

**BOROUGH OF DICKSON CITY****ORDINANCE No. 2 - 2018****AMENDING ORDINANCE 3 OF 2010 ADOPTING CERTAIN RULES AND PENALTIES ELM STREET PARK, CITY LINE PARK, VFW PARK AND CRYSTAL PARK LOCATED WITHIN THE BOROUGH OF DICKSON CITY**

**WHEREAS**, the Borough Council of the Borough of Dickson City hereby determines that regulation of its parks and public lands is in the best interest of the health, safety and welfare of the general public.

**WHEREAS**, the Borough Council of the Borough of Dickson City hereby determines that the regulations imposed by Ordinance No. 3 of 2010 will be amended as stipulated below to allow for an expanded use of the Elm Street Park;

**WHEREAS**, the area of the Elm Street Park as described by deed noted in Section 3 – a. will remain in full effect for all uses noted in Section 1 excepting out Section 1. b. “No Pets Allowed, as amended herein.

**WHEREAS**, the general area of the Elm Street Park contained within the chain link fence will continue to be subjected to Section 1.b. “No Pets Allowed”; that area outside the chain link will be exempt from the “No Pets Allowed” permitting pets. This exemption includes the parking area adjacent to Boulevard Avenue.

**NOW THEREFORE, BE IT ORDAINED** by the Borough Council of the Borough of Dickson City as follows:

**SECTION 1** - The following rules are adopted for the public parks identified below:

- a.No bicycles allowed on walking path
- b.No Pets Allowed except Elm Street Park area outside the chain link will be exempt from the “No Pets Allowed” including the parking area adjacent to Boulevard Avenue, subject to the conditions herein, the exemption requires pets

to be leashed at all times; and owners/handlers must curb their pet as needed.

c.No Golfing Allowed

d.No Roller Skates/Blades Allowed

e.No Skate Board Allowed

f.No Alcoholic Beverages Allowed

g.No Dumping of Garbage and Littering Allowed

h.No Motor Vehicles or Motor Bikes Allowed

i. No Disorderly Behavior Allowed

j. No Smoking Allowed

k. No Loitering in Parking Lots

**SECTION 2** - The following hours of operation in which the parks are open to the public are hereby established as follows:

Elm Street Park- Open 5AM- Closed 10PM

City Line Park- Open 8 AM-Closed 8PM

VFW Park- Open 8 AM-Closed 10 PM

Crystal Park- Open 8AM- Closed 8PM

Persons are not permitted in the above parks except during operating hours identified above as Open and Close.

**SECTION 3** -The rules identified in Section(s) 1 and 2 above pertain to the following areas:

- a. Elm Street Park located within the Borough of Dickson City generally at Dewey and Elm Street(s) and more particularly described in Deed dated December 17, 1971 and recorded in the Recorder of Deeds Office of Lackawanna County in Deed Book 0760 Page 0389.
- b. City Line Park located within the Borough of Dickson City generally at Johnson Ave. and more particularly described in Deed dated March 4, 1998 and recorded in the Recorder of Deeds Office of Lackawanna County in Deed Book 1616 Page 0234.
- c. VFW Park located within the Borough of Dickson City generally at Walker Street and more particularly described in Deed dated, and recorded in the Recorder of Deeds Office of Lackawanna County in Deed Book Page.
- d. Crystal Park located within the Borough of Dickson City generally at 710 Pancoast Street and more particularly described in Deed dated July 16, 1973 and recorded in the Recorder of Deeds Office of Lackawanna County in Deed Book 0803 Page 0165.

**SECTION 4** - The aforesaid restricted area should be clearly identified by the posting of appropriate signs.

**SECTION 5** - It shall be illegal for any person to violate the rules set forth in section 1 and 2 and a person violating same shall be prosecuted under the rules of procedure for summary proceedings before district justice. Any conviction of a violation of any section or subsection of this Ordinance shall result in the imposition of a fine not

to exceed \$300.00 plus costs or in default of payment of said fine and costs the offender may be sentenced to a term of imprisonment subject to Pa R Crim P. 456 (c) and 42 Pa C.S. 9730 (b) . A separate offense under this Ordinance shall be deemed to occur for each day for which a violation occurs. Nothing herein is intended to impede or restrict the prosecution of any criminal offense for any person continuing to violate the rules or any order to stop or desist from any illegal conduct or from being charged with any separate offense under the criminal codes or otherwise, or for violations under prior ordinances except as amended herein.

**SECTION 6** This Ordinance is declared to be necessary for the preservation of public health and safety, and is enacted pursuant to the police powers of the Borough of Dickson City for that purpose. If any sentence, clause, section or part of this Ordinance is, for any reason, determined to be invalid, illegal or unconstitutional, such determination shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared as the intent of the Council that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included in this Ordinance.

**SECTION 7** Any prior Ordinance or parts thereof inconsistent with the terms of this Ordinance are hereby repealed.

**SECTION 8** This Ordinance shall be effective upon enactment or as otherwise permitted by law.

ORDAINED AND ENACTED by Borough Council of the Borough of Dickson City this 13<sup>th</sup> day of February, 2018

ATTEST:

Donna Sosik  
Donna Sosik, Secretary,

BOROUGH OF DICKSON CITY  
BOROUGH COUNCIL

Jeffrey R. Kovaleski  
Jeffrey R. Kovaleski, Council President

Approved this 13<sup>th</sup> day of February, 2018.

Robert W. MacLean

