

ORDINANCE NO. 09-01

AN ORDINANCE OF PROVIDENCE TOWNSHIP ENACTING RULES AND REGULATIONS GOVERNING REAL PROPERTY OWNED AND OPERATED BY PROVIDENCE TOWNSHIP AS A RECREATIONAL AREA

WHEREAS Providence Township owns and maintains a park located at 38 Main Street, New Providence, Pennsylvania 17560;

WHEREAS Providence Township has recently acquired from Norfolk Southern Railroad Corporation real property located in Providence Township and in Quarryville Borough, which property was formerly known as the Enola Rail Line;

WHEREAS the real property identified above is open to the public and will be used for recreational purposes; and

WHEREAS the Supervisors believe that it is important to establish rules and regulations for the use of these recreational lands and any land subsequently acquired by Providence Township for recreational purposes.

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of Providence Township, Lancaster County, Pennsylvania, as follows:

Section 1. This Ordinance shall be known as the "Providence Township Recreational Property Rules and Regulations Ordinance".

Section 2. This Ordinance shall regulate the activities of persons in or on any property owned or operated by Providence Township for recreational purposes (hereinafter "the Property").

Section 3. The Property shall be open to the public from one-half hour prior to sunrise to sunset.

Section 4. Any person using the Property shall protect, to the extent reasonably possible, wildlife and natural habitat at the Property. No person shall:

(a) Injure, deface, climb, mutilate, pull-up, remove or destroy any vegetation on the Property; or,

(b) Hunt, trap, chase, capture or molest in any manner whatsoever wildlife of any kind or disturb any nest or home of birds, animals or fish, except that archery and muzzleloading hunting shall be permitted, provided that the person shall have

obtained the necessary license from the Commonwealth of Pennsylvania and a permit from Providence Township.

Section 5. No person shall possess or discharge any type of firearm, bow and arrow, BB gun, air gun, slingshot or other weapon on the Property, unless the person is engaging in permitted hunting as set forth in Section 4(b) above.

Section 6. No person shall possess or discharge fireworks of any kind on the Property.

Section 7. No person shall possess or use alcoholic beverages or illegal drugs on the Property. In addition, no personal shall be intoxicated or otherwise under the influence of alcohol or illegal drugs while on the Property.

Section 8. No person shall use threatening, abusive, insulting, or indecent language while on the Property.

Section 9. No person shall deface, mutilate, abuse, destroy, mark, write or paint upon any natural or manmade object on the Property.

Section 10. No person shall use a motor-operated vehicle on the Property, except in any designated parking area or access drive leading from the public street to the parking area on the Property. All-terrain vehicles, snowmobiles, dirt bikes, three-wheeled motorized vehicles and all similar types of vehicles, whether recreational or otherwise, are prohibited anywhere on the Property.

Section 11. Notwithstanding anything herein to the contrary, the restrictions set forth in this Ordinance shall not apply to employees of Providence Township or their agents engaging in activities authorized by the Board of Supervisors, including, but not limited to, maintenance, construction and repair of the Property. The restrictions also shall not apply to any police officers or other officials on the Property who are patrolling the Property or enforcing rules, regulations, statutes, ordinances and laws of Providence Township, the County of Lancaster, the Commonwealth of Pennsylvania or the United States of America.

Section 12. Any person who violates any of the provisions of this Ordinance shall, upon conviction thereof before a District Justice, be guilty of a summary offense and shall be sentenced to pay a fine of not more than \$300.00 and undergo

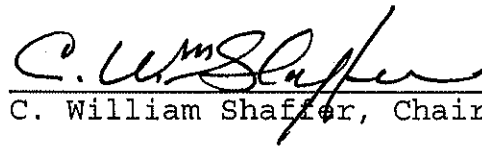
imprisonment for a period of not more than thirty (30) days, or both. Each day that a violation occurs or continues shall constitute a separate offense.

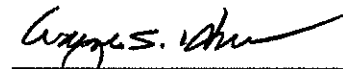
Section 13. The provisions of this Ordinance are severable. If any provision of this Ordinance or its application to any person or circumstance is held invalid by a court of competent jurisdiction, such invalidity shall not affect any other provision or application of this Ordinance.

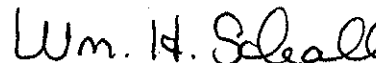
Section 14. This Ordinance shall become effective five (5) days after enactment.

This Ordinance has been enacted this 1st day of June, 2009.

PROVIDENCE TOWNSHIP BOARD OF SUPERVISORS


C. William Shaffer, Chairman


Wayne S. Herr, Vice Chairman


William H. Schall, Member