a violation of this Part.

(Ord. 1332, 4/10/2012, §13)