

**TOWNSHIP OF HALFMOON TOWNSHIP,  
CENTRE COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 2026-XX**

**AN ORDINANCE ESTABLISHING RULES AND REGULATIONS FOR PARKS, RECREATIONAL AREAS, AND OTHER FACILITIES BELONGING TO OR UNDER THE JURISDICTION OF THE TOWNSHIP; ASSIGNING CERTAIN AUTHORITIES AND DUTIES IN CONNECTION THEREWITH; PROVIDING FOR ENFORCEMENT AND PENALTIES; AND TO MAKE REPEALS**

**IT IS HEREBY ENACTED AND ORDAINED** by the Board of Supervisors in and for the Township of Halfmoon, Centre County, Pennsylvania, as follows:

**ARTICLE I: PURPOSE, AUTHORITY, AND DEFINITIONS**

**§169-1 Short Title.**

This Ordinance shall be known and may be cited as the Halfmoon Township Parks and Facilities Ordinance.

**§169-2 Purpose.**

The purpose of this Ordinance is to provide rules and regulations governing the use and supervision over, and conduct in, certain Township facilities, specifically its parks and recreational areas.

**§169-3 Applicability.**

This Ordinance shall apply to all Township facilities under the jurisdiction of or owned by the Township, unless expressly exempted. This Ordinance shall not apply to the following facilities or activities:

- A. The dedication, occupation, use, or cutting of Township roads, highways, sidewalks (not located in a Township Park, parkland, or park property), or other similar rights-of-way;
- B. Municipal parking facilities not located in or adjacent to a Township park, parkland, or park property;
- C. Pedestrian easements not located in or adjacent to a Township park, parkland, or park property;
- D. Conservation easements, agricultural security areas, or any other parcel of land subject to open space or agricultural conservation; and
- E. The use or occupancy of Township-owned or operated buildings, structures, or other facilities not located on or in a Township park, such use which shall be subject to rules and regulations that may be promulgated by the Board of Supervisors, or delegated to the Township Roadmaster, or subject to some other local, State, or Federal law, rule, or regulation.

**§169-4 Construction.**

In the interpretation of this Ordinance, its provisions shall be construed as follows:

- A. Any term in the singular shall include the plural and *vice versa*, unless the context otherwise clearly requires.
- B. Any term in the masculine shall include the feminine, neuter, or other; and
- C. Any reference or statement indicating the "Township" taking action, in an administrative, enforcement, or other official capacity, shall be construed as the Township official, department, or committee, designated by the Board of Supervisors, as taking such action.

### **§169-5 Powers and Duties of the Board of Supervisors.**

The Board of Supervisors shall have supreme authority over, and hold final approval on, all policy decisions, including the approval of fees, the issuance of permits, temporary designations, authorization, grants of approval, appeal decisions, or other actions for all Township facilities and recreational activities, unless otherwise delegated to another person or entity through official action.

### **§169-6 Powers and Duties of the Roadmaster.**

Administration and enforcement of parks and recreation regulations in the Township shall be delegated to the Roadmaster, under the guidance and direction of the Board of Supervisors. The Roadmaster shall ensure appropriate uses of parks, parkland, and park property, manage those uses through a permitting process in accordance with this Ordinance, develop and administer recreation and leisure programs, and oversee compliance with the provisions of this Ordinance, as well as any rules or regulations that may be promulgated by the Board of Supervisors from time to time.

### **§169-7 Definitions.**

The following words or phrases when used in this Ordinance shall be defined as follows unless the context clearly otherwise requires:

**Alcohol or alcoholic beverage:** As that term is defined in the Pennsylvania Liquor Code (*47 P.S. §1-101, et seq., as amended*).

**Animals:** Cats, dogs, horses, livestock, or other domestic animals, any fowls or birds, amphibians, reptiles, or other wildlife.

**Athletic association:** Any Township-recognized or affiliated non-profit corporation established for the purpose of organizing, promoting, or overseeing amateur athletics in the Township.

**Athletic contest or event:** Practices, scrimmages, or competitive games.

**Athletic field or area:** Any parcel of land designated by the Township and used for athletic events, whether or not limited or for that purpose. The term shall include hard courts, such as those used for basketball, pickleball, tennis, or other similar facilities.

**Controlled substance:** Any substance or its precursor identified by the Pennsylvania Controlled Substance, Drug, Device and Cosmetic Act (*35 P.S. §780-101, et seq., as amended*).

**Facility:** A park, recreation area, athletic area, trail, open space, recreational easement, or building or structure located thereon, as well as any parking areas thereto, owned, operated, or controlled by the Township.

**Guarantor:** Any person designated as a “responsible party” for any application for a Township facility usage or special event permit.

**Harmful material:** Any item or agent (biological, chemical, radiological, and/or physical), which has the potential to cause harm to humans, animals, or the environment, either by itself or through interaction with other factors, including any hazardous substances or materials as defined under State or Federal law.

**Minor:** A person who has not yet attained his or her eighteenth birthday.

**Open space:** Land which has been designated for open space uses in a resource, recreation or land use plan recommended by the Planning Commission, and adopted by the Board of Supervisors, which may exhibit the characteristics and/or uses as follows:

- A. Farmland, working farms and agricultural uses;
- B. Forests and land being used to produce timber crops;
- C. Scenic areas for public visual enjoyment from public rights-of-way;
- D. Undeveloped land areas between communities that are primarily residential;
- E. The presence of natural and scenic resources, including but not limited to soils, streams, floodplains, steep slopes or marshes;
- F. Presence of water resources and watershed areas, including natural covers which help prevent floods and soil erosion thereby protecting water quality and replenishing surface water and groundwater supplies; or
- G. Sites of particular historic, geologic, animal habitat or botanic interest.

**Park or parkland:** Any parcel of land, regardless of development, recreation area, or open space owned or under the jurisdiction of the Township and used for active or passive recreational purposes.

**Park property:** Any real or personal property, or improvements of or relating to parks, open space, trails, or park facilities belonging to the Township. Park property shall include all trees, plants, shrubs and vegetation, all natural terrain formations, all rocks, stones and boulders, and all improvements to the park areas such as tables, benches, railings, fountains, canopies, roads, sidewalks, fireplaces, buildings, bridges, stands, decks, and equipped play areas.

**Park roads:** Roads and drives in and upon the parkland of the Township which are intended for public use but are not intended to be used for any public purpose normally and usually associated with and incidental to public streets and thoroughfares. Park roads shall not be used for purely private purposes, such as access to private adjoining park property, except with the express permission of the Township.

**Permit:** Any license or written authorization issued by the Township authorizing a special event or activity on or in a Township facility.

**Person:** Any natural individual, corporation, company, association, joint stock association, firm, partnership, sponsor, or any other public or private association or entity, or any designated responsible person as provided for herein.

**Playability:** The determination, pursuant to guidelines provided herein, as to whether the condition of an athletic field or area can adequately support the commencement or continuance of an athletic event.

**Playground or play area:** An area used for outdoor play and recreation that is designed, equipped, and set safe for children's play.

**Political activity:** An act engaged in by candidates for public office, political groups, political parties, or political committees.

**Public assemblage:** The gathering or coming together of 20 or more persons for any purpose.

**Public Works Department:** The administrative group or department of the Township responsible for parks, recreation, and leisure activities.

**Recreation area:** Any play area or pavilion whether located within or immediately adjacent to a park. The term shall include an “athletic facility.”

**Responsible party or person:** Unless otherwise defined or provided for, any person, group, club, organization, or the like pursuant to this Ordinance who is responsible to the Township, or when applicable, third parties, or both. A responsible person shall be at least 18 years of age, and not under the influence of alcohol or a controlled substance.

**Roadmaster:** The person, reporting directly to the Board of Supervisors, charged with administrative responsibility for parks, recreation, and leisure activities, or such person’s designated representative.

**Roller skate:** Any shoe with a set of wheels attached for skating over a flat surface or a metal frame with wheels attached that can be fitted over the sole of a shoe. The term shall include quad-style and inline skates, skateboards, and hover boards but shall exclude shoes that have wheels protruding slightly from the heel that allow the wearer to alternate between walking and rolling, also referred to as “roller shoes.”

**School entity:** As that term is defined in the Pennsylvania Public School Code of 1949, as amended (*24 P.S. §1-101, et seq.*).

**Special event:** Any assemblage open to the public with no minimum number of attendees or other private assemblage where at least seventy-five (75) people are brought together to watch or participate in an activity.

**Tobacco product:** Any product made or derived from tobacco that is intended for human consumption, including but not limited to cigars, cigarettes, electronic cigarettes, roll-your-own tobacco, vapor tobacco, and smokeless tobacco.

**Township:** Township of Halfmoon.

**Township official:** Any elected or appointed member of the Board of Supervisors, employee of the Township, volunteer, or other individual designated as such by the Board of Supervisors.

**Trail:** A defined path designated for non-motorized use (i.e. pedestrian, cyclist, bridal), or where specifically designated for motorized use. Trails are generally constructed of compacted soil, gravel, asphalt, or concrete material, and are located on dedicated park property, trail easements, or within established multiuse trail corridors.

**Traffic:** Pedestrians or vehicles.

**Vehicle:** Any mechanized means in or by which a person may travel, or something is carried or conveyed, whether moving on wheels, runners, tracks, or the like.

**Animal-drawn vehicle:** A mechanical piece of equipment pulled by one or more horses, or other draft animal.

**Human-powered vehicle:** A vehicle powered by muscle power. The term shall include, without limitation, bicycles, non-motorized scooters, recumbent bicycles/tricycles, pedicycles, and

pushcarts, but shall not include baby carriages, wheelchairs, or sled vehicles. Roller skates, as defined herein, shall be specifically excluded from this definition.

**Motorized or motor vehicle:** A road vehicle powered by an electric or internal combustion engine. The term shall include, without limitation, automobiles, buses, recreational vehicles, motorcycles, electric bicycles, gators, mopeds, snowmobiles, all-terrain vehicles, go-carts, golf carts, tractors, or any other medium propelled by means other than muscular power, including any device attached to and pulled by such vehicle, such as a trailer or camper.

**Oversized vehicle:** A motor vehicle, trailer, whether or not attached to another vehicle, which meets or exceeds at least two of the following criteria, exclusive of fixtures, accessories, or property: (1) 23 feet in length; (2) eight feet in height; or (3) seven feet in width.

**Sled vehicle:** A non-animal drawn, non-motorized vehicle or toy used to slide downhill on or over ice or snow, such as, but not limited to, sleds, sleighs, and toboggans.

**Volunteer:** Any person who has registered as a volunteer in a Township park or recreation activity, has been accepted by the Township as an authorized volunteer by virtue of express written permission, whether by permit or other means, and who is performing volunteer duties.

**Weather event:** A declared weather-related emergency or disaster declaration issued by the Township.

## ARTICLE II: RULES AND REGULATIONS

### §169-8 Authority to Promulgate and Adopt Regulations.

- A. The Township is authorized to promulgate and adopt reasonable rules and regulations regarding the administration and operation of the Department of Public Works, as well as the time, place, limitation and extent of use of any facility owned or operated by the Township, including uses now existing or contemplated. Additional rules and regulations may be adopted as necessary to implement applicable federal and state laws and regulations.
- B. The Roadmaster may propose the adoption, amendment, or deletion of any rule, regulation, policy, procedure, or ordinance affecting the Township's stewardship of its facilities or design and administration of leisure and recreation. The recommendation of the Roadmaster shall be submitted to the Board of Supervisors for consideration in its review of the proposed rule, regulation, policy, procedure, or ordinance for approval, unless otherwise provided in this Ordinance.
- C. All rules, regulations, or policies adopted by the Board of Supervisors shall be available for public review in the Township's administrative offices, and as per applicable law.

### §169-9 Applicability of Rules and Regulations to Township.

No provision herein shall cause any act performed by a Township official to be unlawful in accordance with this Ordinance, so long as performed within the proper and necessary scope of employment with the Township.

### §169-10 Park Hours of Operation.

- A. All Township facilities, will be closed from sundown to sunrise except when otherwise designated by the Township, or if a facility is an athletic area that is especially lighted for evening use, in which case the facility shall close at 10:00 p.m. ET, unless otherwise approved by the Township. No person shall be in or on any facility, during the hours the facility is closed.
- B. Hours of operation may be posted at all facilities; however, the absence of such posting shall not negate the provision of this Section. The provisions of this Ordinance shall apply in the absence of such posting.

- C. Parks and other designated-facilities shall be closed for athletic events from November 1 to March 31 unless an extension is otherwise approved by the Township.

**§169-11 Closing of Parks.**

The Township may close any facility, or portion thereof, or order the cessation of any activity occurring thereon, at any time for the protection of the property, the public's health, safety, or welfare or when otherwise determined that such action is in the Township's best interest by the Township Roadmaster.

**§169-12 Buildings and other Structures in Parks.**

Without the express written permission of the Township, it shall be unlawful for any person to do any of the following on any Township facility:

- A. Construct or erect any building or structure, whether permanent or temporary;
- B. Run or string any utility line or facility into, upon, or across the lands of a Township facility;
- C. Mark, deface, disfigure, damage, injure, displace, remove, or tamper with any building, table, bench, fireplace, railing, paving or paving materials, water line or other public utility facility, or parts or appurtenances thereof, any sign, notice, or placard, whether temporary or permanent, any monument, stake, post, or other boundary marker, or other structure, equipment, facility, or any other Township property, or appurtenances whatsoever, either real or personal;
- D. Walk, climb, stand, or sit upon any monument, vase, planter, fountain, railing, fence, or upon any other property not designated or customarily used for such purpose; or
- E. Attach a rope or cable or other contrivance to any fence, railing, bench, or other structure.

**§169-13 Plants, Trees, and Soil.**

Without the express written permission of the Township, it shall be unlawful for any person to do any of the following on any Township facility:

- A. Dig or remove any soil, rock, sand, or stone, or make any excavation by hand, tool, equipment, blasting, or other means or agency, excepting surface metal detection, which is permitted;
- B. Damage, cut, carve, mark, transplant, or remove any tree, shrub, plant, or other wood or plantlike material, including leaves, needles, or pinecones, injure the bark, pick the flowers or seeds of any tree or plant, dig in, disturb any grass areas or in any other way injure the natural beauty or usefulness of any facility;
- C. Plant or introduce any vegetation; or
- D. Climb or attach a rope, cable, or other contrivance to any tree.

**§169-14 Littering; Harmful Substances.**

Without the express written permission of the Township, it shall be unlawful for any person to do any of the following on any Township facility:

- A. Bring unto any facility any rubbish, refuse, garbage, or other harmful material. Refuse or rubbish generated while using a Township facility shall be deposited in an appropriate receptacle. Where such receptacles are not provided, all rubbish or waste shall be carried away from the facility by the person responsible for its presence and properly disposed of elsewhere;
- B. Throw away or discard any match, whether lit or unlit, or any tobacco product or similar material within or against any building, vehicle, under any tree or underbrush, open field or path. Any lit item shall be properly extinguished prior to disposal in a proper receptacle;
- C. Throw, discharge, or otherwise place or cause to be placed in the stream, or other body of water in or adjacent to any Township facility, or any tributary, stream, storm sewer, or drain flowing into the same, any

substance, matter, of thing, liquid or solid, which will or may result in the pollution of waters or the clogging of storm or sewer drains; or

- D. Release a pesticide or other agent or harmful substance on a Township facility.

### **§169-15 Animals, Generally.**

Without the express written permission of the Township, it shall be unlawful for any person to do any of the following on any Township facility:

- A. Tie or hitch an animal to any tree or plant;
- B. Hunt, molest, harm, frighten, kill, trap, pursue, chase, tease, shoot, or throw projectiles at any animal or remove or have in one's possession the eggs, nest, or young of any wild animal;
- C. Ride a horse;
- D. Release or abandon an animal; or
- E. Feed any wildlife or feral animal.

### **§169-16 Dogs, Specifically.**

In addition to the provisions of §169-15, the following also apply to domestic dogs (*Canis lupus familiaris*) brought into a Township facility:

- A. No person shall cause or permit a dog to run loose, or walk a dog without a leash appropriate in size, strength, and thickness for such breed, said leash to be no longer than six feet in length. The handler of the dog shall be in actual, physical contact with and exercise complete control of said leash and the dog at all times. Electronic leashes shall be prohibited unless the handler can demonstrate an actual medical condition that otherwise would restrict the use of a standard collar and leash. Furthermore, any person who is accompanied by a dog while in a Township facility shall, in addition to any fine or penalty as hereinafter set forth, be liable for any injury to any person or other domestic animal caused by the dog and further shall indemnify the Township as set forth in §169-68(B);
- B. Any person having custody of a dog in a Township facility shall be responsible for the removal of any solid waste from the dog;
- C. Dogs that are considered vicious or have a history of biting or attacking people or other animals, with or without provocation, may be prohibited from Township facilities at the discretion of the Roadmaster;
- D. No person shall leave a dog unaccompanied in a motor vehicle.

### **§169-17 Motor Vehicles.**

Without the express written permission of the Township, it shall be unlawful for any person to do any of the following on any Township facility:

- A. With the exception of emergency vehicles and/or Township vehicles, operate or drive a motor vehicle in any area except on park roads or in parking areas or other areas as may on occasion be specifically designated by the Township as temporary park roads, cart ways, or parking areas;
- B. Drive or operate a motor vehicle in excess of 10 mph;
- C. Park a motor vehicle, whether attended or unattended, anywhere except in a designated parking area, except when necessary to avoid conflict with other traffic or in compliance with the directive of a Township official, law enforcement officer, or official traffic control device;
- D. Park in a handicap stall without a valid government-issued handicap license or placard;
- E. Wash, repair, or otherwise perform maintenance on a motor vehicle;
- F. Cause or permit a motor vehicle in tow of another vehicle to enter a park or park property or drive on or through a park or park property, except that in the case of a breakdown a disabled vehicle may be towed to the nearest exit;

- G. Operate or drive a motor vehicle containing a person or object projecting or hanging outside of or beyond the vehicular limits;
- H. Fail to yield to pedestrians, roller skaters, or human-powered vehicles where applicable;
- I. Pass or overtake another motor vehicle that has stopped or yielded to a pedestrian; or
- J. Fail to park clearly within a designated parking stall, or take up more than one parking stall. Oversized vehicles are prohibited in parks, parkland, or on park property unless authorized in writing by the Township and then only in designated parking areas.

**§169-18 Human-Powered Vehicles**

Without the express written permission of the Township, it shall be unlawful for any person to do any of the following on any Township facility:

- A. Operate a human-powered vehicle in a reckless manner or without reasonable regard to the safety of others, which includes but is not limited to carrying more passengers at a time than the number for which the vehicle is designed and equipped, except that children may be carried in seats securely attached to the vehicle. No person riding a human-powered vehicle shall attach himself or his vehicle to the outside of a motor vehicle being operated upon a park road;
- B. Ride a human-powered vehicle in a sitting area, play area, athletic area, or any area restricted to its operation;
- C. Fail to yield the right-of-way to pedestrians;
- D. Intentionally impede the flow of traffic;
- E. Fail to alert a pedestrian when overtaking or passing from behind; or
- F. Place or otherwise leave unattended a human-powered vehicle on the ground, against a tree, on a path, or in any other location posing to others a risk of potential or actual injury. When unused, bicycles shall be stored on a bicycle rack, when one is provided and there is space available.

**§169-19 All Other Vehicles.**

In addition to the requirements and restrictions provided for in §169-17 and §169-18, all other vehicles in Township facilities shall be operated in a safe and lawful manner.

**§169-20 Roller Skating and Skateboarding**

No person shall roller skate in a Township facility.

**§169-21 Firearms and Weapons**

Unless permitted by express written authorization of the Township, it shall be unlawful for any person to discharge in any Township facility a pistol, revolver, rifle, shotgun, BB gun, air gun, spring gun, paintball gun, dart gun, boomerang, slingshot, bow, or other weapon or device that flies, launches, or otherwise propels a projectile in which the propelling force is gunpowder, a spring, tension, or air, or in which loaded or blank cartridges are used. Nothing contained herein shall prohibit any person licensed under the Pennsylvania Uniform Firearms Act (18 P.S. §6109) from possessing a firearm as provided therein.

**§169-22 Explosives, Fireworks, and other Ignitable or Combustible Materials**

- A. No person shall kindle, build, maintain, or use a fire in any Township facility except in designated grilling areas, unless otherwise permitted by the Township. When and where authorized, all fires shall be contained in an appropriate grill receptacle or similar device, and continuously be under the care and observation of a competent person sixteen years of age or older, from the time the fire is kindled until it is completely extinguished, and the burn area cool to the touch.

- B. Charcoal or gas-fired grills are the only types of grills authorized in Township parks; wood-fired grills are prohibited.
- C. Within designated grilling areas, all charcoal or gas-fired grills shall be set back at least ten feet from any building, tree or underbrush.
- D. Within designated grilling areas, all charcoal or gas-fired grills shall not be lit beneath the branches of any tree.
- E. No person shall have in his possession any device, material, or substance that can be used to cause an explosion.

**§169-23 Peddling and Solicitation.**

With the exception of Township-approved concessions sales, it shall be unlawful for any person in a Township Facility to (i) offer for sale or otherwise distribute any goods, service, food, drink, or other item of value, including by sample; (ii) take orders for future delivery, with or without accepting advanced payment, for such goods, services, or orders; or (iii) beg or panhandle for monetary or other contribution.

**§169-24 Advertising; Posting of signs or Literature.**

Without the express written permission of the Township, it shall be unlawful for any person to do any of the following on any Township facility:

- A. Post, paint, affix, distribute, deliver, place, cast, or leave about any bill, billboard, placard, ticket, handbill, circular, or advertisement. Youth sports sponsorship signs may be allowed but shall be removed when the playing season is completed or at the order of the Township and shall conform to all requirements of Township Ordinances;
- B. Display any advertising sign, or material on a vehicle, with the exception of a sign attached to a vehicle to identify the vehicle or a sign lawfully placed on a taxi, bus, or delivery vehicle that does not conform to all requirements of Township Ordinances; or
- C. Use an image of Township facilities for commercial purposes.

**§169-25 Noise.**

Without the express written permission of the Township, it shall be unlawful for any person in a Township facility to use a loudspeaker, public address system, or amplifier, or play or cause to be played any radio, audio device, television or stereo equipment, musical instrument, or other similar device, at a volume which is reasonably anticipated to disturb or annoy others.

**§169-26 Alcoholic Beverages, Controlled Substances, and Tobacco Use**

It shall be unlawful for any person to do any of the following on any Township facility to:

- A. Use or possess any alcoholic beverage;
- B. Use, possess, manufacture, or distribute any controlled substance, except with the possession of a lawful prescription from a person licensed by law to prescribe and administer controlled substances;
- C. Be under the influence of any intoxicating or controlled substance; or
- D. Smoke or use any tobacco product.

**§169-27 Gambling; Games of Chance.**

Without the express written permission of the Township, it shall be unlawful for any person in a Township facility to wager for money or any other item of value on an athletic event; or play, engage, or take part in any game of chance or competitive sport for money.

### **§169-28 Minors.**

It shall be unlawful for any person to knowingly, or through negligent supervision, permit a minor to be in any Township facility 30 minutes or more after the facility is closed, or to permit a child aged seven or under to be in a Township facility, including in or around a playground or play area, unless under the supervision of a responsible person.

### **§169-29 Playgrounds and Play Areas.**

The Board of Supervisors may adopt, promulgate and enforce reasonable rules and regulations for the safe utilization and operation of playgrounds and play areas. The Board of Supervisors may delegate the power to enforce such rules and regulations to the Roadmaster. The following shall apply in all playgrounds and play areas:

- A. All children aged seven and under shall be under the supervision of a responsible person at all times. Supervision of all children shall be the sole responsibility of the parent, legal guardian, or responsible person and not of the Township.
- B. It shall be unlawful for any person defined as a Sexual Offender pursuant to the Act commonly referred to as Megan's Law (42 Pa. C.S. §9799.10 et seq.) to be, at any time, within 500 feet of a playground or play area.
- C. No person shall bring a glass bottle or other glass containers into a playground or play area, excepting bottles or containers used in the care and feeding of infant children.
- D. Playground equipment shall not be moved or altered in any way without the express permission of the Township.

### **§169-30 Walking Trails.**

All Township park routes and segments are designated to receive no winter maintenance throughout winter and are to have signage installed as necessary. For purposes of this Section "no winter maintenance" means that no snow removal, salting, or sanding will occur during the months of October through April.

### **§169-31 Disorderly Behavior.**

It shall be unlawful for any person to do any of the following on any Township facility:

- A. Enter an area posted as "closed to the public" or any other unauthorized or restricted area;
- B. Engage in threatening, abusive, or indecent activity or language at any time, engage in any conduct or behavior tending to breach the public peace, or engage in a course of conduct or commit acts that endanger the safety or wellbeing of others;
- C. Gain or attempt to gain admittance to a Township facility, where the charge of admission is required, without paying such a fee; or
- D. Disturb or interfere with any person or party occupying any permitted area, or participation in any authorized activity, including but not limited to interfering with the duties of, or harassing a referee or coach immediately before, during, or after an athletic event.

### **§169-32 Loitering.**

It shall be unlawful for any person to loiter in any Township facility at a time or in a manner not usual for law-abiding individuals, or under circumstances that warrant alarm for the safety of persons or property in the vicinity.

### **§169-33 Unlawful Exposure; Lewd Acts.**

It shall be unlawful for any person to do any of the following on any Township facility:

- A. Appear in public so that the person's genitals or anus are exposed or covered with less than a fully opaque covering, or the display of female breasts with less than a fully opaque covering of the nipple and areola, provided that breast feeding shall not be considered a violation of this Section whether or not the nipple is covered during or incidental to the feeding.
- B. Urinate or defecate in any area other than in those facilities specifically designed for such purposes; or
- C. Engage in any form of sexual activity.

**§169-34 Camping.**

No person shall camp or stay overnight in any Township facility except in areas that may now or in the future be designated for such purposes and only upon the prior written authorization of the Township.

**§169-35 Hitting of Golf Balls.**

No person shall hit golf balls in any Township facility.

**§169-36 Aviation.**

No person shall start, take off from, or land an aircraft, hot air balloon, parachute, hang glider, powered paraglider, model rocket, remote controlled plane, drone, or other flying apparatus in a Township facility without the express written permission of the Township.

**§169-37 Interference with Township Officials in the Performance of Their Duties.**

It shall be unlawful for any person to impersonate a Township official or interfere with, harass, or hinder any Township official in the discharge of his or her duties.

**§169-38 Additional Prohibited Acts.**

In addition to the other restrictions and prohibitions set forth herein, the following activities are prohibited:

- A. Destruction of Township property or the removal or tampering of any vegetation, including but not limited to field turf. Authorized sports organizations are permitted to drag baseball fields and/or paint field lines as part of routine field preparation and maintenance.
- B. Removing or relocating benches or bleachers.
- C. Failure to remove from the athletic field and properly secure in a designated area athletic equipment.
- D. Ignoring or removing a sign stating, "field closed," "keep off the grass," or such other restrictive signage otherwise that a Township facility has been closed to the public.

**§169-39 Applicability of Township Ordinances.**

All ordinances of the Township shall be in full force and effect in Township facilities. If there is a conflict between the provisions of this Ordinance and other ordinances of the Township, the more restrictive shall apply.

**ARTICLE III: FACILITY USE PERMITS**

**§169-40 Permits required.**

- A. A permit shall be required for a special event or the exclusive use of all or a portion of a Township facility when the facility is otherwise closed to the public, provided that no permit shall be required for any action or event organized or administered by the Township.
- B. Special events, as defined in this Ordinance, shall have additional permit requirements, as hereafter provided, beyond those required for exclusive facility usage.
- C. Nothing contained herein is intended to abridge or infringe on a person's right as protected by the United States and Pennsylvania Constitutions, including freedom of speech, assembly, and the right to petition one's government for redress of grievances.

**§169-41 Availability; Priority of Usage.**

All applications for the use of a Township facility are dependent upon the availability and suitability of the facility for the proposed use. Persons will be assigned space, or permits issued where applicable, according to the order of receipt of the application, facility availability, and in accordance with the following order of priority:

- First priority- Township
- Second priority- All school entities
- Third priority- Township residents
- Fourth priority- Nonprofit or not-for-profit groups
- Fifth priority- All other persons

**§169-42 Facility Use Approval Process.**

A permit shall only be approved by the Township in accordance with this Ordinance and any rules or regulations specific to the facility that may be promulgated by the Board of Supervisors from time to time. Facility use approvals will be contingent upon the condition that all applicable rules, regulations, and laws will be strictly adhered to on the part of the applicant, failure of which may result in the immediate termination of any permit. The decision of the Township's designated official on any permit application will be final.

**§169-43 Permit Application.**

- A. Permits for a facility reservation or special event in any Township facility shall be obtained by application to the Township on a form and in a manner pursuant to Township rules and regulations.
- B. In addition to paying all applicable fees, persons seeking issuance of a facility use or special event permit, excluding certain pavilion rentals as provided for in §169-44, should file the application as early as practically possible but at least 7 days prior to the requested use date. All permits will be issued on a first-come, first-served basis in accordance with §169-41. If the facility is to be used by a group or organization, the application shall be made in the name of the organization and signed by an officer or authorized representative of the organization. Any person intending to hold a special event on Township property shall submit an application and receive approval from the Township for the use of the requested facility.

**§169-44 Pavilions.**

The Township offers a number of open-air picnic areas for personal and public use. In addition to the order of usage priority, as provided for in §169-41, the Board of Supervisors may establish reasonable rules and regulations for the use of pavilions for when total number of people in attendance or the intended use does not meet the definition of a special event as provided for in Article IV. In all other instances, a permit shall be required. The Board of Supervisors may delegate enforcement of such rules and regulations to the Roadmaster.

**§169-45 Duties of Permittee.**

- A. A facility usage or special event permit applicant shall agree to the following terms, any violation of which may result in the immediate termination of the permit:
1. That the proposed activity or facility usage will not unreasonably interfere with or detract from the public's health, safety, welfare, recreation, or general enjoyment of the facility;
  2. That the use applied for and approved will be the only activity undertaken by the applicant;
  3. That the proposed activity will not entail additional expense or extraordinary or special supervision by the Township unless approved by the Township;
  4. For events involving minors, that all persons associated with the event are legally authorized to do so and have undergone all required background checks pursuant to all applicable local, state, and federal law;
  5. The subject Township facility has not been reserved for another use on the date and time requested in the application; and
  6. All associated fees will be paid.
- B. Permits issued under this Ordinance shall be subject to all current and future regulations and instructions as may be prescribed by the Township, any violation of which may result in the immediate termination of the permit. The following non-all-inclusive standards are guarantees that shall be provided by and agreed to by any permit applicant prior to approval of a permit:
1. Restrictions on the number or designations of persons who may participate in a permitted activity;
  2. Restrictions on the days of the week and the time of day that a particular facility may be used by the permittee;
  3. Requirements for maintenance to be undertaken by the permittee and all guarantors regarding the sanitation, cleanliness, and appearance of the facility following usage;
  4. Provisions for security and the maintenance of law and order, including compliance with noise, parking, safety, and other appropriate measures. The Township may, at its own discretion, require additional security, at the permittee's expense, on the premises to enforce the policies of the facility's usage;
  5. Restrictions on the installation of apparatus or modification in any manner, either temporary or permanent, by the permittee to a facility or adjacent structures;
  6. Requirements that all applicable fees shall be paid prior to use, unless other payment arrangements have been authorized;
  7. Requirements that a certification of insurance in accordance with §169-68, naming the Township as the additional insured, shall be on file at the Township prior to any permit being approved.
  8. Requirements that the permittee and all guarantors shall be bound by all Township rules, regulations, and applicable ordinances as though the same were included in said permit; and
  9. A guarantee that the permittee and all guarantors are and shall be responsible for those persons attending the event and for the enforcement of all Township rules and regulations.

#### **§169-46 Guarantors**

As part of any application for a facility usage or special event request, the applicant, when applying on behalf of a group or organization, shall, in addition to any other required information, provide the names and addresses of at least two individuals who, together with the permittee, shall be considered and held to be guarantors, and shall in addition to other requirements and obligations provided in §169-45, be responsible for the following:

- A. Compliance with all applicable Township rules and regulations;
- B. Cleanup of the Township facility immediately after facility usage;
- C. Payment of any damages to persons or property, including but not limited to the Township or others using the facility; and
- D. Payment of all fines, penalties, liabilities, and indemnifications as set forth in §169-71.

#### **§169-47 Permits not Transferable.**

Permits granted by the Township, shall be used only for the use approved by the permit. The permittee may not assign, sublet, or transfer its rights or privileges to any other person, group, or organization without prior written authorization from the Township.

**§169-48 Requirement to Produce Permit upon Request.**

Upon request of any Township official to inspect any permit, a person receiving such request shall produce such permit to the requesting Township official for the purpose of enforcing compliance with any local, state or federal law, rule, or regulation.

**§169-49 Revocation of Permits.**

The Township may revoke a permit upon a finding of violation of any local, state, or federal rule, regulation, or law. Revocation of a permit may result in the forfeiture of any or all fees.

**§169-50 Fees.**

- A. From time to time, the Board of Supervisors may promulgate fees for permits and other uses of Township facilities.
- B. The Township retains the right to add additional fees to any permit already issued.
- C. The Township shall have the authority to charge a fee for any damage done willfully or accidentally by any person using a Township facility, regardless of whether a permit was issued or not.

**§169-51 Refunds.**

Except as provided in this Section, no refunds will be issued for a cancelled special event or facility usage reservation. Refunds will be provided only if a reservation is cancelled ten or more business days before the scheduled event or if extreme weather conditions affect overall use of the facility.

**ARTICLE IV: SPECIAL EVENTS**

**§169-52 Special Event Permits.**

In addition to the requirements provided in Article III relating to facility use permits, a permittee shall comply with all additional requirements set forth in this Article. Any agreements, certificates, assurances, specifications, special permissions, or plans provided for or required by this Article shall be considered part of the facility use permit and together shall be considered a special event permit.

**§169-53 Amplified Sound.**

A special event permittee may utilize an amplified sound device provided they obtain permission from the Township prior to usage.

**§169-54 Vending.**

A special event permit shall be required from the Township if any attendee of the event will be offering, with or without charge, any items or food at the event. Notwithstanding the foregoing, any private event with fewer than seventy-five (75) attendees may receive prior written authorization from the Township to offer food without charge in lieu of obtaining a special event permit. As a condition to sell food or wares at Township facilities, the Township may require liability insurance and inspection of food products and facilities by a qualified third-party inspector or agency of the Township's choosing.

### **§169-55 Portable Toilets, Trash Receptacles, and Disposal of Waste Material.**

The special event organizer shall be responsible for providing an adequate number of portable toilets, trash receptacles, and hand sinks when necessary or ordered by the Township. In determining the necessity for, and number and placement of, portable toilets, trash receptacles, or hand sinks, the applicant shall rely on generally recommended industry standards for such devices. Existing Township facilities, including portable toilets, restrooms, and dumpsters, are for general facility users and may not be used in place of or to supplement event requirements. If any event occurs after normal hours of operation, the event organizer shall be solely responsible for locking or otherwise securing the units to avoid damage. The Township shall not be liable for any damage or theft to or from these units.

### **§169-56 Public safety plan.**

As part of the application for a special event permit for an event in excess of 75 attendees, the Township shall require the inclusion of a public safety plan, which shall include:

- A. The name, address, phone/fax numbers, and email address(s) of the applicant, owner, event sponsor, and onsite event supervisor;
- B. Whether the proposed event is to be conducted for, on behalf of, or by a third-party entity or organization, whether for- or not-for-profit, and the name and contact information for such entity or organization;
- C. The location and purpose of the event;
- D. The date(s) and time(s) when the event is anticipated to be held, including the exact start and end times;
- E. The setup, tear-down, and cleanup date(s) and time(s);
- F. For parades, the route to be traveled, including the starting point and termination point;
- G. The approximate number of persons who will be attending the special event and the approximate number of persons who will participate in the event as volunteers or workers;
- H. A list of the types of vehicles used to support and/or to be showcased in the event along with the approximate number and description of any vehicles which will participate in the special event, if applicable;
- I. The cost of attendance (if applicable) and whether the event is open to the public or strictly a private event;
- J. The approximate number and description of the types of animals anticipated to be part of the special event, if any;
- K. If applicable, a plan for the disposal of wastewater, including capture and containment, as approved by the Township. All water generated must be disposed of through an approved sanitary sewage system that is constructed, maintained, and operated according to law; and
- L. A map or diagram detailing site locations and/or routes, along with written descriptions of the following:
  1. Amplification devices: Types used and for what purposes;
  2. Electrical requirements: Voltage, amperage, and apparatus associated with electrical needs for activities, vendors, attendees, etc.;
  3. Emergency medical stations: First aid or emergency medical services based on special event risk factors;
  4. Equipment: Types of equipment used to service the event and/or to be showcased in the event;
  5. Fire lanes: Contingency plan for access by firefighting and emergency medical vehicles, equipment, and personnel;
  6. Litter Control: Number, size, and location of trash receptacles, as well as trash removal and disposal;
  7. Parade, race, and similar activities: Start and finish locations, as well as water stations;
  8. Portable toilets: The number of portable toilet stations;
  9. Signage: Type of proposed on-site and off-site signage, including quantity, dimensions, and materials;

10. Street closures and detours: A statement as to whether the special event will occupy all or only a portion of the width of the streets, sidewalks, or other public rights-of-way proposed for pedestrian and vehicular traffic control;
11. Structures: All temporary structures, including but not limited to booths, buildings, stages, bleachers, fences, tents, awnings, and canopies. All structures shall adhere to the Township's Building Code and Fire Prevention and Safety Code;
12. Vendors: List of each vendor, including products and services to be offered. The merchandise, products, and services shall not be in violation of any federal, state, or local law or regulation. The offering of alcoholic beverages, tobacco products, or adult-related or pornographic items is strictly prohibited; and
13. Parking: A plan to accommodate parking requirements for those participating in or attending the event.

#### **§169-57 Signage.**

Signage indicating "Event in Progress" or "Race in Progress," or directional or informational signage, may be posted at designated posts on park roads or park entrances on the day of the event. The attaching of signs, banners, fliers, or decorations to any Township property (i.e. buildings, monuments, fences, benches, vegetation, etc.) is prohibited.

#### **§169-58 Use of Spray Paint/Chalk.**

The use of aerosolized spray paint or spray chalk/surveyors' paint on paved or concrete roadways or trails is strictly prohibited. Spray paint/spray chalk shall only be used on grass/turf or dirt surfaces and only with prior approval by the Township. The use of flour or tape may be used on such surfaces but shall be removed immediately following the event.

#### **§169-59 Notification of Adjoining Properties.**

Depending on the nature of the special event and activity proposed, the Township may require the applicant, prior to the issuance of a permit, to inform residents and businesses adjacent to the area of the special event, of the date(s), time(s), and nature of the event.

#### **§169-60 Staking.**

Without prior Township approval, staking anywhere on a Township facility is prohibited. However, water, lead, or sand weights may be used to secure equipment for usage at an event.

### **ARTICLE V: REGULATIONS FOR USE OF ATHLETIC FIELDS AND AREAS**

#### **§169-61 Purpose.**

The Township is committed to providing high-quality recreational facilities for the benefit of its residents. This includes the use of its athletic fields and areas. The Township believes that specific regulations and restrictions must be placed on the use of athletic fields for safety reasons, as well as for maintaining the quality of the facilities. The Township further believes that the overuse or abuse of Township athletic fields may result in turf decline and safety hazards jeopardizing the continued use of the fields and areas by those who may wish to use them.

#### **§169-62 Use of Athletic Fields and Areas.**

The use of athletic fields and areas, including the prioritization of users as provided for in §169-41, the scheduling of athletic events, and terms and conditions of usage shall be solely vested in the Township. Athletic field usage requests shall be made on a form and in a manner pursuant to Township rules and regulations, with usage only to be permitted upon the issuance of a special permit as provided in Article IV and this Article.

**§169-63 Hours.**

Parks and other designated facilities shall be closed for athletic events from November 1 to March 31 unless an extension is otherwise approved by the Township. Practices and competitions shall not be scheduled to begin after dusk or prior to dawn , unless otherwise approved by the Township.

**§169-64 Permits Required.**

Athletic competitions shall require a permit. Spontaneous or unorganized athletic events (i.e. “pick-up games”) that do not meet the definition of a special event, and whose participants do not utilize a pavilion, do not require a permit or other approval by the Township, provided the provisions of §169-41 are followed. However, the Township reserves the right to order the cessation of such activity in accordance with §169-11.

**§169-65 Duties of Athletic Associations.**

Prior to any athletic event, it shall be the responsibility of the athletic association to inspect the athletic field for safety or playability, to determine whether an athletic event may continue, and provide information regarding field conditions as set forth in § 169-66 below.

**§169-66 Playability; Field Conditions.**

- A. If conditions are such that the conducting of an athletic event would result in damage to the grounds of the athletic field, the athletic association shall cancel the athletic event and prevent the use of the athletic field for the athletic event.
- B. Regardless of the appearance of field conditions, no athletic event shall take place when one inch or more of rain has accumulated in a 24-hour period preceding the scheduled athletic event or when there is steady rain on the day of the athletic event. For the purposes of this Section, “steady rain” shall mean that the rain has fallen at a consistent (heavy, light, or moderate) rate and at a continuous pace at various times throughout the day.

**§169-67 Special Regulations for Basketball, Pickleball and Tennis Courts.**

The following provisions shall apply to all outdoor basketball, pickleball, and tennis courts:

- A. Courts are available for public use on a first-come, first-served basis, and in accordance with §169-41;
- B. Court time is limited to the activities of basketball, pickleball, or tennis on those respective courts only;
- C. All vehicles, including but not limited to bicycles, roller skates, and skateboards are strictly prohibited on all courts; and
- D. Rubber-soled shoes shall be worn at all times.

**ARTICLE VI: LIABILITY AND INSURANCE**

**§169-68 Insurance.**

- A. As a condition to issuance of a special event or facility usage permit, the Township may require the applicant to provide proof of insurance coverage insuring the permittee in the amount of \$500,000

combined single limit for bodily injury and property damage for each occurrence or claim made with an aggregate of \$1 million.

- B. The Township shall be named as an additional insured to any insurance coverage.
- C. Each policy of insurance shall require the insurance carrier to notify the Township at least 30 days in advance of the effective date of any reduction or cancellation of the policy. The cancellation or reduction of insurance coverage shall be cause for suspension or revocation of the permit. All policies shall be kept in force for the duration of the period of the use approved by the permit.

#### **§169-69 Liability.**

- A. The permittee, guarantor, and responsible party shall be jointly and severally liable for any violation of this Ordinance, any federal, state, or local law or regulation, including any fine or penalty imposed thereunder, and shall be liable for any damage to person or property arising from the subject conduct, event, or activity, whether or not a permit was issued by the Township.
- B. When a violation under this Ordinance results in legal action, civilly or criminally, or injury or damage to persons or property, the permittee, guarantor, and responsible party shall jointly and severally indemnify, defend and hold the Township harmless from any claim, lawsuit, judgment, award, verdict, damages, costs, expenses, liabilities, or losses that may arise from such violation. Such indemnity shall include the obligation to reimburse any and all costs, fees, expenses, and other payments or expenditures incurred by the Township, including the value of any labor or service provided by the Township.
- C. The Township has no duty to keep facilities safe for entry or use by others for recreational conditions to persons, nor does the Township have a duty to give any warning of potentially dangerous conditions to persons entering for recreational purposes. The Township may not provide winter maintenance on trails or any other areas of the Township parks including, but not limited to, snow removal, ice removal or ice mitigation. The Township does not extend any assurance that the premises are safe for any purpose, nor assume responsibility for or incur liability for any injury resulting therefrom, pursuant to the Recreational Use of Land and Water Act, 68 P.S. §477-1, *et seq.*

### **ARTICLE VII: FINES AND PENALTIES**

#### **§169-70 Enforcement.**

The provisions of this Ordinance, and any rule or regulation authorized thereby, may be enforced by any Township official who may revoke a permit or reservation if, in his judgment, the facility is being used improperly or illegally, or for a violation of any local, state, or federal law, rule, or regulation.

#### **§169-71 Fines and Penalties.**

- A. In addition to any other liability hereunder, any person violating any provision of this Ordinance, and all persons standing *in loco parentis* to any minor who has violated any provision of this Ordinance, shall be guilty of a summary offense and, upon conviction thereof, pay a fine of not less than \$100 or more than \$500, together with costs of prosecution, and in default of payment thereof, be committed to and imprisoned in the county prison for a period not exceeding 30 days.
- B. The minimum and maximum fine set forth in §169-71(A) shall be doubled each time a Township official requests that an activity, conduct, or other prohibited action cease but the activity, conduct, or other prohibited action continues in defiance of the order.
- C. Each violation of this Ordinance or any condition, prohibition, restriction, or other limitation shall be considered a separate violation, each subject to the fines set forth herein.
- D. Violations of state or federal law or regulations shall be punishable as set forth in the law or regulation being violated, or as determined by those authorized to enforce the law or regulation.

#### **§169-72 Ejection and Future Ban of Use.**

- A. Any person who violates this Ordinance shall be subject to removal from the Township facility and/or the seizure or confiscation of any property, thing, or device used in violation of any provision of this Ordinance.
- B. Any person who violates this Ordinance, any limitation, restriction, prohibition, or condition of the permit, any state or federal law or regulation, or any Township rule, regulation, or policy shall forfeit any entitlement, right or claim, whether real or perceived, towards any future use of Township facilities, and shall have no claim against the Township, its officials, employees, or designees for failure to issue a permit in the future.

**ARTICLE VIII: MISCELLANEOUS PROVISIONS**

**§169-73 Severability.**

In the event that any provision, section, sentence, clause, or part of this Ordinance shall be held to be invalid, such invalidity shall not affect or impair any remaining provisions, section, sentence, clause, or part of this Ordinance or other ordinances affected by this Ordinance, it being the intent of the Board of Supervisors that such remainder shall remain in full force and effect.

**§169-74 Repealer.**

All other ordinances or parts of ordinances inconsistent with the provisions of this Ordinance, including but not limited to Ordinances No. 2015-06 and 1990-6, are repealed insofar as they are inconsistent with the powers, duties, and responsibilities enacted hereby.

**ENACTED AND ORDAINED** this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

HALFMOON TOWNSHIP BOARD OF SUPERVISORS

\_\_\_\_\_  
PATRICIA C. HARTLE, CHAIR

\_\_\_\_\_  
TAMMY A. PERKINS, VICE-CHAIR

\_\_\_\_\_  
RONALD B. SERVELLO, MEMBER

\_\_\_\_\_  
LORIN C. NAUMAN, MEMBER

\_\_\_\_\_  
BRUCE E. HELMS, MEMBER

ATTEST

\_\_\_\_\_  
AMY M. SMITH, SECRETARY