

**TOWNSHIP OF O'HARA
ALLEGHENY COUNTY, PENNSYLVANIA**

**AN ORDINANCE OF THE TOWNSHIP OF O'HARA REPEALING AND
RESTATING ORDINANCE NO. 1351 IN ITS ENTIRETY, ENACTING
AND ESTABLISHING RULES, REGULATIONS FOR THE USE OF PARK
AND RECREATION FACILITIES IN THE TOWNSHIP OF O'HARA AND
TO PROMOTE AND PRESERVE THE PUBLIC HEALTH, SAFETY AND
WELFARE IN THE PARKS OWNED AND MAINTAINED BY THE
TOWNSHIP OF O'HARA**

WHEREAS, the Township of O'Hara possesses within its boundaries a spacious system of open space, park land, and recreation facilities, which are dedicated to the use and enjoyment of the citizens of O'Hara; and

WHEREAS, the residents are encouraged to utilize these facilities and by doing so may participate in a wide variety of recreational activities; and

WHEREAS, the Township of O'Hara wishes to assure that all recreation facilities, open space, and parks are used in a safe and enjoyable manner; and

WHEREAS, it is necessary to adopt and enforce certain rules to provide for the protection of the peace, safety, and welfare of the residents and the Township of O'Hara by regulating the use of these public places; and

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Council of the Township of O'Hara, County of Allegheny, Commonwealth of Pennsylvania, that the following rules, regulations, fees, provisions and penalties shall be in effect for the operation of all Township parks, recreation facilities, or open space.

SECTION 1. RULES AND REGULATIONS

The following are the rules and regulations, which shall be observed by all persons using any of the Township parks or Public Riverfront Access, including all facilities:

A. GENERAL RULES

1. Littering is absolutely prohibited. Violators will be prosecuted and subject to a fine of \$100.00 for the first offense, \$300.00 for subsequent offenses.
2. Picnics will be allowed only at locations provided for that purpose. Persons holding picnics shall clean up and place all waste paper and other refuse in receptacles provided for that purpose. Recyclables must be sorted from trash and placed in the receptacles provided for recyclables. Staples shall not be used to secure table covers, signage, etc. Use of staples is an automatic forfeiture of deposit. Permits for use of buildings and recreation facilities may be obtained from the Township office. Permits guarantee the use of the space for the specific date/time specified on the permit.

3. Picnic tables may not be removed from the shelter without obtaining written permission from the Township Manager. With proper permission all tables removed from the shelter must be returned to the shelter in the original locations.
4. Grass areas must not be used for roadways, parking, or other purposes that would injure, damage or destroy the turf or landscaping.
5. Grass, trees, shrubs, hedges, berries, and wild flowers or other flowers must not be damaged, cut, broken, picked, defaced or destroyed in any way.
6. Buildings, fences, fountains, statuary, benches, signs, or other structures must not be damaged, defaced or destroyed in any way.
7. Games, contests, or sports are permitted only in areas designed for such use and in no case shall use be permitted in areas where lawns or planting may be damaged or where such games or contests may be in conflict with park regulations.
8. Fires are not permitted anywhere in the park other than in stoves or grills provided or transported for that purpose. Stoves or grills are restricted to shelter areas only. One (1) fuel canister or cylinder may be used, but shall not exceed 20 pounds unless being utilized by a licensed and insured caterer. No deep fryers of any kind are permitted. No person shall throw away or discard any lighted match, cigar, or cigarette in any park.
9. Activities of a special nature prohibited by the regulations may be engaged in only by special permit of the Township Manager. This request must be a written application and under conditions as specified in said special permit.
10. Defacing, littering, or making unsanitary any restrooms, washrooms, etc., or preventing the proper drainage of any toilet, pipe, or drain is prohibited.
11. Preventing proper drainage or damaging water fountains is prohibited.
12. Any person(s) using a Township park, whether with or without a permit, shall be fully and financially responsible for any damages inflicted upon park property or equipment.
13. Hunting, trapping, or the stalking of any animal, bird or game is strictly prohibited.
14. No person shall use any Township parks for the purpose of playing the game of golf, including but not limited to the hitting of golf balls.
15. No chewing gum, food, beverages (excluding water), or cleats of any kind are permitted in the Adaptive Playground area.

B. PRIVATELY OWNED RIVERFRONT DEVELOPMENTS WITH PUBLIC RIVERFRONT ACCESS

1. The Township Police may enforce Township Park Rules and Regulations as outlined in this Township Ordinance, as hereinafter may be amended, within privately owned riverfront developments with public riverfront access.
2. Where public riverfront access is provided within privately owned riverfront developments in accordance with the Township Subdivision and Land Development Ordinance, public access to the riverfront for fishing is permitted from 6:00 A.M. until midnight year-round.
3. Activities, with the exception of fishing, are to cease at 8:00 p.m.
4. No amplified music of any kind at any time
5. No tents or canopies of any kind at any time
6. No organized gatherings without special permit obtained from the Township Manager
7. No business activities of any nature may be conducted
8. Parking of motor vehicles shall be in designated areas only. Motor vehicles and water crafts shall not be parked/docked/stored more than 48 hours without special permit of the Township Manager. The Township reserves the right to tow or remove motor vehicles and/or water crafts at the owner's expense.

C. PROHIBITED SUBSTANCES

1. Alcoholic beverages made by distillation ("Liquor"), or fermented juice of any various kinds of grapes or other fruits containing ten to 15-percent alcohol by volume ("Wine") are prohibited in Township parks. Fermented alcoholic beverages brewed from malt and flavored with hops ("Beer") are permitted in the shelter areas only at Meadow Park, O'Hara Township Community Park and Woodland Park, subject to the issuance of a shelter and beer permit.

D. AMENITIES OF A SPECIAL NATURE

1. **NO STAKES OF ANY KIND ARE PERMITTED TO BE PLACED IN THE GROUND. DOING SO MAY CAUSE DAMAGE TO ELECTRICAL, WATER OR SEWAGE LINES BURIED IN THE PARK GROUNDS.** Use of stakes is an automatic forfeiture of deposit.

2. Amenities of a special nature affiliated with a shelter rental, such as but not limited to, inflatable entertainment (bouncy castle), hay rides, food and/or beverage trucks, and/or accessory structure may only be authorized by special permit of the Township Manager, upon written request and under conditions specified in special permit. Provider of said amenity must provide the Township of O’Hara a Certificate of Insurance, with the Township named as the insured.
3. All amenities of a special nature, such as but not limited to, inflatable entertainment (bouncy castle), and/or accessory structures may only be secured by the use of water barrels or other above-ground securing mechanism to avoid damage to underground utilities in Township Parks. (No stakes.)
4. Canopy
 - a. A Canopy may only be set up adjacent to a park shelter at O’Hara Township Community, Meadow and Woodland Parks, or adjacent to the gazebo at O’Hara Township Community Park.
 - b. A Canopy may only be set up by the party who has rented the park shelter or gazebo. Unless a facility is rented, a Canopy may not be set up.
 - c. Only one (1) Canopy may be set up per facility.
 - d. The Canopy may only be set up the day the park shelter or gazebo is rented and must be removed the same day the park shelter or gazebo is rented.
 - e. A Canopy may be no larger than 10-feet by 10-feet.
 - f. Permission for a larger Canopy ***or more than one canopy*** may only be granted to Civic and/or Township related organizations by the Township Manager.
 - g. The Township Manager may grant permission for canopies to be placed in any and all Township Parks by Civic and Township related organizations.
 - h. All canopies may only be secured by the use of water barrels or other above-ground securing mechanism to avoid damage to underground utilities in Township Parks. (No stakes.)

E. CONDUCT

1. No person shall conduct herself or himself in any manner which causes harm to the health, safety, morals, or general welfare of any person within the parks.
2. Lotteries, gambling, or games of chance are prohibited.
3. Drunkenness, disorderly or indecent conduct, and profane or offensive language are forbidden and will be subject to criminal prosecution.

F. PRIVATE LESSONS

1. All private lessons occurring in the O’Hara Township parks must be conducted and scheduled through the Township or a recreation partner designated by the Township.
2. The recreation partner will abide by and where necessary, implement the Township’s rules and regulations on use of Township parks.
3. This will not apply to the use of the parks for which a Township permit has been obtained (e.g. ball field use or shelter use).

G. AUTOMOBILES AND VEHICULAR USE

1. No person shall clean, polish, grease, lubricate, or make repairs to any vehicle in any park, except those of a minor nature and then only in cases of emergency.
2. All speed, traffic control, and vehicular regulations and signage on and about any roads, driveways, parking areas or other areas within any of the Township’s parks must be obeyed. Such regulations will be strictly enforced by Township Police.
3. Motorized vehicles are permitted only on roadways and designated parking areas, except for handicap mobility devices.
4. Motorized vehicles are prohibited on walkways, trails and all grassy areas, except for handicap mobility devices.
5. Motor vehicles shall not be parked more than 48 hours without special permit of the Township Manager. The Township reserves the right to tow motor vehicles at the owner’s expense.
6. Electric vehicle charging stations parking spaces may be utilized by electric vehicles that are actively charging. Any vehicle that is not actively charging is subject to a fine. Any vehicle parked at an electric vehicle charging station that is not charging four (4) or more hours may be towed at the owner’s expense. Cars may charge for a maximum of eight (8) hours. Fees for charging electrical vehicles will be established by the Township Fee Resolution.
7. Moving company trucks and/or tractor trailers are not permitted to stage vehicles in any Township park or municipal lots without special permit of the Township Manager.

H. SWIMMING AND FISHING

1. There shall be no fishing in any of the ponds, lakes, or streams of the parks by any person over the age of fourteen (14) years. Catch-And-Release fishing is permitted by children under said age, and senior citizens over the age of sixty-five (65) years.
2. Swimming is forbidden in any lake, pond or stream. No use may be made of these waters which may contaminate them.

I. RADIO CONTROLLED VEHICLES

1. Electric or Sail (*Quiet Power*) Radio Controlled Boating is permitted in the parks, ponds and streams. No gas powered or high-speed watercraft will be permitted.
2. Radio controlled aircraft including, but not limited to quad copters and/or drones are prohibited.
3. Radio Controlled model cars are permitted in Township parks.
 - a. Models must be electric *Quiet* power only.
 - b. The operation of gas powered radio controlled model cars is not permitted in Township Parks.
 - c. Operation of radio controlled model cars is not permitted on Park roads, trails or access ways.
4. The operation of model rockets is not permitted in Township parks.
5. The Township Manager may grant a special permit for use of radio-controlled vehicles.

J. PETS

1. Canines, felines, and horses are permitted, only when held in leash, on nature trails and similar areas. Canines, felines, and horses are not permitted on any of the picnic areas, ball fields or play areas, including ball outfields and soccer fields. Canines and felines must be leashed at all times and under control of handler at all times.
2. All canine, feline, and horse waste must be cleaned up and placed in a trash receptacle, including areas where waste bags are not provided by the Township.
3. It is the responsibility of the person bringing the animal to the park to clean up after that animal.

4. Horses shall also be permitted on park roadways which includes the parking area.

K. WEAPONS AND EXPLOSIVES

1. Discharge of any firearm or weapon, including but not limited to handguns, rifles, shotguns, crossbow, bow and arrow, air rifle or pistol, any device firing a projectile by compressed gas or spring, such as paintball devices is prohibited in any Township Park.
2. Brandishing of a firearm or weapon including but not limited to handguns, rifles, shotguns, crossbow, bow and arrow, air rifle or pistol, any device firing a projectile by compressed gas or spring, such as paintball devices is prohibited in any Township Park. Firearms may be transported through the Park if kept in a car trunk, enclosed in a case or otherwise inaccessible to use. Nothing contained herein shall prohibit any person licensed under the Pennsylvania Uniform Firearms Act, 18 Pa. C.S.A. §6109 from possession of a firearm as defined in Pennsylvania Uniform Firearms Act, 18 Pa. C.S.A. §6102.
3. The provisions of this Part K shall not apply to the use of firearms by officers of the law in the performance of their duties, nor to the justifiable use of firearms in the protection of persons and property by persons duly authorized under the laws of this Commonwealth to carry or use such firearms nor to persons acting on behalf of, and consistent with requirements imposed by, the Municipality to carry out deer population control measures authorized by the Pennsylvania Game Commission and approved by Council. This Part K shall not apply to the lawful ownership, possession, transfer or transportation of firearms, ammunition or ammunition components (as such terms are used in 18 Pa. C.S.A section 6120) when carried or transported for purposes not prohibited by the laws of the Commonwealth of Pennsylvania.

L. TENNIS FACILITIES

1. Use of the tennis court facilities is on a first-come basis for periods not to exceed one-hour duration when others are waiting to play.
2. Only racket-type sports with appropriate athletic footwear is permitted on the O'Hara Township Community Park Tennis Court.

M. SOLICITATION

Peddlers, food, beverage, ice cream trucks, picnic parties or any other person or persons whatsoever may not sell or offer for sale any service for hire, article, or substance within the limits of the park. Setting up any stand or booth for such purpose is prohibited, or the distribution or display of handbills, cards, or advertisements of any nature whatsoever, is

also prohibited. Authorization for special permits may be obtained from the Township Manager.

N. AMPLIFICATION AND SOUND SYSTEMS

When amplifying or sound systems are used, the maximum time permitted shall be limited to a maximum of four (4) hours, and may only be used between the hours of 10:00 A.M. to 8:00 P.M. Monday through Saturday, and 1:00 P.M. to 7:00 P.M. Sunday. Noise levels shall not be in excess of sixty (60) dB or of objectionable character or volume, per Section 72-17.144 of the Township Zoning Ordinance.

O. HOURS

1. Park hours are as follows:

May 1 through October 31 – Sunrise to 10:00 P.M.

November 1 through April 30 – Sunrise to Dark

2. No person shall, under any circumstances, remain in the park during closed hours. Park entrances and exits may be locked during closed hours.
3. The Township Manager or a designated representative shall have the right to close any park if it is in the best interest of the public’s health and safety.

SECTION 2. PERMITS AND FEES

Permits and fees shall be required. Applications for specific use shall be filed with the Township Manager.

A. SHELTER APPLICATIONS

1. Application to be secured from Township Manager or designated representative who will issue shelter permit upon payment of proper fees and deposits. Township residents, Township businesses and Township groups may reserve park shelters up to one year in advance. Non-residents may reserve Township park shelters beginning the first Monday of April for the current year.
2. Shelters are rented on a first come, first serve basis.
3. Shelter Fees may be established by resolution of Township Council.
4. A non-profit group must meet the definition of a non-profit organization as defined by Section 501 of the Internal Revenue Code and must supply adequate proof that it does meet said criteria. If any applicant is shown to be misrepresenting his affiliation, he shall have his permit revoked and may be subject to a fine of \$100.00.

5. Prior to the issuance of the “shelter permit” the applicant must deposit with the Township Manager all applicable fees and a refundable deposit, as established per resolution. This deposit will be promptly refunded in full if the shelter is left in a clean and undamaged condition following use.
6. Arrangements for exceptional handicap access to the shelter shall be made at least four days in advance of an event with the Township Superintendent of Police, Police Officer in Charge, or Township Manager. The Police Department telephone number is 412-782-1403, and the Township Manager may be contacted at 412-782-1400, Monday through Friday between the hours of 8:00 A.M. and 4:00 P.M.
7. Exceptions from fees:

Fees may be waived by the Township Manager on shelter applications for use between 9:00 A.M. and 4:00 P.M., Monday through Thursday. Fees are required for Friday, Saturday, Sunday, and holiday applications.
8. Deposit Requirements Will Not Be Waived.
9. Beer Permits
 - a. Permits will only be issued for the drinking of beer in Meadow Park, O’Hara Township Community Park and Woodland Park. These permits may only be granted in conjunction with the issuance of a valid shelter permit. Beer permit fees and refundable deposit fees shall be required as established by resolution adopted by the O’Hara Township Council.
 - b. Beer permit fees and beer deposits are in addition to the regular shelter permit fees and shelter deposits. Beer deposits will be refunded in full if the park facilities are left in a clean and undamaged condition following use.
10. Any costs incurred by the Township as established by Resolution due to police response or other unauthorized activities shall be deducted from the deposit(s).
11. Group applications shall be limited to a maximum of one hundred fifty (150) persons per shelter in any and all parks. No application for any group in excess of one hundred fifty (150) persons shall be accepted or approved for any shelter or event in any of the Township parks.

B. GAZEBO APPLICATIONS

1. Applications to be secured from the Township Manager or designated representative who will issue the gazebo permit upon payment of the proper fee and deposit. Applications from Township residents or Township groups shall be considered first in granting permits.

2. When several applications are received for the gazebo on the same day, permits will be issued to the Township resident applicants or Township groups first in order received.
3. Gazebo fees may be established by resolution of Township Council.
4. A non-profit group must meet the definition of a non-profit organization as defined by Section 501 of the Internal Revenue Code and must supply adequate proof that it does meet said criteria. If any applicant is shown to be misrepresenting his affiliation, he shall have his permit revoked and may be subject to a fine of \$100.00.
5. Prior to the issuance of the gazebo permit, the applicant must deposit with the Township Manager all applicable fees and a refundable deposit, as established per resolution. This deposit will be promptly refunded in full if the gazebo is left in a clean and undamaged condition following use.
6. Applicants for gazebo use are to provide sound or amplifying systems at their own expense.
7. Hours of Permitted Use:

When amplifying or sound systems are used, the maximum time permitted shall be limited to a maximum of four (4) hours, and may only be used between the hours of 10:00 A.M. to 8:00 P.M. Monday through Saturday, and 1:00 P.M. to 7:00 PM Sunday. Noise levels shall not be in excess of sixty (60) dB or of objectionable character or volume, per Section 72-17.144 of the Township Zoning Ordinance.
8. Any application for the Gazebo in O’Hara Township Community Park is limited to one hundred fifty (150) persons provided the maximum number of persons approved to use other rented O’Hara Township Community Park facilities on the same date does not exceed one hundred fifty (150) persons for each of the park facilities.
9. Any costs incurred by the Township as established by Resolution due to police response or other unauthorized activities shall be deducted from the deposit(s).

C. BALL FIELD APPLICATIONS

1. It is the general policy of the Township of O’Hara that ball field facilities are for the general use of the public for non-organized activity at no cost to the users on Monday through Friday, 9:00 a.m. to 4:00 p.m., exclusive of holidays. Permits are required for the exclusive use of ball fields for non-organized activity at all other times.

2. Permits are required for the exclusive use of ball fields for all organized activities, including leagues. Organized groups, including leagues, may have use of a ball field for a season from 4:00 p.m. to 9:00 p.m., Monday through Friday, excluding holidays, and from 8:00 a.m. to 2:00 p.m. on Saturdays. The small fields located at O’Hara Township Community Park, Meadow Park, and Woodland Park are available for league use all day Saturday.
 - a. Spring baseball season begins in April and concludes in July
 - b. Fall ball season begins in September and concludes in October
3. Season use by leagues and organized groups shall be scheduled on an equitable basis. All applications for ball fields must be in writing. The Township Manager shall have the exclusive right to determine whether or not to schedule an organized use of a ball field for any particular day or time, or whether to leave the field open for non-organized public use.
4. Permit fees are established by Township Council by resolution.

D. POLICE SERVICES

The Township Manager may require that a police officer or officers be present at a park event depending upon the type of activity proposed by the applicant. The applicant would be required to pay for that police service as established by the Township Fee Resolution.

E. DENIAL OF PERMIT

The Township Manager may deny an applicant shelter, beer, gazebo or ball field permit if it is determined that granting the permit would not be in the interest of the public’s health and safety.

F. PERMIT FEE REFUNDS

In the event a shelter rental is canceled, shelter permit fees will be refunded only if the previously rented facility is re-rented for the same day. The shelter permit fee refund shall be made to the original permit holder by the Township. Upon cancellation of a park shelter rental, the original permit must be returned to the Township office.

SECTION 3. PENALTIES

A. FINES

Any person violating any of the provisions of this ordinance or any regulation or rule provided herein shall upon conviction thereof in any summary proceeding before any Magistrate be sentenced to pay a fine not in excess of \$500.00 and not less than \$25.00 and costs of prosecution.

B. STATEMENT TO BE SIGNED BY APPLICANT

All applicants for park permits shall be required to sign the following statement as part of the application:

“I hereby acknowledge receipt of a copy of the O’Hara Township Parks Ordinance No., and to be fully and legally bound by its terms and provisions. Further, I understand that as the applicant for an O’Hara township Park Permit, I will be judged to be the responsible party in the event of any damages to park facilities or violation of park rules by any member or guests of my organization or group; and I accept this responsibility and legal obligation.”

C. REVOCATION OF PERMIT

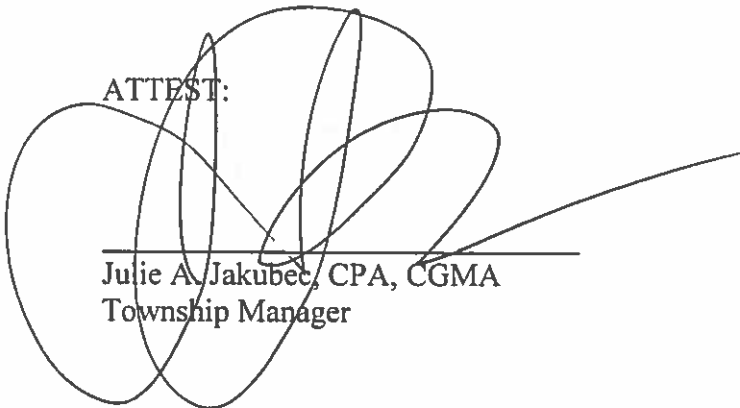
The Township Manager or designee shall have the right to revoke a permit for any violation of this ordinance.

SECTION 4. REPEALER

Any ordinance or resolution, or parts thereof, which are in conflict here with are repealed to the extent of the conflict.


ORDAINED AND ENACTED INTO LAW this 8th day of September, 2020 by Council vote of 7 to 0.

ATTEST:



Julie A. Jakubec, CPA, CGMA
Township Manager

TOWNSHIP OF O’HARA



Robert John Smith
President of Council



First Reading	<u>Denny, Jr. – Stewart</u>	<u>6 – 0</u>	<u>08/11/2020</u>
Second Reading and Adoption	<u>Stewart - Denny, Jr.</u>	<u>7 - 0</u>	<u>09/08/2020</u>
Advertised	<u>09/17/2020</u>	Codified	_____