

FILE OF THE CITY CLERK

ADMINISTRATION ORDINANCE NO.

ADMINISTRATION BILL NO. 15 - 2008

INTRODUCED - NOVEMBER 11, 2008

ADOPTED BY COUNCIL -

AN ORDINANCE OF THE COUNCIL OF THE CITY OF LANCASTER, LANCASTER COUNTY, PENNSYLVANIA, AMENDING CHAPTER 210 OF THE CODE OF THE CITY OF LANCASTER REGARDING PARK REGULATIONS; PROVIDING FOR THE REPEAL OF INCONSISTENT ORDINANCES; PROVIDING FOR THE SEVERABILITY OF THE ORDINANCE; AND PROVIDING THAT THE ORDINANCE SHALL TAKE EFFECT AS PROVIDED BY PENNSYLVANIA LAW.

NOW, THEREFORE, BE AND IT IS HEREBY ORDAINED AND ENACTED by the Council of the City of Lancaster, Lancaster County, Pennsylvania, as follows:

SECTION 1. The Code of the City of Lancaster, Chapter 210- Parks and Recreation, Section 210-1 - Definitions, be and hereby is amended by deleting the definition of "Superintendent of Parks and Public Property" and by adding the following definition of "Public Property":

"PUBLIC PROPERTY - includes all building and other property owned by the City of Lancaster exclusive of parks devoted or utilized at times for activities of the general public, including, without limitation, the Southern Market Center atrium and the Southern Market Center City Council Chambers, and such other buildings as may be designated from time to time by the Director of Public Works for such uses."

SECTION 2. The Code of the City of Lancaster, Chapter 210 - Parks and Recreation, Section 210-2 - Regulations, Subparts H and DD, are revised to read as follows:

"H. Discharge firearms, bows and arrows, air or spring rifles or slings."

"I. Transport, possess, drink or be under the influence of malt or breed beverages, spirits, liquors or wine unless authorized by The Mayor's Office of Special Events acting as agent for the Director of Public Works."

"DD. Except for those with a permit, congregating in any area which will hamper the free movement of pedestrians."

SECTION 3. The Code of the City of Lancaster, Chapter 210 - Parks and Recreation, Section 210-3 - Recreation Commission, be and hereby is amended to read as follow:

"Section 210-3. Use of Parks and Public Property.

A. The use of parks, playgrounds, recreation area, sports fields, swimming pools or beaches, when under the supervision of the Recreation Commission, shall be governed by rules and regulations of the Commission.

B. When an individual, group or entity desires to reserve a park or public property for exclusive use, or intends to have a gathering thereon or thereof at which a greater than one hundred (100) people will be attending, it shall submit an application for a permit to the Director of Public Works or any individual, organization, or commission serving as the Director of Public Works' agent. For purposes hereof, the term exclusive use shall mean the use of public property or facility to the exclusion of all persons other than those invited by the permit holder. Each permit issued by the Director of Public Works shall be subject to park rules and regulations and public property rules and regulations and a person or entity to whom such a permit may be granted shall be bound by such rules and regulations as fully as though the same were inserted in the permit. Further, the Director of Public Works may establish fees for the exclusive use of parks and public facilities and such fees shall be paid with any applicable permit application.

C. the Director of Public Works may establish regulations for permit applications submitted in accordance with this Ordinance and guidelines for the use of public parks and facilities.

SECTION 4. The Code of the City of Lancaster, Chapter 210 - Parks and Recreation, Section 210-5 - Closing Time, be and hereby is amended to read as follows:

"All public parks and playgrounds owned, operated, maintained or supported by the City shall be closed at such times as determined by the Director of Public Works. No person, other than authorized supervisors, police, guards or similar personnel, shall occupy, frequent or use the parks or playgrounds between such hours, except when such parks or playgrounds are being used for special events, entertainments, athletic interests or similar affairs which have been scheduled and are supervised. In such cases, the closing time of the park or playground where such even is being held shall be ½ hour after the event has ended, but no later than 12:00 midnight."

SECTION 5. The Code of the City of Lancaster, Chapter 210 - Parks and Recreation, Section 210-6 - Permits, be and hereby is amended by repealing Sub-Section B thereof in its entirety.

SECTION 6. The Code of the City of Lancaster, Chapter 210 - Parks and Recreation, Section 210-7 - Appeal, be and hereby is amended to read as follows:

"Any person aggrieved by an act or decision of the Director of Public Works may appeal, in writing, within 10 days thereafter, to the Mayor. While the Decision is pending action by Mayor, the act or decision of the Director of Public Works shall remain in full force and effect."

SECTION 7. All ordinances or resolutions or parts of ordinances or resolutions insofar as they are inconsistent herewith are hereby repealed and rescinded.

SECTION 8. In the event any provision, section, sentence, clause or part of this Ordinance shall be held to be invalid, such invalidity shall not affect or impair any of the remaining provision, section, sentences, clauses or parts of this Ordinance; it being the intent of the City of Lancaster that the remainder of the Ordinance shall be and shall remain in full force and effect.

SECTION 9. This Ordinance shall become effective as provided by the laws of the Commonwealth of Pennsylvania.

DULY ORDAINED AND ENACTED this 25th day of November, 2008, by the Council of the City of Lancaster, Lancaster County, Pennsylvania, in lawful session duly assembled.

ATTEST:

CITY OF LANCASTER

City Clerk

J. Richard Gray, Mayor