

YOE BOROUGH
ORDINANCE - #2012-02

AN ORDINANCE AMENDING THE YOE BOROUGH CODE OF
ORDINANCES CHAPTER 16 PARKS AND RECREATION, TO AMEND
THE DEFINITION OF TRESPASS, TO ADD DEFINITIONS OF SUNSET
AND SUNRISE, AND TO PROVIDE FOR PROHIBITED CONDUCT AND
PROVIDE FOR RESTRICTED AREAS.

WHEREAS, the Borough of Yoe wishes to provide for the safe guarding of Borough property by establishing set times and reasonable conditions for the use of the Borough's parks and recreational areas.

WHEREAS, the Borough of Yoe has duly adopted in the Yoe Borough Code of Ordinances, Chapter 16 Parks and Recreation and now wishes to further amend that Ordinance.

NOW THEREFORE, be it enacted and ordained, and it is hereby enacted and ordained by the Borough Council of the Borough of Yoe, York County, Pennsylvania as follows:

PART 1

1. SECTION 16-101 *the definition of Trespass is hereby amended to read as follows;*

Unlawful Trespass- the presence of any individual on the premises defined as Recreation Areas or within areas classified as a Restricted Area thereon, at any time between the periods of sunset to sunrise, or at any such time the area may be either posted closed or classified a restricted area and therefore closed by the Borough. With the exception of on-duty police officers and other elected or appointed Borough officials, or any person or individual, or guest thereof, who has a valid rental agreement with the Borough for the use of the Park facility for the specific time in question.

2. SECTION 16-101 *the following definitions are hereby added;*

Sunset- is the daily disappearance of the Sun below the horizon in the west as the result of the earth's rotation. The exact time varying daily throughout the year and to be calculated using any current annually printed or published electronically or bound, Almanac, which delineates times for sunrises and sunsets and has a standard for calculating time corrections for the local area. In the event of any conflicting time due to the use of different Almanacs, the later time shall be used.

Sunrise- is the daily reappearance of the Sun above the horizon in the east as the result of the earth's rotation. The exact time varying daily throughout the year and to be calculated using any current annually printed or published electronically or bound, Almanac, which delineates times for sunrises and sunsets and has a

standard for calculating time corrections for the local area. In the event of any conflicting time due to the use of different Almanacs, the later time shall be used.

3. SECTION 16-102 *Prohibited Conduct is repealed and replaced with the following;*

Prohibited Conduct and Designating Restricted Areas and Times:

The following conduct shall be prohibited within all recreation areas as defined in §16-101:

1. The recreation areas are closed daily from sunset to sunrise or at any such time the area is posted closed by the Borough. Any presence on recreation areas, unless specifically rented, during closed times will constitute an unlawful trespass.
2. The Pavilion building, Concession building and Restroom building are hereby classified as "Restricted Area" and closed to the general public at all times. Any presence without entering into a rental agreement, with the Borough, will constitute an unlawful trespass.
4. It shall be unlawful to bring onto the recreation areas alcoholic beverages or to consume alcoholic beverage while on the premises unless said person or individual has a valid rental agreement with the Borough or is an invited guest of a person having a valid rental agreement with the Borough at the specific time in question.
5. It shall be unlawful for any individual, who has not been authorized by a Borough official, to drive a motor vehicle on the premises of a recreation area except on those portions which may be designed as parking and or cart ways. Parking, in designated areas, is only permitted for use of the recreation areas for recreational purposes. All other parking is prohibited.
6. No bicycles, skateboards, roller blades or scooters are allowed under or in the pavilion or on top of any of the tables or equipment or on the tennis courts.
7. No person shall injure, deface, cut, damage, mutilate, or remove any of the trees, plants, shrubs, lawns, fireplaces, tables, benches, fixtures, lighting, electrical, furnishings, buildings or portions thereof, belonging to the Borough located within the recreation areas.
8. No person shall set or maintain any fire except in the fireplaces or grilling areas provided for that purpose.
9. No person shall deposit any waste, litter or garbage within the recreational areas except in the receptacles provided for that purpose.
10. No person shall conduct himself or herself within the recreational area by engaging in disorderly conduct or annoy or offend others using the recreational areas for recreational purposes.
11. Prohibited offensive weapons, including but not limited to crossbows, Compound bows, knives, swords, batons, clubs, BB or pellet guns are prohibited at all times within the recreational area, with the exception of those being carried by on-duty police officers or elected or appointed Borough officials.
12. No person shall discharge a firearm, nor brandish it in an offensive manner, with the exception of on duty police officers or elected or appointed Borough officials.

PART 2

1. The remaining portions of the ordinance are to remain in full force.

BE IT HEREBY ENACTED AND ORDAINED this 7th day of February, 2012
by the Borough Council of the Borough of Yoe, York County, Pennsylvania.

YOE BOROUGH COUNCIL

Sandra Sterner
Attested by: Secretary

Paul C. Sjo
President of Council

Approved by: Mayor