

FRANCONIA TOWNSHIP

ORDINANCE # 417-23

AN ORDINANCE AMENDING CHAPTER 97 [PARKS], ARTICLE I [GENERAL PROVISIONS] OF THE FRANCONIA TOWNSHIP CODE TO (1) AMEND SECTION 97-3 [USE BY LARGE GROUPS] TO RESTATE, IN ITS ENTIRETY, THE PROCESS FOR GRANTING PERMITS TO LARGE GROUPS OR ORGANIZATIONS FOR USE OF TOWNSHIP PARKS AND FACILITIES AND THE REGULATIONS AND RESTRICTIONS WHICH APPLY UNDER THOSE PERMITS; (2) AMEND SECTION 97-4 [PROHIBITIONS] TO RESTATE, IN ITS ENTIRETY, THE LIST OF PROHIBITIONS WITHIN ALL TOWNSHIP PARKS; (3) DELETE SECTION 97-6 [CAMPING] AND REPLACE IT WITH A NEW SECTION 97-6 [TOWNSHIP USE] THAT PLACES A PRIORITY TO OFFICIAL TOWNSHIP USE OF PARKS AND FACILITIES; AND (4) AMEND SECTION 97-7 [VIOLATIONS AND PENALTIES], SUBSECTION B TO ADD FORFEITURE OF SECURITY DEPOSIT FOR FAILURE TO FOLLOW PARK RULES AND ORDINANCES.

NOW THEREFORE IT IS HEREBY ENACTED AND ORDAINED by the Franconia Township Board of Supervisors that the Franconia Township Ordinance shall be amended as follows:

SECTION 1. **Amendment of Section 97-3 [Use by large groups]**

Chapter 97 [PARKS], Article I [GENERAL PROVISIONS], Section 97-3 [USE BY LARGE GROUPS] of the Franconia Township Code is hereby amended and restated in its entirety. As Amended, Section 97-3 shall read as follows:

Article I General Provisions

97-3. Use by large groups.

- A. Use of pavilions by organized or other groups shall be only by reservation secured by completing a pavilion reservation form in person at the Township Office. The Township will begin accepting reservations on January 1 of each year and permits will be issued on a first-come-first-served basis. Pavilion reservation request forms will only be processed if submitted with a user fee and security deposit in an amount as shown on the Township's fee schedule.

- B. Use of fields by organized or other groups shall be only by reservation secured by completing a field reservation request form in person at the Township Office. The Township will first begin accepting field reservation forms from local youth sporting organizations on January 1 of each year and from all other groups on February 1 of each year. Permits will be issued on a first-come-first served basis. Field reservation request forms will only be processed if submitted with a user fee and security deposit in an amount as shown on the Township's fee schedule.
- C. Use of the concession stand shall be only by reservation secured by completing a concession stand reservation form in person at the Township Office. The Township will begin accepting reservations on January 1 of each year and permits will be issued on a first-come-first-served basis. Concession stand reservation request forms will only be processed if submitted with a user fee and security deposit in an amount as shown on the Township's fee schedule.
- D. Any applicant for reservations of any field must submit a certificate of insurance that indemnifies the township prior to being issued a permit for the use of the field. In addition, any applicant for reservation of any pavilion, field, concession stand, or other Township facility for any event that will be open to the public must submit a certificate of insurance that indemnifies the township prior to the issuance of a permit for the use of the pavilion, field, concession stand, or other Township facility. Any and all fees required must be paid in full prior to use of the pavilion, field, concession stand, or other Township facility. The Township shall not issue a permit until after receipt of all requirements of this Chapter. The permit that must be clearly displayed when using the pavilion, field, concession stand, or other Township facility.
- E. All rules and regulations must be followed when using a Township park or open space area. Certain modifications to the rules and regulations are permissible only with the written permission of the Board of Supervisors or Township Manager.
- F. All organizations must submit a certificate of insurance that indemnifies the Township before use of park and facilities is permitted. All fees must be paid in full prior to use of fields.
- G. All organizations and individuals must report all damages that occur during the use of a Township-owned property or facility within 24 hours following such use.

- H. All organizations and individuals must remove all garbage and trash generated from use of any Township-owned property or facilities.
- I. All organizations must obtain a permit for field use, and that permit must be clearly displayed when using the field.
- J. With the exception of local youth sporting organizations, all other groups or organizations shall be limited to two reservations per calendar year.

SECTION 2. Amendment of Section 97-4 [Prohibitions]

Chapter 97 [PARKS], Article I [GENERAL PROVISIONS], Section 97-4 [PROHIBITIONS] of the Franconia Township Code is hereby amended and restated in its entirety. As Amended, Section 97-4 shall read as follows:

Article I General Provisions

97-4. Prohibitions.

The following are prohibited in any Township park, recreation area, or Township-owned open space areas:

- A. Possession or use of drugs or alcoholic beverages.
- B. Intoxication, indecent language, unnecessary noise and/or any act offensive to other park users.
- C. Boisterous, immoral or indecent conduct.
- D. Discarding of trash, garbage, or other litter, except in containers provided for that purpose.
- E. Damaging, defacing, destroying, or removing Township-owned signs, property, structures, equipment, trees, shrubs or other material.
- F. Planting, cutting, digging and/or removing plant material (e.g., trees, shrubs, crops, ground cover, etc.) except as authorized by the Township Park and Recreation Board.
- G. Operating any passenger car or truck on a park road or parking lot in a reckless or negligent manner, in excess of posted speed limits, or in such a manner as to become a nuisance to other park users.

- H. Operating a motorcycle, minibike, snowmobile or other similar recreational vehicle anywhere in a Township park recreation area or Township-owned open space area.
- I. Operating, stopping or parking of any passenger car or truck except on designated roads or parking areas. Working authorized farm vehicles and Township maintenance equipment is accepted.
- J. Possession of any air pistol, spring gun, slingshot, or similar-type weapon not included within the definition of "firearms" contained within the Pennsylvania Uniform Firearms Act, or the discharge of any type of firearms.
- K. Fires other than in the designated grills maintained for that purpose.
- L. Pets, unless properly licensed and restrained by a leash and under an individual's direct control.
- M. Sound amplification equipment unless specifically approved by the Parks and Recreation Board or the Township Manager.
- N. Distributing or displaying advertising materials or placards.
- O. Setting up booths, tables, and other equipment for use in the sale of merchandise or any other objects, whether for profit, nonprofit, or fundraising events.
- P. Food trucks or vendors.
- Q. Trapping or any other injury or destruction to wildlife.
- R. Archery.
- S. Playing or practicing golf, swinging golf clubs, or hitting golf balls.
- T. Car shows.
- U. Dogs or any other animal on tennis courts.
- V. Possession of any exotic animal as defined by the Pennsylvania Game Code or of any snakes, alligators, raccoons, or potbelly pigs.
- W. Possession, use, or discharge of fireworks.
- X. Gambling.
- Y. Possession or use of paintball guns or paintball markers.
- Z. Repairs, cleaning, washing or maintenance of any vehicle.
- AA. Camping.

SECTION 3. Amendment of Section 97-6.

Section 97-6 [Camping] of Chapter 97 [PARKS], Article I [GENERAL PROVISIONS] of the Franconia Township Code is deleted in its entirety and replaced with the following.

Article I General Provisions

97-6. Township Use.

Township activities have priority over all other uses. Official functions preempt all other programs and activities. The Board of Supervisors and the Township Manager maintain the right to cancel or otherwise make unavailable any dates that conflict with Township operations.

SECTION 4. Amendment of Section 97-7.B [Violations and Penalties]

Chapter 97 [PARKS], Article I [GENERAL PROVISIONS], Section 97-7 [VIOLATIONS AND PENALTIES], Subsection B of the Franconia Township Code is hereby amended and restated in its entirety. As Amended, Section 97-7.B shall read as follows:

Article I General Provisions

97.7. Violations and Penalties.

- B. All rules must be followed unless otherwise permitted by the Franconia Township Board of Supervisors or the Township Manager. Any person violating any rules in relation to the fields or pavilions or any other reserved area will forfeit their reservation and security deposit and become subject to the terms outlined in 97-7.A.

SECTION 5. Repeal and Ratification.

All ordinances or parts of ordinances inconsistent herewith or in conflict with any of the specific terms enacted hereby, to the extent of said inconsistencies or conflicts, are hereby specifically repealed. Any other terms and provisions of the ordinances of the Township that are unaffected by this Ordinance are hereby reaffirmed and ratified.

SECTION 6. Severability.

Should any section, paragraph, sentence, clause, or phrase in this Ordinance be declared unconstitutional or invalid for any reason, the remainder of the Ordinance shall not be affected thereby and shall remain in full force and effect, and for this reason the provisions of this Ordinance shall be severable.

SECTION 7. Effective Date.

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

DULY ENACTED AND ORDAINED this 21st day of February, 2023, by the Board of Supervisors of Franconia Township, Montgomery County, Pennsylvania, in lawful session duly assembled.

FRANCONIA TOWNSHIP
BOARD OF SUPERVISORS



Grey R. Godshall, Chairman


(Township Seal)
Attest: 

Jon Hammer, Secretary