

COUNCIL BILL NO. 1939
INTRODUCED BY: Randy Schmidt
ORDINANCE NO. 1840

AN ORDINANCE

OF THE CITY OF DUBOIS AMENDING CHAPTER 16, PART 1 OF THE CODE OF ORDINANCES OF THE CITY OF DUBOIS TO ENACT NEW RULES AND REGULATIONS FOR ALL PARKS AND RECREATIONAL AREAS WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF DUBOIS.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Council of the City of DuBois, in Council assembled, and it is hereby enacted and ordained by authority of the same, as follows:

Section 1. §101 of Part 1 of Chapter 16 is hereby amended to read as follows:

§101. Hours of operation. Hours of operation for all parks and other recreational areas in the City of DuBois, excluding the walkway and tennis courts, shall be from 6:00 a.m. to 11:59 p.m. City officials or the DuBois City Police Department have the discretion to establish or change the hours of operation if circumstances warrant such change in the opinion of those officials.

Section 2. §102 of Part 1, Chapter 16 shall be amended to read as follows:

§102. Use of Facilities. The park is open to the public. A request for special use of any of the facilities is to be directed to the DuBois City Council, DuBois City Building and the Council will consider the request and impose whatever fees are to be charged for the rental or use of the specific facility.

Section 3. §103 of Part 1, Chapter 16 shall be amended to read as follows:

§103. All Playgrounds. All of the facilities in any playground operated and existing within the corporate boundaries of the City of DuBois shall be used only by children 12 years of age or younger. There shall be no adults using any swings or other playground equipment.

Section 4. §104 of Part 1, Chapter 16 shall be amended to read as follows:

§104. Water Features. No person shall sit, wade, or swim in any water feature located within the corporate boundaries of the City of DuBois nor shall any person splash water from, deposit any foreign object into or climb onto such water feature.

Section 5. §105 of Part 1, Chapter 16 shall be amended to read as follows:

§105. Litter. There shall be no litter left or deposited in any of the recreational areas of the City of DuBois and all provisions of Chapter 6, Part 1 of the Code of Ordinances entitled the "City of DuBois Anti-Litter Ordinance" setting forth rules prohibiting the depositing of litter within the City of DuBois and all of such terms, provisions, regulations and prohibitions are incorporated herein by reference.

Section 6. §106 of Part 1, Chapter 16 is amended to read as follows:

§106. Motorized Vehicles. No motorized vehicles other than authorized City vehicles, ambulances, or other emergency vehicles shall be permitted in any of the parks or other recreational areas of the City of DuBois except in designated parking lots specifically marked for the parking of motorized vehicles.

Section 7. §107 of Part 1 of Chapter 16 shall be amended to as follows:

§107. Not Pedestrian Forms of Transportation. All non-pedestrian forms of transportation may be banned at the discretion of City Officials or the City of DuBois Police Department for due cause or special events. Any persons found to be riding their non-pedestrian form of transportation in unsafe or unauthorized ways shall be banned from further use of the park. Pedestrians shall have the right-of-way at all times.

Section 8. §108 of Part 1, Chapter 16 is hereby amended to read as follows:

§108. Horses, Cows, or Any Other Animals Capable of Being Ridden. No horses, cows, pigs, or any other animal capable of or commonly ridden by individuals shall be permitted in or upon the recreational areas of the City of DuBois except by special permission of the DuBois City Council which request shall be directed to the DuBois City Council at the DuBois City Building.

Section 9. §109 of Part 1, Chapter 16 shall be amended as follows:

§109. Pets. No pets of any kind other than dogs shall be permitted in any of the recreational areas of the recreational areas of the City of DuBois. Dogs are permitted but must be on a leash not exceeding six (6) feet in length and under the direct control of the individual bringing the dog into the park at all times and may not be permitted to roam free. All pet litter must be picked up and may not be left in any recreational area of the City of DuBois.

The City of DuBois may restrict the presence of dogs in the City Park on the occasion of special events such as Community Days and if the City should choose to forbid dogs from being brought into the City Park or any other recreational area of the City of DuBois for any special occasion, signs will be posted advising of the prohibition for such special event.

Section 10. §110 of Part 1, Chapter 16 shall be amended as follows:

§110. Fires. No open fires on any of the grounds owned by the City of DuBois shall be permitted. Fires in proper receptacles shall be allowed only upon special permit issued by the City Council and requests for such permits shall be made at the time of the making of a request for the special use of any facilities. All fires conducted in proper receptacles must be properly extinguished at the time of the cessation of the event and there shall be no discarding of hot coals or ashes permitted on any recreational grounds of the City of DuBois or in any waterways adjacent to such recreational areas.

Section 11. §111 of Part 1, Chapter 16 shall be amended as follows:

§111. Prohibited activities. The following are absolutely prohibited in, on or upon all parks and recreational areas of the City of DuBois:

- A. Alcoholic beverages may not be brought into the park or into or on any of the recreational areas owned by the City of DuBois.
- B. Entering any recreational area maintained by the City of DuBois in an intoxicated state or consuming alcoholic beverages to a degree of intoxication.
- C. The use of any narcotic or habit-producing drugs or entering in or upon any recreational area of the City of DuBois while under the influence of any such narcotic or habit-producing drugs.
- D. Resisting, obstructing or refusing to obey any lawful order of a police officer of the City of Dubois or any other authorized City personnel.

- E. The use of sling-shots, firecrackers, arrows, explosives etc. with the exception of those bringing such devices into or upon the recreational areas of the City of DuBois by permit.
- F. Fireworks, without special written permission of the City Council of the City of DuBois.
- G. Soliciting for any purpose, begging, peddling of any kind.
- H. Any lewd, immoral or indecent act.
- I. Loitering
- J. Gambling.
- K. Abusive language.
- L. Hunting.
- M. Day or overnight camping without a special permit from the City Council of the City of DuBois.
- N. Vandalism to trees, flowers, shrubs, signs, buildings, equipment, waterfall, water features, fences benches, tables or any other property located in, or upon the recreation areas of the City of DuBois.
- O. Smoking except in designated parking lots.
- P. Sitting on tables.

Section 12. §112 of Part 1, Chapter 16 shall be amended as follows:

§112. Areas Affected by these Provisions. All provisions of this Chapter shall apply to all properties owned by the City of DuBois including, but not adjacent to, Juniata Lake, Tannery Dam and its adjacent recreation areas, the public walkway area along Sandy Lick Creek from Liberty Boulevard to Shaffer Road, the Liberty Boulevard overlook park on East DuBois Avenue, the area known as the City Park and including all amenities located in or upon any property owned by the City of DuBois for use by the public now or acquired in the future.

Section 13. §113 of Part 1, Chapter 16 shall be amended as follows:

§113. Penalties. Any person who shall violate any provision of this Part 1 of Chapter 16 shall, upon conviction thereof, be sentenced to pay a fine of not less than \$100.00 and not exceeding \$600.00 and costs, or in default of payment thereof, shall be subject to imprisonment for a term not to exceed thirty (30) days for the first offense. Each day that a violation of this Part continues shall constitute a separate offense subject to the imposition of a separate fine and in default of payment, a separate period of incarceration. All damages resulting from any vandalism or other prohibited act shall be repaid as part of any sentencing imposed upon conviction.

In addition to all of the aforementioned penalties or as an alternative punishment, City officials or the City of DuBois Police have the authority to ban from the Park for thirty (30), sixty (60), one hundred twenty (120), or one hundred eighty (180) days any individual found violating any portion of this Ordinance in the opinion of the City officials or a member of the City of DuBois Police Department.

Section 14. All other portions of Chapter 16, Part 1 are hereby reaffirmed and re-ratified insofar as the same are not in conflict herewith.


Section 15. All other Ordinances or parts of Ordinances or Resolution in conflict herewith be and the same are herewith repealed

Section 16. The within Ordinance shall become effective upon final enactment hereof.

ATTEST:



City Manager

By 

Gary Gilbert
Mayor and President of Council

PASSED BY COUNCIL:

June 10, 2019

APPROVED:

