

NORTHAMPTON COUNTY COUNCIL - EASTON, PA

Ordinance No. 141 (amended) SESSION 1988 Bill No. 148

Introduced by James P. Mazza; James A. Hemstreet; Richard T. Grucela – 9/1/88

Enacted September 19, 1988 Effective September 20, 1988

TITLE: AN ORDINANCE AMENDING NORTHAMPTON COUNTY ORDINANCE
 NO. 141-1988, ALSO KNOWN AS THE NORTHAMPTON COUNTY
 REAL ESTATE RULES AND REGULATIONS ORDINANCE

WHEREAS, Ordinance No. 141-1988, the ordinance titled, "AN ORDINANCE OF THE COUNTY OF NORTHAMPTON PROVIDING RULES AND REGULATIONS GOVERNING THE USE OF THE NORTHAMPTON COUNTY PARK SYSTEM AND OTHER REAL ESTATE OWNED OR LEASED BY THE COUNTY OF NORTHAMPTON AND PROVIDING PENALITIES FOR VIOLATION OF SAME," was enacted by the Northampton County Council on September 19, 1988; and

WHEREAS, this ordinance was subsequently amended via the enactment of ordinance No. 466-2007, the ordinance titled, "AN ORDINANCE AMENDING NORTHAMPTON COUNTY ORDINANCE NO 141-1988, ALSO KNOWN AS THE NORTHAMPTON COUNTY REAL ESTATE RULES AND REGULATIONS ORDINANCE," on June 22, 2007; and

WHEREAS, this ordinance was consequently amended via the enactment of ordinance No. 560-2012, the ordinance titled, "AN ORDINANCE AMENDING NORTHAMPTON COUNTY ORDINANCE NO 141-1988, ALSO KNOWN AS THE NORTHAMPTON COUNTY REAL ESTATE RULES AND REGULATIONS ORDINANCE," on November 16, 2012.

AN ORDINANCE OF THE COUNTY OF NORTHAMPTON PROVIDING
RULES AND REGULATIONS GOVERNING THE USE OF THE
NORTHAMPTON COUNTY PARK SYSTEM AND OTHER REAL ESTATE
OWNED OR LEASED BY THE COUNTY OF NORTHAMPTON AND
PROVIDING PENALITIES FOR VIOLATION OF SAME

NOW, THEREFORE, BE IT ENACTED AND ORDAINED By the Council of
the County of Northampton, Pennsylvania, as follows:

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SECTION 1. TITLE - This Ordinance shall be known as the Northampton County Real Estate Rules & Regulations.

SECTION 2. DEFINITIONS - Except where the context clearly indicates otherwise, the following terms as used in this Ordinance shall have the following meanings:

A. The term "Federal" shall mean any laws, agencies, commissions or others established as a dedicated organization under the United States of America.

B. The term "Commonwealth" shall mean any laws, agencies, commissions or others established as a dedicated organization under the Commonwealth of Pennsylvania.

C. The term "County" shall mean any lands, structures or facilities owned or leased by the County of Northampton.

D. The term "Department" shall mean the County of Northampton, Department of Public Works, Division of Parks & Recreation.

E. The term "Real Estate" shall mean any lands or facilities owned or leased by the County of Northampton and shall include but not be limited to the real estate comprising the Park System.

F. The term "Park System" shall mean any lands or facilities owned, eased, or leased by the County of Northampton and designated or used by the County of Northampton, Division of Parks & Recreation for park, recreation, open space, trail, natural areas and/or cultural/historical spaces.

G. The term "Park Employee" shall designate all employees of the County of Northampton, Division of Parks & Recreation.

H. The term "Animal & Wildlife" shall designate any and all mammals, birds, reptiles, amphibians or other identified living creatures.

I. The term "Court Facility" shall mean the courtroom of a court of record, a magisterial district judge, a judge's chambers, a witness room, a jury deliberation room, attorney conference room, prisoner holding cell, offices of court clerks, domestic relations, the district attorney, the sheriff, probation and parole departments, and any adjoining corridors.

J. The term "Park Permit(s)" shall mean an approved permit issued by the Department and payment confirmation. This includes Facility or Pavilion Permit and Special Use Permits.

K. The term "Facility or Pavilion Permit" shall mean any pavilion, campsite, tennis court, or open space areas to be reserved by an individual, group, or organization.

L. The term "Special Use Permit" shall mean scientific and educational research, conservation work, Scout projects, tree plantings, field trial areas, or other special use activity. This request needs prior approval.

M. The term "Alcohol Permit" shall mean a permit to have alcohol with a Facility or Pavilion Permit. This permit needs to be selected at time of Facility or Pavilion Permit reservation.

N. The titles Sheriff and Superintendent of Parks and Recreation shall mean the official or designee(s).

SECTION 3. PARK PERMITS

A. Application for a Park permit shall be made upon the official forms of the Department and shall be accompanied by the required fee except where a free Park permit may be issued. Reservation for a Facility or Pavilion Permit is made online through the Department website. A payment confirmation email serves as the Park Permit.

B. Application for a Park permit may be made at designated locations. Applications and the fee must be in the Department Office well in advance of the requested Park permit or as specified. Fees are required from all commercial or for-profit organizations for use permits. Reservation for a Special Use Permit is made directly with the Department and needs prior approval.

C. Facility or Pavilion Permit credit card payments can be made online through the Department website at the time of making the reservation. Cash, check, or money order payments must be made within five (5) business days at the Northampton County Courthouse or Northampton County Department of Human Services Building. If a reservation is made within 48 hours, payment is due immediately via credit card on the Department website. Non-payment of reservation fees within specified time limits will be cancelled. There are no refunds allowed for any cancelation. Fees may only be waived for non-profit organizations, educational organizations and/or others involved in public environmental and recreational education programming, on a case by case basis.

D. Any gathering or group of people consisting of ten (10) or more persons must first obtain a Park Permit to use the Park System.

E. An Alcohol Permit is required for the consumption of alcoholic beverages limited to a pavilion with a Facility or Pavilion Permit. Requests need to be made at time of reservation.

F. In the event more applications for reservations are received than space is available, such applications shall be considered in the order received by the Department.

G. No person under the age of eighteen (18) years shall be issued a permit to use the Park System unless accompanied by a person eighteen (18) years of age or older.

H. The holder of Park Permit(s) issued by the Department shall be held responsible for the actions and conduct of the other persons in his party.

I. All visitors to the Park System must comply with all rules and regulations of the Department while within the Park System.

J. The Department has the right to refuse, reject, or cancel a reservation due to non-payment, prior damage, or prior violation of park rules and regulations.

K. Inflatables such as, but not limited to, bounce houses, slides, etc. are prohibited on County Real Estate.

L. The erecting of tents, dining flies, canopies, sheds, or any structure is prohibited. A portable 10'x10' popup shelter may be permitted with approval of the Department.

M. A Certificate of Liability Insurance is required for certain activities including, but not limited to, organized events, litter and debris clean-ups, volunteer activities, organized tennis event, organized group camping at an approved facility, and vendors such as food caterers and food trucks. The Certificate of Liability must list Northampton County as additional insured with the event date.

SECTION 4. HOURS OF OPERATION - No person shall be permitted within the Park System one-half hour after sunset and one-half hour prior to sunrise of any day, except upon the issuance of a Park Permit by the Department pursuant to the procedure set forth in SECTION 3, permitted by the Department in compliance with Commonwealth and Federal Laws.

SECTION 5. DESTRUCTION OR ABUSE OF BUILDINGS, PROPERTY, EQUIPMENT, MARKERS, MONUMENTS, AND OTHER PROPERTIES

No person shall, on County Real Estate,

A. Destroy, deface, alter, change, or remove any monument, stone marker, bench mark, stake, post, or blazed trail, marking or designation of any boundary line or survey line.

B. Cut, break, mark upon or otherwise injure any building equipment, bridge, drain, wall, foundation, lamp post, fence, gate, hedge, or other structure of installation.

C. Deface, destroy, or remove any placard, notice or sign, whether permanent or temporary, posted, or exhibited within the Park System, or on any County Real Estate.

D. Injure, deface, alter, write upon, destroy, remove or tamper with in any way, any real or personal property or equipment, including without limitation, vegetation, owned by or under the jurisdiction of the County.

SECTION 6. DESTRUCTION OF PLANT LIFE AND NATURAL SURROUNDINGS

No person shall, on County Real Estate,

A. Cut, remove, or destroy any trees, sapling, seedling, bush or shrub, whether alive or dead, or chip, blaze, box, girdle, trim, or otherwise deface or injure any tree or shrub, or break or remove any branch, foliage, tree or shrub, or pick, gather, uproot, remove, or destroy any flower, fruit, plant or grass except with a permit issued by the Department.

B. Remove or cause to be removed, any natural or man-made material, artifacts, or archeological, or historical items, or to dig any sod, earth, humus, peat, boulder, rock, gravel, or sand except with a permit issued by the Department.

C. The use of a metal detector requires a permit. All substances found are the property of Northampton County.

SECTION 7. FIRES

Open fires are prohibited on County property, except as indicated hereafter. Further, no person shall, on County Real Estate,

A. Set or cause to be set on fire any tree, woodland, brushland, grassland or meadow.

B. Build any fire except within the fireplaces, grills, receptacles, or open spaces approved and designated by the Department for such purpose.

C. Drop, dump, throw or otherwise scatter lighted matches, ashes, burning cigars, cigarettes, tobacco paper, or other flammable material.

D. Leave fires unattended at any time or not fully extinguished before being abandoned.

SECTION 8. ANIMALS AND WILDLIFE

No person shall, on County Real Estate

A. Pursue, catch, attempt to catch, strike, molest, wound, or kill Animal & Wildlife or any nest, lair, den, burrow, or the like of any Animal; except, such areas which the Department designates as authorized hunting, fishing and trapping areas, in accordance with the Federal and Commonwealth laws.

B. Permit a person's pet to pursue, catch wound, or kill any bird, animal or reptile or to disturb the nests, dens, home or place of refuge of any other Animal & Wildlife, except as allowed under Federal and Commonwealth laws in areas designated by the Department.

C. Permit a person's pet to pursue, catch, wound, or kill any bird, animal or reptile or to disturb the nests, dens, home or place of refuge of any other Animal & Wildlife, except as allowed under Federal and Commonwealth laws in areas designated by the Department.

D. Drive or pursue any Animal & Wildlife from the confines of the Real Estate, within the Park System, except under legal ~~hunting~~ procedures of the Federal and Commonwealth in hunting areas designated by the Department.

SECTION 9. HUNTING, FISHING AND TRAPPING

A. All person(s) shall follow all Federal & Commonwealth laws regarding hunting, fishing and trapping throughout the Park System and within those areas designated by the Department.

B. No person shall, Hunt, Fish or Trap in any designated wildlife sanctuary, open space, outdoor education area or in any areas where restrictive signs have been posted.

C. No person shall Hunt, Fish or Trap without being in compliance with a current resident or non-resident license as required by the Commonwealth, in areas designated by the Department.

D. Fishing within the Park System waters shall be permitted only in such areas and at such times as are designated by the Department. In all cases, the Commonwealth fishing laws shall be applicable to all Park System waterways. The failure to comply with such Commonwealth laws shall be in a direct violation of this section.

SECTION 10. REGULATED SHOOTING GROUNDS ON COUNTY REAL ESTATE

The Department may set aside areas open to the public for the purpose of hunting and trapping, and for target shooting ranges. Such areas will be regulated by the Commonwealth and Federal laws concerning them, and violation of those regulations will be a direct violation of this section.

SECTION 11. FIELD TRIAL AREAS ON COUNTY REAL ESTATE

A. The Department may designate areas to be used as field trial areas within the Park System, by Special Use Permit only. Such areas will be open in compliance with Commonwealth Laws.

No person shall,

B. Bring his or her pet or animal into any field trial area during designated periods.

C. Bring his or her dog or other pet into any field trial area unless said dog or pet holds a current year's license.

D. Allow his or her dog or other pet to be other than in complete control.

E. Possess any firearm or ammunition in the field trial area except for designated gunners for trial purposes.

SECTION 12. CONTRABAND

All game, animals, fowl, birds, fish and other aquatic animals, live, hunted, killed taken or destroyed, bought, sold bartered or possessed contrary to any provisions of this ordinance shall be declared to be contraband, and the same shall be subject to seizure and confiscation and shall be turned over to the Department or for the Department to contact the appropriate Federal or Commonwealth responsible agency.

SECTION 13. SWIMMING, BATHING AND WADING ON COUNTY REAL ESTATE

No person shall,

A. Swim (including tubing), bathe or wade in any of the water courses, lakes, pools or ponds unless approved by the Department with a Special Use Permit.

B. Carry or consume any food or beverage or have in possession any glass or metal container at any swim area or in the water adjacent to the above mentioned areas unless otherwise designated.

C. Bathe (including tubing) in any Department operated pool/beach area unless said swimming area is open for operation.

D. Bathe, swim (including tubing) or wade in any water area designated as "Unsafe for Swimming" at such time or times within the sole discretion of the Department, within the Park System.

SECTION 14. BOATING AND OTHER WATERCRAFT

No person shall,

A. Use or navigate any boat, yacht, canoe, raft, or other watercraft upon any watercourse, lagoon, lake, pond or slough except at such time or places as may be provided or designated for such purpose.

B. Operate a watercraft unless it complies with all Commonwealth laws.

C. Use air mattresses, inner tubes and inflatable devices except in designated swimming areas. These may not be used elsewhere. Tubing is not allowed except within designated swimming areas on County Real Estate.

D. Use a boat or other watercraft in any park area unless registered with the Commonwealth and supplies with approved and ~~the~~ required number of personal floatation devices and said craft must be used only in a safe, orderly manner so as not to endanger any person or property.

E. Operate watercraft propelled by internal combustion engines on any County owned or leased waters without written Department permission, within the Park System.

F. Launch and retrieval of watercraft and tubers on County Real Estate by commercial or for-profit organizations requires payment of a fee and permit from the Department.

SECTION 15. CAMPING ON COUNTY REAL ESTATE

No person shall,

A. Camp, or erect or maintain a tent, shelter, or structure on County Real Estate either individually or as part of a public assembly, except in such areas as may be provided and designated for such purposes by the Department. Structures erected by the County as part of the County Real Estate or as part of a temporary exhibition in connection with an authorized special event are exempt from this prohibition. No person or group shall camp without a permit issued by the Department.

B. Have tents located in non-designated camping areas that are not issued a Special Use Permit by the Department. Personal vehicles would park in designated parking lots and be registered on the permit. Campers, camper trailers, and/or recreational vehicles (RVs) are not permitted, unless otherwise approved by the Department.

C. Cause, create or make any noise or disturbance which is a hindrance to the peace, quiet and tranquility of the camping area.

D. Wash dishes at pumps or drinking fountains; to fail to clean camp sites daily or to discharge waste waters or any other wastes, except into designated containers or dumping stations.

E. Dig a trench or make any excavation on any camp site.

F. Occupy a camp site after check out time on the last day covered by the permit.

G. Occupy a camp site contrary to assignment as may be made by the Department authorized representative.

H. Enter upon the camp site of another or be within twenty (20) feet of any tent, shelter or cabin of another, whether occupied or not, without first obtaining an invitation or permission to do so by the person to whom the camp site or cabin has been issued a permit within the Park System.

SECTION 16. CONTINUOUS CRUISING IN AND NEAR CAMPGROUNDS OR PICNIC AREAS

No person shall continuously cruise in any motor driven vehicle in, through and around camp areas or picnic areas within the Park System.

SECTION 17. OPERATION AND PARKING OF MOTORIZED VEHICLES ON COUNTY REAL ESTATE

It shall be unlawful for persons operating a motor vehicle on lands owned, leased or eased by the County of Northampton to commit any violation of the Motor Vehicle Code of the Commonwealth including but not limited to the following infractions enumerated below. For violations of Section 17, the Department of the County Sheriff and the Parks & Recreation Superintendent or his or her agent shall be empowered to issue fines consistent with the current schedule of fines for infractions under this subsection which also constitute infractions of the Motor Vehicle Code of the Commonwealth. For infractions which are violations of this subsection only, the Sheriff or County Parks & Recreation Superintendent or his or her agent shall be authorized to issue a citation/ticket according to the following schedule: \$15.00 per violation if the citation/ticket is paid within 14 business days, including the date on which it was issued. The fine shall increase to \$30.00 per citation/ticket if the citation/ticket is not paid after 14 business days of its issuance. All fines for violation of this subsection shall be payable to the County of Northampton.

For infractions which are violations of subsection Q only, the Sheriff or County Parks & Recreation Superintendent or his or her agent shall be authorized to issue a citation/ticket according to the following schedule: \$50.00 per violation if the citation/ticket is paid within 14 business days, including the date on which it was issued. The fine shall increase to \$70.00 per citation/ticket if the citation/ticket is not paid after 14 business days of its issuance. All fines for violation of this subsection shall be payable to the County of Northampton.

Violations of the Motor Vehicle Code which are not specifically enumerated herein shall be incorporated by reference and shall constitute a violation of this County Ordinance.

No person shall, while on land owned, leased or eased by the County of Northampton,

A. Park outside of designated parking areas, including but not limited to: on a sidewalk, within 15 feet (or the current Commonwealth parking distance limit) of a fire hydrant; within 20 feet (or the current Commonwealth parking distance limit) from a crosswalk at an intersection; within 30 feet (or the current Commonwealth parking distance limit) of a stop sign.

B. Operate a vehicle and stop, stand or park said vehicle in any place marked as a passenger or loading zone, other than for expeditious loading or unloading of passengers, or for the unloading and delivery or pick up and loading of materials.

C. Operate a vehicle and stop, stand or park such vehicle on any roadway or in any parking area in such manner as to form an obstruction to traffic thereon or to block the exit or removal of another vehicle, including but not limited to double parking; parking in a fashion which creates a risk of damage or harm to other vehicles or drivers; parking in a fashion which disrupts access of emergency vehicles to a designated area.

D. Drive on or park on any lawn or grassy area not designated as a parking area unless specifically authorized to do so by the authority in charge of the management of said lawn.

E. Operate and stop, stand or park a vehicle in such a manner as to block any fire lane, fire trail, camp site road, maintenance road, boat ramp or bike/hike/horse trail.

F. Operate a vehicle and park in any place where "No Parking" signs have been erected.

G. Park a vehicle on County property for purposes other than use of the specific facility or County services, or on County business.

H. Operate and park a vehicle which does not exhibit a current Pennsylvania vehicular registration or inspection certificate.

I. Operate and park a vehicle in such a manner as to take up more than one designated parking spot.

J. Operate a motor vehicle in excess of ten (10) miles per hour in any park unless a higher rate of speed has been posted.

K. Operate a vehicle in any park, or place other than roadways open to and regularly traveled by the general public except for vehicles authorized by the Department for the purpose of maintenance, improvement, or patrol, or in an area set aside as a special use area.

L. Operate and/or park any vehicle on any property or roadway intentionally, knowingly, recklessly or carelessly disregarding the rights and safety of others or in a manner so as to endanger any person or property.

M. Operate any type of motorized minibike, trail bike, all-terrain vehicle, snowmobile, or other vehicle that is not or cannot be registered for operation on the public highways except in areas designated and designed for their purpose, and then only with the Department approval and appropriate permit.

N. Fail to yield the right-of-way to any person riding a horse, hiking or biking on marked trails, pedestrian crossings or trail crossings of streets where such trails cross streets or roadways.

O. Fail to come to a complete stop at a stop sign.

P. Fail to yield at a yield sign.

Q. No person shall park a vehicle on County Real Estate for the principal purpose of washing, cleaning, greasing, or repairing such vehicle except when necessitated by an emergency.

R. Use park roadways as thoroughfares; permits are required for the operation of or the parking of commercial and farm equipment; prior authorization is required for the parking of a truck or trailer on County Real Estate.

S. No parking of any vehicle in a marked Accessible parking space(s) and/or Access aisle not bearing the registration plate and placard compliant with Federal and Commonwealth guidelines.

T. No person shall park a vehicle on County property for the principal purpose of displaying such vehicle for sale.

U. No person shall park any vehicle on County property in excess of posted time limitations by sign or meter.

V. No person shall park a vehicle or allow a vehicle to be parked on County property for an extended amount of time, defined as 7 days or more without permission from the County Executive or his/her designee.

SECTION 18. EQUINE

No person shall,

A. Ride or lead a horse or pony upon any property administered by or under the jurisdiction of the Department except on specifically designated and posted areas or bridle trails.

B. Ride a horse in a careless, negligent or reckless manner so as to create a nuisance or to endanger the life, property or persons within the Park System.

SECTION 19. SKATEBOARDING, ROLLER SKATING, ROLLER BLADING, SCOOTERING OR BICYCLING ON COUNTY REAL ESTATE

No person shall,

A. Operate a bicycle unless as close to the right-hand curb or right-hand side of the path, trail or roadway as conditions will permit.

B. Leave or park any bicycles upon any road or parking lot that is open to the public on which motor vehicles may be driven.

C. Leave or park bicycles in walkways or active play areas, but should use appropriate racks when available.

D. Ride or operate a bicycle on grass, hillsides, steep slopes, in play areas, in picnic areas, on ball fields, or in congested areas, unless otherwise within an approved and designated area.

E. Skateboard, roller skate, roller blade, or operating a bicycle or scooter on County Real Estate, except at such times and upon such places as may be designated or maintained for such purposes and in compliance with all applicable helmet laws. In all other areas, these activities are prohibited. No person shall skateboard, roller skate, roller blade, or operate a bicycle or scooter in a manner, which is unreasonable for the existing

conditions or which endangers the safety of persons (including themselves) or property. Stunt riding and trick riding are hereby deemed to be inherently dangerous and are prohibited.

F. Use or operate an electric or motorized bicycle, scooter or other related use on a trail, pathway or roadway in excess of five (5) mph, unless otherwise regulated by Federal or Commonwealth law.

SECTION 20. TRESSPASS ON COUNTY REAL ESTATE

No person shall,

A. Drive or cause to be driven any horse, cattle, sheep, goats, swine or other livestock upon or across any property administered by or under the jurisdiction of the Department without a permit.

B. Enter upon any grounds that have been posted by the Department with "No Trespassing" or "Special Wildlife" signs, or any sign that would indicate that the area is not open to the general public without first obtaining a permit issued by the Department.

C. Enter any building that is not open to and regularly used by the public.

D. Without authorization, enter or remain upon any County property or within any structure during such times when such property or structure has been designated as closed by a sign, the Department or the Northampton County Sheriff.

E. Enter upon or disturb any construction or equipment on County property except for authorized County personnel.

SECTION 21. PEDDLING AND SOLICITING ON COUNTY REAL ESTATE

No person, group or organization shall peddle or solicit business of any nature whatever or collect any funds for any service or charity, or to distribute handbills or other advertising matter, to post unauthorized signs on any lands, waters, features or sources, or real estate owned, eased or leased by the Department. The use of County Real Estate by a commercial or for-profit organization requires obtaining a Special Use or Facility Use Permit approved from the Department.

SECTION 22. UNLAWFUL OBSTRUCTION

No person shall force, threaten, intimidate, fence, enclose or by any other means, prevent or obstruct any person from entering, leaving or making full use of the Park System unless under the jurisdiction of the Department consistent with the terms of this ordinance and other applicable statutes, rules and regulations, and then only by persons authorized to do so by the Department within the Park System.

SECTION 23. HINDERING EMPLOYEES AND LAW ENFORCEMENT OFFICERS ON COUNTY REAL ESTATE

No person shall interfere with, use profanity toward, or in any manner hinder any employees or agents of the County, or law enforcement officers who are performing their official duties.

SECTION 24. RESISTING PARK EMPLOYEES OR LAW ENFORCEMENT OFFICERS

No person shall,

A. Interfere with or use profanity toward any Park employee or law enforcement officer in the performance of his/her duties; or fail or refuse to obey any lawful command or refuse to assist any Park employee during an emergency in the performance of his/her duties within the Park System.

B. Fail to comply with a lawful order of any law enforcement officer, an authorized employee of the Department or the direction of any sign erected by, or at the direction of, the Department or the Northampton County Sheriff.

SECTION 25. IMPERSONATION OF A PARK EMPLOYEE OR LAW ENFORCEMENT OFFICER

No person shall impersonate any Park employee or law enforcement officer for any reason whatsoever within the Park System.

SECTION 26. ILLEGAL DRUGS, SUBSTANCES OR NARCOTICS ON COUNTY REAL ESTATE

No person shall possess or be under the influence of, sell or solicit any illegal drugs, substances or narcotics while in or upon any County Real Estate administered by or under the jurisdiction of the Department. Any illegal drugs, substances, or narcotics in the possession of anyone shall be confiscated by the law enforcement officer.

SECTION 27. ALCOHOLIC BEVERAGES

No person shall possess, without an Alcohol Permit, or be under the influence of any alcoholic beverage while in or upon any County Real Estate administered by or under the jurisdiction of the Department. Any alcoholic beverage in any person's possession without an Alcohol Permit, shall be confiscated by the Park employee or law enforcement officer. With an Alcohol Permit, alcoholic beverages shall be restricted to park pavilions or other approved areas in accordance with a Park Permit issued by the Department and laws of the Commonwealth. An Alcohol Permit must be applied for at the time of pavilion reservation and be associated with the Facility or Pavilion Use Permit.

SECTION 28. PERSONAL CONDUCT ON COUNTY REAL ESTATE

No person shall,

A. Engage in any violent, abusive, loud, boisterous, vulgar, lewd, wanton, obscene or otherwise disorderly conduct tending to create a breach of the peace, or to disturb or annoy others, while in or on any property administered by or under the jurisdiction of the Department.

B. Commit any indecent or immoral act tending to debauch the morals of manners of the public while in or on any property administered by or under the jurisdiction of the Department.

SECTION 29. DISORDERLY BEHAVIOR

A. A person who commits any of the following actions shall be deemed to be engaging in disorderly behavior in violation of these rules when such person:

(1) engages in a course of conduct or commits acts that unreasonably alarm or seriously annoy another person;

(2) throws stones, other objects or missiles which may inflict bodily injury or damage to persons or property;

(3) obstructs vehicular or pedestrian traffic;

(4) climbs upon any wall, fence, structure or monument;

(5) engages in or encourages fighting or violent or threatening behavior;

(6) engages in a course of conduct or commits acts that endangers the safety of others or creates an unreasonable risk of damage to real or personal property;

(7) deposits bodily wastes upon ground or other surfaces;

(8) makes or causes noise at a rate of over 95 decibels outdoors or 90 decibels indoors for an unreasonable period of time;

(9) throws away or discards any lighted match, cigar, cigarette, charcoal or other burning object other than in a receptacle provided for that purpose;

(10) operates any motorized vehicle, snowmobile, or other equipment in such a manner as to endanger other persons or property or in such a manner so as to create an unreasonable noise or disturbance;

(11) swims or wades in any pool, pond, fountain or stream.

SECTION 30. LOITERING FOR ILLEGAL PURPOSES

A. A person shall be guilty of loitering for illegal purposes in violation of these rules when such person:

(1) loiters or remains on any County Real Estate for the purpose of engaging or soliciting another person to engage in sexual activity; or

(2) loiters or remains on any County Real Estate for the purpose of unlawfully using, possessing, purchasing, distributing, selling or soliciting alcohol or any illegal drugs, substances and/or narcotics.

SECTION 31. USE OF ESCALATORS AND STAIRWAYS

No person shall use an escalator or stairway for other than its intended purpose. No person shall walk or run on an escalator in the opposite direction of its rotation. No person shall ride a bicycle, scooter, operate a vehicle, skateboard, roller blade, or roller skate upon any escalator or stairway.

SECTION 32. RUNNING OR JOGGING

No person shall run or jog in the interior area of a building on County Real Estate.

SECTION 33. HITCHHIKING

No person shall solicit a ride or hitchhike on County Real Estate. No person shall pick up a hitchhiker on County Real Estate.

SECTION 34. MINORS

No person having custody or control of a minor shall permit such minor to do any act in violation of a rule or regulation of the County. Minors under 14 years of age shall at all times while on County Real Estate be under the supervision and control of a parent, guardian or responsible custodian.

SECTION 35. USE OF AMPLIFIED INSTRUMENTS OR SYSTEMS

No person shall,

A. Use of amplified instruments or systems (such as, but not limited to, loudspeaker, public address system, DJ, boom box, etc.) without prior approved Park Permit by the Department; this may require a Certificate of Liability Insurance.

B. Play any amplified system or instrument in a loud or boisterous manner which tends to disturb or annoy any visitor.

C. Possess any amplified instruments or systems (such as, but not limited to, loudspeaker, public address system, DJ, boom box, etc.) without prior approved Park Permit by the Department; this may require a Certificate of Liability Insurance.

SECTION 36. FIREWORKS ON COUNTY REAL ESTATE

No person shall fire, discharge, or have in their possession any rocket, firecracker or other fireworks or any substance of an explosive nature unless the Department issues a permit.

SECTION 37. FIREARMS, HATCHETS AND KNIVES, ETC. ON COUNTY REAL ESTATE

No person shall,

A. Bring into or upon County Real Estate, nor have in his/her possession, nor discharge, or set off anywhere upon said properties, a revolver, pistol, shotgun, rifle, air rifle, air gun, water gun or any gun, rifle, firearm, or bow or other weapon that discharges projectiles either by air, explosive substance or by any other force. Except that this section shall not apply to any deputy sheriff, police officer, peace officer, park employee or other duly appointed law enforcement officer while carrying out the duties and responsibilities of his/her position nor to any person while on or in those areas which may be designated as hunting areas by the Department or while upon designated target ranges or areas.

B. Possess any type of knife, hatchet or ax unless in any facility, unless in an approved permit within the Park System.

C. Possess any of the above items in this section; otherwise the law enforcement officer shall confiscate any article or weapon in the possession of any person which is in violation of this section.

SECTION 38. POSSESSION OF FIREARMS OR OTHER DANGEROUS INSTRUMENTS IN A COURT FACILITY

No person shall knowingly possess or cause a firearm or dangerous instrument to be present in a Court facility.

SECTION 39. HOT AIR BALLOONS, AIRCRAFT AND PARACHUTISTS ON COUNTY REAL ESTATE

No person shall make any ascent in any balloon or aircraft, or any descent in or from any balloon, aircraft or parachute unless authorized by the Department within the Park System.

SECTION 40. LITTERING, DUMPING AND POLLUTION OF WATERS ON COUNTY REAL ESTATE

No person shall,

A. Discard, deposit, dump, litter or allow to blow away any refuse of any kind or nature except by placing said refuse in containers provided for such purpose.

B. Bring or dispose of any type of trash, refuse or debris in any park whether disposing of it in receptacles or not, if such refuse did not result from Park usage within the Park System.

C. Deposit household or commercial refuse on County Real Estate.

SECTION 41. SKATING AND COASTING ON COUNTY REAL ESTATE

No person shall skate, sled, snowshoe, ski, walk or go upon any ice, except at such times and upon such places which may be designated or maintained for that purpose by the Department.

SECTION 42. PUBLIC EXHIBITION ON COUNTY REAL ESTATE

No person shall exhibit any machines, animals or indulge in any aerobic exhibitions, nor shall any person carry on any performance or do anything whatsoever which shall cause persons to congregate as to interfere with the proper use of such property by the general public, or to obstruct the passage of vehicles or persons, without first having obtained a permit from the Department.

SECTION 43. DOMESTIC PETS AND ANIMALS ON COUNTY REAL ESTATE

No person shall,

A. Cause any animal or fowl to run at large, except in designated areas.

B. Bring, drive or lead any animal onto County Real Estate except that horses may be ridden by persons in charge thereof except on designated trails.

C. Permit his/her dog, animal or pet to enter any public building except for a documented or licensed service animal.

D. Bring, drive, lead or carry any dog, animal or pet which is unleashed or on a leash more than six (6) feet in length. Animals must be under the immediate control of a competent person except for animals used in hunting or field trials by permit.

E. Permit his dog or pet to enter any public building or to be upon any designated swimming area except for a trained service animal. Dogs are permitted in designated areas in the Park System, with the exception of County Real Estate Buildings or Campuses, unless with documented or licensed service animal.

F. Bring, drive or lead any animal in picnic areas or the children's play areas.

G. Pet owners must remove all feces deposited by their pet(s) on County Real Estate.

H. Permit any horse or other animal to stand unattended unless in the charge of a competent person.

I. Torture, ill-treat or neglect any animal or fowl.

J. Bring any pet or animal into any park area unless said pet or animal has been properly inoculated and has a current year's license, if so required.

K. Allow any pet or animal to run at large which is deemed after due consideration by the Park employee or law enforcement officer a threat to the public health, safety and welfare; therefore, it shall be the responsibility of every park employee or law enforcement officer to kill the animal if other means are not available or prove unsuccessful.

SECTION 44. RESTROOMS

No person shall use any restrooms on County Real Estate or any fixture or equipment therein for other than its intended purpose. Prohibited activities include, but are not limited to, bathing, washing clothes or sleeping.

SECTION 45. SMOKING

No person shall smoke in any area, building or portion of a building, structure or portion of a structure, on County Real Estate where signs are in place advising that smoking is prohibited at such locations.

SECTION 46. EMERGENCY SERVICES EQUIPMENT

No person shall tamper with emergency services equipment on County Real Estate.

SECTION 47. FEES, CHARGES AND PERMITS

A. The Department shall have the authority to issue a fee schedule for permits, set the amount of deposits, and prescribe conditions. Such revenue shall be used for recreation, park and conservation purposes.

B. No person shall use any facility, land or area for which a fee or charge has been established by the Department without payment of such fees or charge.

C. The County reserves the right to refuse, reject and not approve a reservation or park permit for non-payment, non-compliance of park rules and violations, and prior damages to County Real Estate.

D. The Department shall not issue reimbursement for permit fees or applicable charges within the Park System, unless otherwise approved by the Department.

SECTION 48. SECURITY IDENTIFICATION CARDS

A. No person shall convey or lend their Northampton County security identification card to another person(s) for the purpose of allowing said person(s) to gain unauthorized entry onto County Real Estate.

B. Any person found to be in possession of a Northampton County security identification card who is unauthorized to carry such a card shall be subject to criminal prosecution and/or disciplinary action.

C. All lost or stolen Northampton County security identification cards should be immediately reported to the Northampton County Sheriff Department, 669 Washington Street, Easton, PA 18042-7483.

D. Upon separation from County service or termination of contractual services, the Northampton County security identification card shall be surrendered to the issuing agent. Failure to do so may result in criminal prosecution and/or disciplinary action.

SECTION 49. EMERGENCY POWERS

Nothing in these rules shall,

A. Prohibit or hinder duly authorized agents of the Department or any law enforcement officers from performing their official duties.

B. Prohibit the Department from establishing rules and regulations required to protect the health, welfare and safety of park visitors and County leased Real Estate.

C. Prohibit the Department from full or partial closures of parks, real estate and/or designated areas, facilities, recreation areas, etc. for any reason as deemed necessary by the Department to protect the health, welfare and safety of park visitors, park employees and County Real Estate.

SECTION 50. TOWING OF VEHICLES

The Sheriff of Northampton County and the Superintendent of Parks and Recreation shall be responsible for the removal of illegally parked vehicles from County Real Estate.

SECTION 51. ENFORCEMENT

A. This ordinance shall be enforced by law enforcement officers and law enforcement agencies, which shall include County security officers.

B. It shall be the duty of the Superintendent of Parks and Recreation to assure ~~to~~ the enforcement of this Ordinance.

SECTION 52. PENALITIES AND ARRESTS

Any person who violates any provision of this Ordinance shall, for every such offense, upon conviction thereof, in a summary proceeding before a District Magistrate, be sentenced to pay a fine of not less than Five (\$5.00) dollars nor more than Three Hundred (\$300.00) dollars and/or to undergo imprisonment for a term of not more than thirty (30) days. Where such violator has removed, destroyed, damaged, defaced or befouled the recreation, park or other County Real Estate or the contents thereof, the cost of maintenance, repair or replacement shall be charged to such person or group in addition to any fine. Further use of recreation, park and reservation facilities may be denied to violators of this Ordinance in addition to the imposition of fines. All prosecutions shall be brought in the name of the County of Northampton. All fines shall be paid to the County of Northampton and are for the maintenance of the County Park System.

SECTION 53. SEVERABILITY

The provisions of this Ordinance are severable; and if any part hereof shall be held to be unconstitutional or otherwise invalid by any Court, such decision shall not affect or impair any of the remaining provisions of the Ordinance. It is declared to be the intent of the Northampton County Council that this Ordinance would have been adopted even if such invalid provision had not been included therein.

SECTION 54. ORDINANCE REPEAL

All ordinances and resolutions or parts of Ordinances and resolutions insofar as they are inconsistent herewith are hereby repealed.

This ordinance was advertised on the 7th day of September, 1988, and was adopted by the Northampton County Council on the 15th day of September, 1988.

Attest: /s/Frank E. Flisser
Frank E. Flisser

/s/ Richard Grucela
County Council President

s/s Eugene R. Hartzell
County Executive

Ordinance No. 141-1988 was initially enacted September 19, 1988. It was amended by the enactment of Ordinance No. 466-2007 on June 22, 2007, by the enactment of Ordinance No. 560-2012 on November 16, 2012 and by the enactment of Ordinance No. 708 on June 7, 2021.

(J:\1988\ord\ord141-1988 amended)