

CITY OF CORRY

Ordinance

Ordinance No. 1682

Council Bill No. 26-07

Presented by: Mr. Hammond

**AN ORDINANCE OF THE CITY OF CORRY AMENDING ORDINANCE NO. 1582, BILL NO. 18-05,
CONCERNING THE LOCATION OF PARKS IN THE CITY, PARK HOURS AND REGULATIONS
GOVERNING PARKS**

WHEREAS, the City enacted an ordinance on September 4, 2018, being Ordinance No. 1582, Bill No. 18-05, identifying City parks and recreation facilities and the hours for the parks and recreation facilities in the City,

WHEREAS, City Council desires to update the provisions related to the management of City parks, trails, and recreational facilities, specifically updating the hours of operation, regulating uses and identifying prohibited activities; and

WHEREAS, City Council has determined it to be in the best interest of the City to amend Ordinance No. 1582, Bill No. 18-05.

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF CORRY, ERIE COUNTY, COMMONWEALTH OF PENNSYLVANIA and enacted by the authority of the same that:

Section 1. The caption of and recitals to this Ordinance as set forth above are incorporated herein by reference.

Section 2. All deletions are shown as struck through; all additions are underlined.

Section 3. Amendment. Ordinance 1582, Bill No. 18-05, codified as Chapter 94, Parks and Recreation, of the Code of the City of Corry is hereby amended as follows:

**Article I
General Provisions**

§ 94.100 LOCATIONS AND DESCRIPTIONS. The municipal park locations and descriptions are as follows:

- (A) City Park located in the 300 block of North Center Street described more fully as parcel #06-022-092.0-001.00;
- (B) Seneca Park on Seneca Street described more fully as parcel #08-038-159.0-001.00;
- (C) Mead Park located on Mead Avenue described more fully as parcel #07-14-046.0-012.00;

- (D) Soccer Complex on Sciota Road described more fully as parcel # 06-047-034.0-001.00; and
- (E) Beaver Complex on West Washington Street described more fully as parcel #07-025-049.0-013.00.
- (F) Route 6 to Elk Street Trail described more fully as parcel #s 07-014-036.0-030.00 and 07-010-036.0-024.00.

§ 94.101 HOURS FOR PARKS, TRAILS, AND RECREATION FIELDS.

- A. Hours of parks including Seneca Park, Mead Park, the Soccer Complex, the Beaver Complex, and the Route 6 to Elk Street Trail. The city municipal parks shall be open daily from 7:00 a.m. until 10:00 p.m. No person other than municipal personnel shall be in the parks at any time between 10:00 p.m. and 7:00 a.m. An event request may be submitted by an organized group desiring to use a park for a legitimate purpose between the hours of 10:00 p.m. and 7:00 a.m. Such request shall be made to City Council via the event request procedure.
- B. Hours of City Park. The hours of the City Park, located on Center Street shall be utilized from 7:00 a.m. until 11:00 p.m. each day. No person other than municipal personnel shall be in the parks at any time between 11:00 p.m. and 7:00 a.m. An event request may be submitted by an organized group desiring to use a park for a legitimate purpose between the hours of 11:00 p.m. and 7:00 a.m. Such request shall be made to City Council via the event request procedure. As an exception to this policy, an individual may pass through the City Park on sidewalks designated for pedestrian use. Those individuals are not permitted to loiter, congregate or use any other portion of the park during the hours of 11:00 p.m. and 7:00 a.m.

Article II
Prohibited Uses and Acts

- § 94.200 Grass areas.** Grass areas shall not be used for roadways, parking or other purposes which may injure or destroy the turf or landscaping without expressed written permission from the City's Parks and Recreation Department.
- § 94.201 Trees, shrubs, and flowers.** Trees, shrubs, hedges, wildflowers, or other flowers shall not be picked, cut, broken, or injured in any way whatsoever.
- § 94.202 Buildings, Signs and Structures.** Buildings, fences, fountains, statuary, benches, or signs shall not be injured or defaced in any way. Political Signs shall not be placed in City Parks.
- § 94.203 Paper or rubbish.** Paper, rubbish, or any refuse shall not be scattered, but must be deposited in receptacles provided for that purpose. Paper, rubbish or refuse not accumulated in the Park shall not be deposited in any receptacle.

§ 94.204 **Gambling, drunkenness, and disorderly conduct.** Lotteries or other gambling or games of chance, drunkenness, disorderly conduct, indecent conduct and/or profane/offensive language are prohibited.

§ 94.205 **Vehicle repairs.** No person shall, in any park, clean, polish, grease, lubricate or make repairs to any vehicle except those of a minor nature, and then only in case of emergency.

§ 94.206 **Sale of tickets or commodities.** The sale of tickets or any commodity by picnic groups is prohibited. The sale of tickets and/or commodities is permitted during a City sponsored event.

§ 94.207 **Fireworks and Unmanned Aircraft Systems.**

A. The discharge, possession and selling of any fireworks other than those authorized by the City is strictly prohibited in any Park and/or trail. Fireworks include sparklers, smoke bombs, confetti bombs, projectiles, bottle rockets or similar devices.

B. Flying drones for commercial purposes is prohibited.

C. Flying drones for recreational purposes are permitted with City permission and must follow all rules from FAA USC 22809 Exceptions for Limited Recreational Operations of Unmanned Aircraft Operators. Operators must provide proof of Department UAS Safety Test and FAA registration to the Parks and Recreation.

§ 94.208 **Motorized vehicles.** Except as provided elsewhere in this Chapter, Motorized vehicles are not permitted to be operated in any Park or trail.

§ 94.209 **Glass containers.** Glass containers of any type are not permitted in any Park or trail.

§ 94.210 **Obstructing.** Obstructing or interfering with the regular course of City business and/or operations is prohibited. No person shall block or cause to block any entrance to a Park, building, roadway or facility or any other access points.

§ 94.211 **Behavior and Conduct.** Behaviors including, but not limited to, threats, acts of violence, brandishing a weapon; theft; gambling; consumption of alcoholic beverages in public (except with a Permit issued by the City); being under the influence of, using or selling, alcohol or drugs; and possession of illegal drugs is prohibited in any City Park. Engaging in conduct which is incompatible or inconsistent with the operation and purpose of the Park or which prevents others from using the Park or facility for the purpose for which it is designed is prohibited.

§ 94.212 **Hitting Golf Balls.** Hitting, driving, or putting golf balls is prohibited in all Parks.

§ 94.213 **Dumping.** No person shall deposit any refuse or recyclable materials in a designated trash or recycling receptacle located on Park property unless the trash or recyclable materials are generated as such during the person's lawful presence on that Park property.

§ 94.214 **Smoking and Tobacco.** City Parks, Trails, and Recreation Fields are smoke and tobacco free areas.

Article III **E-Bikes and Other Electrically Motorized Devices**

§ 94.300 **Purpose.** The purpose of this article is to ensure the safety and enjoyment of all residents and visitors in the City of Corry by regulating the use of e-bikes and other electrically motorized devices, such as scooters, on property owned by the City and in City-owned public parks and open spaces.

§ 94.301 **Definitions.** Unless otherwise defined in this section, words and phrases, when used in this chapter, shall have the meanings ascribed to them in the Vehicle Code of Pennsylvania, as now in force, or as hereafter amended, enacted, or reenacted, except where the context clearly indicates a different meaning.

E-BIKE —

- A. A pedal cycle with electric assistance. Per the Pennsylvania Vehicle Code, for a vehicle to be classified as an e-bike, it must:
 - 1. Weigh no more than 100 pounds.
 - 2. Not exceed 20 mph through motor power on a level surface when powered by the motor source only.
 - 3. Have a motor that does not exceed 750 watts in power output.
 - 4. Have functional and operational pedals.
 - 5. Have two or three wheels more than 11 inches in diameter.
- B. Rider must be at least 16 years old to ride an e-bike in Pennsylvania legally but does not require a driver's license.
- C. Does not require title, registration or insurance.
- D. The term does not include a device specifically designed for use by persons with disabilities.

E-SCOOTER —

- A. A two-wheeled vehicle powered by an engine or an electric motor that does not have a seat or saddle for the driver.
- B. These vehicles are not exempt from title and registration requirements as set forth by PennDOT and would be required to pass equipment standards and inspection requirements. However, these vehicles do not comply with the equipment standards and inspection requirements for motor vehicles and cannot be titled or registered within the commonwealth.

MOTOR-DRIVEN CYCLE —

- A. A motorcycle, including a motor scooter, with a motor that does not exceed five brake horsepower and does not have pedals.
- B. Inspection required.
- C. Motorcycle registration plate issued.
- D. Class M or a Class M with an "8" restriction required on driver's license.

MOTORCYCLE — A motor vehicle (does not have pedals) having a seat or saddle for the use of the rider and 1) designed to travel on not more than three wheels in contact with the ground, or

2) designed to travel on two wheels in contact with the ground which is modified by the addition of two stabilizing wheels on the rear of the motor vehicle and a motor producing five brake horsepower or more.

MOTORIZED PEDALCYCLE (MOPED) — This vehicle must meet one of the two classifications listed:

- A. A motor-driven cycle equipped with:
 - 1. Operable pedals.
 - 2. A motor rated no more than 1.5 brake horsepower.
 - 3. A cylinder capacity not exceeding 50 cubic centimeters.
 - 4. An automatic transmission.
 - 5. A maximum design speed of no more than 25 miles per hour.
- B. An electric motor-driven cycle equipped with:
 - 1. Operable pedals and powered by an electric battery or battery pack-powered electric motor.
 - 2. A maximum design speed of no more than 25 mph.
 - 3. Does not require inspection.
 - 4. Moped registration plate issued.
 - 5. Class C, non-commercial driver's license required.

NATURE TRAILS — A natural-surface route, not limited to grass or dirt, designed for recreational pedestrian and hiking purposes of various widths.

OFF-ROAD VEHICLE — Off-road vehicle shall be defined as an ATV, dune buggy, or dirt bike.

PEDESTRIAN — Any person traveling on foot, including those using mobility aids such as wheelchairs.

PUBLIC PARKS/TRAILS — All parks, trails, open spaces and recreational areas owned or managed by the City.

SHARED-USE TRAIL/PATH — More than eight feet wide, paved, off-street pathways designed to serve nonmotorized travelers and frequently used by pedestrians, cyclists, roller skaters, skateboarders, wheelchair users, and users of other modes.

WALKING TRAIL — A paved or crushed limestone route designed for recreational pedestrian purposes of various widths less than eight feet wide.

§ 94.302 Compliance with Pennsylvania Vehicle Code regulations.

All persons operating a motorized pedalcycle, motor-driven cycle and motorcycle shall be subject to all the duties applicable to the driver of any other vehicle under the Pennsylvania Vehicle Code

(Title 75), reference PA Micromobility Fact Sheet Chart as Appendix A, except as to special provisions contained in Chapter 35 of the PA Vehicle Code and except as to those provisions of the PA Vehicle Code which by their nature can have no application.

§ 94.303 Appropriate use.

A. Proper use.

1. A person propelling an e-bike or e-scooter device shall not ride other than upon or astride a permanent and regular seat attached to the e-bike. Wheelies, jumps and tricks are prohibited.
2. Stay on the designated path. Do not go off the trail (even to pass), create new trails, or cut switchbacks.
3. Obey all path, trail and road signs.
4. Do not block the path, trail or roadway.
5. Yield to pedestrians. All operators of e-bikes must yield the right-of-way to pedestrians at all times while on City property. This includes:
 - a. Stay to the right, pass on the left.
 - b. Reduce speed and prepare to stop when approaching pedestrians.
 - c. Give an audible signal before overtaking and passing pedestrians.
 - d. Maintain a single file when passing or being passed.
 - e. Maintain a safe distance from pedestrians at all times.

B. Age restriction. All operators of e-bikes or e-scooters must be at least 16 years of age.

C. Helmet requirement. All operators of e-bikes and e-scooters under the age of 21 must wear a helmet at all times while operating the device.

D. Speed limit. On the permitted pathways and roads, the speed limit for e-bikes and e-scooters is 15 miles per hour.

E. Hours of operation. Permitted devices may be operated only in permitted areas from dawn to dusk.

F. Pathway and road limitations.

1. Shared-use paths/trails.

- a. E-bikes and e-scooters are permitted on shared-use trails within City parks, properties or other City-operated areas.
- b. Riders must yield the right-of-way to pedestrians and maintain a safe distance.

2. Walking trails.

- a. E-bikes are permitted on walking trails where traditional bikes are allowed, unless otherwise marked as prohibited to bikes.
- b. E-bike users must propel their e-bikes by pedaling on walking trails; the use of the throttle-only functionality is not permitted on walking trails.
- c. Riders must yield the right-of-way to pedestrians and maintain a safe distance.

3. Park roads.

- a. E-bikes are permitted on roadways within City parks or City property.
- b. Riders must yield the right-of-way to pedestrians and maintain a safe distance. Riders must operate using hand signs and adhere to all roadway traffic signs (for example, stop signs). The operator does not require a driver's license but must be at least 16 years of age.

4. Motorized pedalcycle (MOPED), motor-driven cycle and motorcycles, defined in this chapter, must adhere to and be subject to all the duties applicable to the driver of any other vehicle under City codes and the Pennsylvania Vehicle Code (Title 75) on all City roads.

§ 94.304 Restricted use.

- A. Passenger. No e-bike or e-scooter device shall be used to carry more persons at one time than the number for which the device is designed and equipped.
- B. Pathway restrictions.
 1. E-bikes and e-scooters are prohibited on natural surface trails.
 2. E-scooters are prohibited on park roadways.
- C. Area restrictions.
 1. E-bikes and e-scooters are prohibited from being used on grass, parking lots, fields, courts, pavilions, playgrounds, dog parks, splash pads, and open spaces within the parks and City property.
 2. E-bikes and e-scooters are prohibited in designated event spaces and roadways during City events from set-up, duration, and clean-up. The City reserves the right to extend restrictions during City events.
- D. Unauthorized vehicles.
 1. Any motorized vehicle other than a maintenance, police, fire, ambulance or other City vehicle.
 2. Motorized pedalcycle (MOPED), motor-driven cycle motorcycles, and off-road vehicles defined in § 183-49 of this chapter.
 3. Unauthorized vehicles are PROHIBITED from being used on shared-use trails/paths, walking trails/paths, nature trails, grass, parking lots, athletic fields, courts, pavilions, playgrounds, dog parks, splash pads, or open spaces within the parks and City property.
- E. Restricted hours of operation.
 1. Permitted devices may be operated only in permitted areas during park hours.
- F. Responsibility of parent or guardian. The parent of any child and the guardian of any ward shall not authorize or knowingly permit the child or ward to violate any of the provisions of this chapter relating to the operation of an e-bike, motor-driven cycle, or electrically motorized device.
- G. Enforcement and penalties. Violations and enforcement shall be subject to Article V of this Chapter.

Article V
Enforcement and Penalties

§ 94.500 Enforcement. The City Police and the Code Enforcement Officer will enforce the above rules and regulations.

§ 94.501. Violation and penalties.

A. Any person who violates or permits the violation of any provision of this chapter shall, upon conviction thereof in a summary proceeding brought before a District Justice, be guilty of a summary offense and shall be subject to the payment of a fine, not less than \$250 for the first offense, not less than \$600 for the second and subsequent offense, plus the cost of prosecution. Each section or provision of this chapter that is violated shall constitute a separate offense, and each day or portion thereof in which a violation of this chapter is found to exist shall constitute a separate offense, each of which violations shall be punishable by a separate fine imposed by the District Justice in the amounts stated hereinabove. City Police and the Code Enforcement Officer are appointed to enforce this chapter. The City reserves the right to prohibit persons from utilizing City park facilities in the event of repeated violations of any of the provisions of this chapter or in the event of a singular violation that causes or risks serious harm to persons or property.

B. Each violation hereunder shall constitute a separate offense, subject to the penalties provided in the preceding section.

Section 4. Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance or its application to any person(s) or circumstances is for any reason held to be invalid or unconstitutional by any court, such holding(s) shall not be construed to affect the validity of any of the remaining provisions of the Ordinance. It is hereby declared the legislative intent that this Ordinance would have been adopted had such invalid or unconstitutional provision or its application not be included herein.

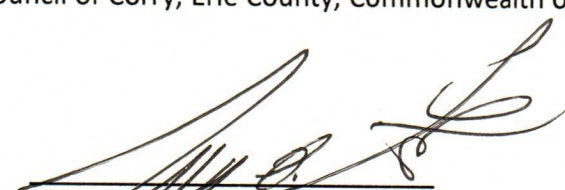
Section 5. Repealer. Any other Ordinance or parts thereof inconsistent with this Ordinance shall be and are hereby expressly repealed.

Section 6. Effective Date. This Ordinance shall be effective immediately after adoption of the Ordinance by City Council, signature by the Mayor and attestation by the City Clerk.

ORDAINED AND ENACTED into law by the City Council of Corry, Erie County, Commonwealth of Pennsylvania this 20th day of July, 2026.

ATTEST:


LAURA L. THOMAS, CITY CLERK


JEFFREY T. PIKE, MAYOR

