

ORDINANCE NO. 1993-02

THE CARBON COUNTY DEPARTMENT OF PARKS AND RECREATION

RULES AND REGULATIONS

NOW, THEREFORE, BE IT ENACTED BY THE CARBON COUNTY BOARD OF COMMISSIONERS, AS FOLLOWS:

SECTION 1. TITLE: THIS POLICY SHALL BE KNOWN AS THE "CARBON COUNTY DEPARTMENT OF PARKS AND RECREATION RULES AND REGULATIONS".

SECTION 2. DEFINITIONS: EXCEPT WHERE THE CONTEXT CLEARLY INDICATES OTHERWISE, THE FOLLOWING TERMS AS USED IN THIS POLICY SHALL HAVE THE FOLLOWING MEANINGS:

A. THE TERM "BOARD" SHALL MEAN THE CARBON COUNTY BOARD OF COMMISSIONERS.

B. THE TERM "DEPARTMENT" SHALL REFER TO THE CARBON COUNTY PARKS AND RECREATION COMMISSION.

C. THE TERM "PARK" SHALL REFER TO ALL PARK PROPERTY UNDER THE JURISDICTION OF THE CARBON COUNTY PARKS AND RECREATION COMMISSION.

D. THE TERM "PARK RANGERS" DESIGNATES ALL APPOINTED MEMBERS OF THE PARK RANGER STAFF.

SECTION 3. PERMITS

A. APPLICATION FOR A PERMIT SHALL BE MADE UPON THE OFFICIAL FORMS OF THE BOARD AND SHALL BE ACCOMPANIED BY THE REQUIRED FEE EXCEPT WHERE A FREE PERMIT MAY BE ISSUED.

B. APPLICATION FOR A PERMIT MAY BE MADE AT THE PARK OFFICE, OTHER DESIGNATED LOCATIONS, OR REQUEST MAY BE MADE BY TELEPHONE FOR AN APPLICATION. APPLICATIONS AND FEE MUST BE IN THE PARK OFFICE WELL IN ADVANCE OF REQUESTED PERMIT OR AS SPECIFIED.

C. IN THE EVENT MORE APPLICATIONS FOR RESERVATIONS ARE RECEIVED THAN SPACE IS AVAILABLE, SUCH APPLICATIONS SHALL BE CONSIDERED IN ORDER RECEIVED BY THE BOARD.

D. NO PERSON UNDER THE AGE OF EIGHTEEN (18) YEARS SHALL BE ISSUED A PERMIT TO USE THE PARK FROM SUNSET OF ONE DAY TO SUNRISE OF THE FOLLOWING DAY UNLESS ACCOMPANIED BY A PERSON EIGHTEEN (18) YEARS OF AGE OR OLDER.

E. PERMITS MAY BE ISSUED TO PERSONS UNDER THE AGE OF EIGHTEEN (18) FOR THE USE OF PARK AREAS OR FACILITIES BETWEEN THE HOURS OF SUNRISE TO SUNSET OF THE SAME DAY. WRITTEN PERMISSION FROM THE PARENT OR LEGAL GUARDIAN IS REQUIRED AND PARENT OR LEGAL GUARDIAN SHALL INDICATE THEREIN HIS OR HER RESPONSIBILITY FOR THE CONDUCT OF PERMIT USER.

F. THE HOLDER OF A SPECIAL USE FACILITY OR GROUP PERMIT ISSUED BY THE DEPARTMENT/BOARD SHALL BE HELD RESPONSIBLE FOR THE ACTIONS AND CONDUCT OF THE OTHER PERSONS IN HIS PARTY.

G. ALL VISITORS TO THE PARK MUST COMPLY WITH ALL RULES OF THE DEPARTMENT/BOARD WHILE WITHIN THE PARK.

#### SECTION 4. SPECIAL PERMITS

A. NO PERSON SHALL INSTALL EQUIPMENT OR MAKE ANY ALTERATIONS OR ADJUSTMENTS TO EXISTING EQUIPMENT OR FACILITIES WITHOUT THE SPECIFIC APPROVAL IN WRITING OF THE DEPARTMENT/BOARD WITHIN THE PARK.

#### SECTION 5. HOURS

A. NO PERSONS SHALL BE PERMITTED WITHIN THE BEACH AREA AND CAMPING AREA OF THE PARK BETWEEN 8:00 P.M. OF ANY DAY AND 10:00 A.M. OF THE FOLLOWING DAY EXCEPT UPON THE ISSUANCE OF A PERMIT BY THE DEPARTMENT/BOARD PURSUANT TO THE PROCEDURE SET FORTH IN SECTION 3 HEREOF WITHIN THE PARK, AND NO PERSON SHALL BE PERMITTED WITHIN THE BOAT LAUNCHING AREAS BETWEEN 10:00 P.M. OF ANY DAY AND 5:00 A.M. OF THE FOLLOWING DAY EXCEPT FOR THE EXPRESS PURPOSE OF FISHING OR BOATING.

#### SECTION 6. DESTRUCTION OF BUILDINGS, MARKERS, MONUMENTS AND OTHER PROPERTIES

NO PERSON SHALL,

A. DESTROY, DEFACE, ALTER, CHANGE OR REMOVE ANY MONUMENT, STONE MARKER, BENCH MARK, STAKE, POST OR BLAZED TRAIL, MARKING OR DESIGNATION OF ANY BOUNDARY LINE, SURVEY LINE.

B. CUT, BREAK, MARK UPON OR OTHERWISE INJURE ANY BUILDING, EQUIPMENT, BRIDGE, DRAIN, WALL, FOUNTAIN, LAMP POST, FENCE, GATE, HEDGE OR OTHER STRUCTURE OR INSTALLATION.

C. DEFACE, DESTROY, OR REMOVE ANY PLACARD, NOTICE OR SIGN, WHETHER PERMANENT OR TEMPORARY, POSTED OR EXHIBITED WITHIN THE PARK.

SECTION 7. DESTRUCTION OF PLANT LIFE AND NATURAL SURROUNDINGS

NO PERSON SHALL,

A. CUT, REMOVE, OR DESTROY ANY TREE, SAPLING, SEEDLING, BUSH OR SHRUB, WHETHER ALIVE OR DEAD, OR CHIP, BLAZE, BOX, GIRDLE, TRIM OR OTHERWISE DEFACE OR INJURE ANY TREE OR SHRUB, OR BREAK OR REMOVE ANY BRANCH, FOLIAGE, TREE OR SHRUB, OR PICK, GATHER, UPROOT, REMOVE OR DESTROY ANY FLOWER, PLANT OR GRASS EXCEPT WITH PERMIT ISSUED BY THE DEPARTMENT/BOARD.

B. REMOVE OR CAUSE TO BE REMOVED OR TO DIG ANY SOD, EARTH, HUMUS, PEAT, BOULDER, ROCK, GRAVEL, OR SAND EXCEPT WITH PERMIT ISSUED BY THE DEPARTMENT/BOARD WITHIN THE PARK.

SECTION 8. FIRES

NO PERSON SHALL,

A. SET OR CAUSE TO BE SET ON FIRE ANY TREE, WOODLAND, BRUSHLAND, GRASSLAND OR MEADOW.

B. BUILD ANY FIRE EXCEPT WITHIN THE FIREPLACES, RECEPTACLES OR OPEN SPACES APPROVED AND DESIGNATED BY THE DEPARTMENT/BOARD FOR SUCH PURPOSE.

C. DROP, DUMP, THROW OR OTHERWISE SCATTER LIGHTED MATCHES, ASHES, BURNING CIGARS, CIGARETTES, TOBACCO PAPER OR OTHER FLAMMABLE MATERIAL.

D. LEAVE FIRES UNATTENDED AT ANY TIME OR NOT FULLY EXTINGUISHED BEFORE BEING ABANDONED, WITHIN THE PARK.

SECTION 9. ANIMALS, BIRDS AND REPTILES

NO PERSON SHALL,

A. PURSUE, CATCH, ATTEMPT TO CATCH, STRIKE, MOLEST, WOUND, OR KILL ANY BIRD, ANIMAL OR ANY NEST, LAIR, DEN, BURROW OR THE LIKE OF ANY ANIMAL WITHIN ALL POSTED SAFETY ZONES, BEACH AREA, PICNIC AREA AND CAMPING AREA EXCEPT WHERE THE HEALTH AND SAFETY OF A PERSON IS CONCERNED.

B. PERMIT HIS DOG, OR OTHER PET TO PURSUE, CATCH, WOUND, OR KILL ANY BIRD, ANIMAL OR REPTILE OR TO DISTURB THE NESTS, DENS, HOME OR PLACE OF REFUGE OF ANY OTHER ANIMAL OR BIRD, EXCEPT WHILE HUNTING WITH A DOG ON PARK LAND IN ACCORDANCE WITH THE PENNSYLVANIA GAME LAWS.

SECTION 10. HUNTING AND TRAPPING

NO PERSON SHALL,

A. HUNT OR ALLOW HIS DOG OR OTHER PET TO HUNT ANY WILD BIRD OR ANIMAL WITHIN ALL POSTED SAFETY ZONES, BEACH AREA, PICNIC AREA OR CAMPING AREA. ALL THE PARK LAND IS OPEN FOR HUNTING IN COMPLIANCE WITH THE PENNSYLVANIA GAME LAWS.

B. TRAP WITHIN THE AREA FROM BOAT LAUNCH B ACCESS ROAD WEST TO THE MAUCH CHUNK CREEK UNTIL THE FIRST MONDAY IN DECEMBER. ALL OTHER PARK LAND IS OPEN FOR TRAPPING WITH THE PENNSYLVANIA GAME COMMISSION SEASONS, LIMITS AND REGULATIONS APPLYING. ALL TRAPPING ON PARK LAND IS BY PERMIT ONLY.

SECTION 11. FISHING

A. FISHING ON THE MAUCH CHUNK LAKE OR ALONG ITS SHORE SHALL BE PERMITTED AT ALL TIMES EXCEPT ALONG THE SHORE OF THE BREAST OF THE DAM STRUCTURE, THE SWIMMING AREA AND BEACH OR WITHIN 100 FEET FROM EITHER SIDE OF THE BEACH AREA. IN ALL CASES, THE PENNSYLVANIA FISHING AND BOATING LAWS SHALL BE APPLICABLE TO THE MAUCH CHUNK LAKE.

SECTION 12. SWIMMING, BATHING AND WADING

NO PERSON SHALL,

A. SWIM, BATHE OR WADE EXCEPT WITHIN THE BEACH AREA AND ONLY AT SUCH TIMES AS MAY BE DESIGNATED FOR SUCH PURPOSES AND ONLY WHILE A CERTIFIED LIFE GUARD IS ON DUTY.

B. SWIM, BATHE OR WADE ALONG ANY AREA OF THE LAKE SHORE OR FROM A BOAT ON ANY PART OF THE LAKE EXCEPT AT THE BEACH AREA.

C. CARRY OR CONSUME ANY FOOD OR BEVERAGE OR HAVE IN POSSESSION ANY GLASS OR METAL CONTAINER AT ANY SWIM AREA OR IN THE WATER ADJACENT TO ABOVE MENTIONED AREAS UNLESS OTHERWISE DESIGNATED.

D. SWIM IN ANY DEPARTMENT/BOARD OPERATED POOL/BEACH AREA UNLESS SAID SWIMMING AREA IS OPEN FOR OPERATION.

E. BATHE, SWIM OR WADE IN ANY WATER AREA DESIGNATED AS "UNSAFE FOR SWIMMING" AT SUCH TIME OR TIMES WITHIN THE SOLE DISCRETION OF THE DEPARTMENT/BOARD, WITHIN THE PARK.

F. USE UNDERWATER BREATHING APPARATUS, INFLATABLE OR BUOYANT DEVICES.

G. SMOKE ON BEACH AREAS, EXCEPT IN DESIGNATED LOCATIONS, OR LITTER AT ANY TIME (INCLUDING CIGARETTE BUTTS).

H. SWIM NUDE AT THE DESIGNATED SWIMMING AREA OR ANY AREA WITHIN THE PARK.

SECTION 13. BOATING AND OTHER WATER CRAFT

NO PERSON SHALL,

A. LAUNCH BY VEHICLE AND TRAILER ANY BOAT, CANOE, RAFT OR OTHER WATERCRAFT UPON THE LAKE EXCEPT AT DESIGNATED LAUNCHING AREAS.

B. OPERATE WATERCRAFT PROPELLED BY INTERNAL COMBUSTION MOTORS ON THE LAKE WITHOUT WRITTEN PERMISSION, WITHIN THE PARK.

SECTION 14. CAMPING

NO PERSON SHALL,

A. CAMP EXCEPT IN SUCH AREAS AS MAY BE PROVIDED AND DESIGNATED FOR SUCH PURPOSES BY THE DEPARTMENT/BOARD. NO PERSONS OR GROUP SHALL CAMP WITHOUT A PERMIT ISSUED BY THE DEPARTMENT/BOARD.

B. HAVE MORE THAN TWO CARS AND TWO TENTS TO OCCUPY AN INDIVIDUAL CAMP SITE UNLESS OTHERWISE SPECIFIED. ONE CAR MUST BE REGISTERED ON THE CAMP PERMIT.

C. CAUSE, CREATE OR MAKE ANY NOISE OR DISTURBANCE WHICH IS A HINDRANCE TO THE PEACE, QUIET AND TRANQUILITY OF THE CAMPING AREA.

D. WASH DISHES AT PUMPS OR DRINKING FOUNTAINS; TO FAIL TO CLEAN CAMP SITES DAILY OR TO DISCHARGE WASTE WATERS OR ANY OTHER WASTES, EXCEPT INTO DESIGNATED CONTAINERS OR DUMPING STATIONS.

E. DIG A TRENCH OR MAKE ANY EXCAVATION ON ANY CAMP SITE.

F. OCCUPY A CAMP SITE AFTER CHECK OUT TIME, 4:00 P.M. ON THE LAST DAY COVERED BY THE PERMIT.

G. OCCUPY CAMPSITES CONTRARY TO ASSIGNMENT AS MAY BE MADE BY THE DEPARTMENT'S AUTHORIZED REPRESENTATIVE.

H. CAMP WITH A SELF CONTAINED HOUSE TRAILER, CAMPER TRAILER, OR CAMPER BUS EXCEPT IN CAMPSITES PROVIDED FOR THAT PURPOSE AND MUST NOT EXCEED DESIGNATED LENGTH.

I. ENTER UPON THE CAMPSITE OF ANOTHER OR BE WITHIN TWENTY (20) FEET OF ANY TENT, SHELTER OR CABIN OF ANOTHER, WHETHER OCCUPIED OR NOT, WITHOUT FIRST OBTAINING AN INVITATION OR PERMISSION TO DO SO BY THE PERSON TO WHOM THE CAMP SITE OR CABIN HAS BEEN ISSUED A PERMIT WITHIN THE PARK.

SECTION 15. CONTINUOUS CRUISING IN AND NEAR CAMP GROUNDS OR PICNIC AREAS

NO PERSON SHALL,

A. CONTINUOUSLY CRUISE IN ANY MOTOR DRIVEN VEHICLE IN, THROUGH AND AROUND CAMP AREAS OR PICNIC AREAS WITHIN THE PARK.

SECTION 16. OPERATION AND PARKING OF MOTOR DRIVE VEHICLES

NO PERSON SHALL,

A. OPERATE A VEHICLE AND STOP, STAND OR PARK SAID VEHICLE IN ANY PLACE MARKED AS A PASSENGER OR LOADING ZONE, OTHER THAN FOR EXPEDITIOUS LOADING OR UNLOADING OF PASSENGERS, OR FOR THE UNLOADING AND DELIVERY OR PICK UP AND LOADING OF MATERIALS.

B. OPERATE A VEHICLE AND STOP, STAND OR PARK SUCH VEHICLE UPON ANY ROADWAY OR IN ANY PARKING AREA IN SUCH MANNER AS TO FORM AN OBSTRUCTION TO TRAFFIC THEREON.

C. DRIVE UPON OR PARK UPON ANY LAWN UNLESS SPECIFICALLY AUTHORIZED TO DO SO BY THE DEPARTMENT/BOARD.

D. OPERATE AND STOP, STAND OR PARK A VEHICLE IN SUCH A MANNER AS TO BLOCK ANY FIRE TRAIL, CAMPSITE ROAD, MAINTENANCE ROAD, BOAT RAMP, BIKE/HIKE/HORSE TRAIL.

E. OPERATE A VEHICLE AND PARK IN ANY PLACE WHERE NO PARKING SIGNS HAVE BEEN ERECTED.

F. OPERATE AND PARK A VEHICLE IN SUCH A MANNER AS TO BLOCK THE EXIT OR REMOVAL OF ANOTHER VEHICLE.

G. OPERATE AND PARK A VEHICLE IN SUCH A MANNER AS TO TAKE UP MORE THAN ONE DESIGNATED PARKING SPOT.

H. OPERATE A MOTOR VEHICLE IN EXCESS OF THE (10) M.P.H. IN THE PARK UNLESS A HIGHER RATE OF SPEED HAS BEEN POSTED.

I. OPERATE A VEHICLE IN THE PARK OR PLACE OTHER THAN PARK ROADWAYS OPEN TO AND REGULARLY TRAVELED BY THE GENERAL PUBLIC EXCEPT TO VEHICLES AUTHORIZED BY THE DEPARTMENT/BOARD FOR THE PURPOSE

OF PARK MAINTENANCE, IMPROVEMENT, OR PATROL; OR TO AREAS SET ASIDE AS SPECIAL USE AREAS.

J. OPERATE ANY VEHICLE UPON ANY PARK PROPERTY OR ROADWAY CARELESSLY DISREGARDING THE RIGHTS AND SAFETY OF OTHERS OR IN A MANNER SO AS TO ENDANGER ANY PERSON OR PROPERTY.

K. OPERATE ANY TYPE OF MINIBIKE, TRAIL BIKE, ALL TERRAIN VEHICLE THAT IS NOT OR CANNOT BE REGISTERED FOR OPERATION ON THE PUBLIC HIGHWAYS EXCEPT IN AREAS DESIGNATED AND DESIGNED FOR THEIR PURPOSE, AND THEN ONLY WITH THE DEPARTMENT/BOARD APPROVAL.

L. FAIL TO YIELD THE RIGHT-OF-WAY TO ANY PERSON RIDING A HORSE, HIKING AND BIKING ON MARKED TRAILS WHERE SUCH TRAILS CROSS STREETS OR ROADWAYS.

M. FAIL TO COME TO A COMPLETE STOP AT A STOP SIGN.

N. FAIL TO YIELD AT A YIELD SIGN.

O. WASH OR MAKE MECHANICAL REPAIRS ON VEHICLES EXCEPT IN AN EMERGENCY ON ANY VEHICLE.

P. USE PARK ROADWAYS AS THOROUGHFARES; PERMITS REQUIRED FOR COMMERCIAL AND FARM EQUIPMENT.

Q. OPERATE ANY MOTOR VEHICLE ON THE SWITCHBACK TRAIL EXCEPT AUTHORIZED MAINTENANCE VEHICLES.

IN CONJUNCTION WITH AND ADDITION TO SECTION 16, SUBSECTION A THRU Q OF THIS ORDINANCE, THE MOTOR CODE OF PENNSYLVANIA SHALL APPLY TO ALL PARK ROADWAYS, WITHIN THE PARK.

SECTION 17. HORSES AND OTHER BEASTS OF BURDEN

NO PERSON SHALL,

A. RIDE OR LEAD A HORSE OR PONY WITHIN THE BEACH, PICNIC OR CAMPING AREAS OF THE PARK OR ANY TRAILS PROHIBITING SUCH USE. ALL OTHER AREAS OF THE PARK ARE OPEN FOR SUCH USE, ESPECIALLY DESIGNATED BRIDLE TRAILS.

B. RIDE A HORSE IN A CARELESS, NEGLIGENT OR RECKLESS MANNER SO AS TO CREATE A NUISANCE OR TO ENDANGER THE LIFE, PROPERTY OR PERSON WITHIN THE PARK.

SECTION 18. OPERATION OF BICYCLES

NO PERSON SHALL,

A. OPERATE A BICYCLE UNLESS AS CLOSE TO THE RIGHT-HAND CURB OR RIGHT-HAND SIDE OF THE PATH, TRAIL OR ROADWAY AS CONDITIONS WILL PERMIT.

B. OPERATE ANY BICYCLE WHILE UPON ANY PATH, TRAIL, OR ROADWAY TO CARRY ANY PERSON UPON THE HANDLEBAR OR FRAME OF THE BICYCLE, EXCEPT IN A CASE WHERE A BICYCLE IS EQUIPPED TO CARRY MORE THAN ONE PERSON.

C. OPERATE A BICYCLE UPON SUCH PATHS, TRAILS, OR ROADWAYS THAT ARE POSTED BY THE DEPARTMENT/BOARD BEFORE SUNRISE AND AFTER SUNSET UNLESS OTHERWISE PERMITTED.

D. LEAVE OR PARK ANY BICYCLE UPON ANY ROAD OR PARKING LOT THAT IS OPEN TO THE PUBLIC ON WHICH MOTOR VEHICLES MAY BE DRIVEN.

LEAVE OR PARK BICYCLES IN WALKWAYS, ACTIVE PLAY AREAS BUT SHOULD USE APPROPRIATE RACKS WHEN AVAILABLE WITHIN THE PARK.

#### SECTION 19. TRESPASS

NO PERSON SHALL,

A. DRIVE OR CAUSE TO BE DRIVEN ANY CATTLE, SHEEP, GOATS, SWINE OR OTHER LIVESTOCK UPON OR ACROSS ANY PROPERTY ADMINISTERED BY OR UNDER THE JURISDICTION OF THE DEPARTMENT/BOARD WITHOUT A PERMIT.

B. ENTER UPON ANY GROUNDS THAT HAVE BEEN POSTED BY THE DEPARTMENT/BOARD WITH NO TRESPASSING OR SPECIAL WILDLIFE SIGNS THAT WOULD INDICATE THAT THE AREA IS NOT OPEN TO THE GENERAL PUBLIC WITHOUT FIRST OBTAINING A PERMIT ISSUED BY THE DEPARTMENT/BOARD.

C. ENTER ANY BUILDING THAT IS NOT OPEN TO AND REGULARLY USED BY THE PUBLIC.

D. ENTER UPON OR DISTURB ANY CONSTRUCTION OR EQUIPMENT ON PARK PROPERTY EXCEPT AUTHORIZED PERSONNEL WITHIN THE PARK.

#### SECTION 20. PEDDLING AND SOLICITING

NO PERSON SHALL,

A. PEDDLE OR SOLICIT BUSINESS OF ANY NATURE WHATEVER OR COLLECT ANY FUND FOR ANY SERVICE OR CHARITY, OR TO DISTRIBUTE HANDBILLS, OR OTHER ADVERTISING MATTER, TO POST UNAUTHORIZED SIGNS ON ANY LANDS, WATERS, STRUCTURES OR PROPERTY ADMINISTERED BY OR UNDER THE CONTROL OF THE DEPARTMENT/BOARD OR USE SUCH LANDS, WATERS, STRUCTURES OR PROPERTY UNLESS FIRST OBTAINING A PERMIT WITHIN THE PARK.



SECTION 21. UNLAWFUL OBSTRUCTION

NO PERSON SHALL,

A. FORCE, THREAT, INTIMIDATE, FENCE, ENCLOSE OR BY ANY OTHER MEANS, PREVENT OR OBSTRUCT ANY PERSON FROM ENTERING, LEAVING OR MAKING FULL USE OF THE PARK UNLESS UNDER THE JURISDICTION OF THE DEPARTMENT/BOARD CONSISTENT WITH THE TERMS OF THIS ORDINANCE AND OTHER APPLICABLE STATUTES, RULES AND REGULATIONS, AND THEN ONLY BY PERSONS AUTHORIZED TO DO SO BY THE DEPARTMENT/BOARD WITHIN THE PARK.

SECTION 22. HINDERING EMPLOYEES

NO PERSON SHALL,

A. INTERFERE WITH, USE PROFANITY TOWARDS, OR IN ANY MANNER HINDER ANY EMPLOYEES OR AGENTS OF THE DEPARTMENT/BOARD WHO ARE PERFORMING THEIR OFFICIAL DUTIES WITHIN THE PARK.

SECTION 23. RESISTING PARK RANGER

NO PERSON SHALL,

A. INTERFERE WITH OR USE PROFANITY TOWARD ANY PARK RANGER IN THE PERFORMANCE OF HIS DUTIES; OR FAIL OR REFUSE TO OBEY ANY LAWFUL COMMAND OF THE PARK RANGER IN THE PERFORMANCE OF HIS DUTIES WITHIN THE PARK.

SECTION 24. IMPERSONATION OF PARK RANGER

NO PERSON SHALL,

A. IMPERSONATE ANY PARK RANGER FOR ANY REASON WHATSOEVER WITHIN THE PARK.

SECTION 25. ILLEGAL DRUGS AND NARCOTICS

NO PERSON SHALL,

A. POSSESS OR BE UNDER THE INFLUENCE OF ANY ILLEGAL DRUG OR NARCOTIC WHILE IN OR UPON ANY PROPERTY ADMINISTERED BY OR UNDER THE JURISDICTION OF THE DEPARTMENT/BOARD.

SECTION 26. ALCOHOLIC BEVERAGES

NO PERSON SHALL,

A. POSSESS, CONSUME OR BE UNDER THE INFLUENCE OF ANY ALCOHOLIC BEVERAGE WHILE IN OR UPON ANY PROPERTY ADMINISTERED BY

OR UNDER THE JURISDICTION OF THE DEPARTMENT/BOARD; ANYONE POSSESSING, CONSUMING OR UNDER THE INFLUENCE OF ALCOHOLIC BEVERAGES AND/OR DISORDERLY IN THEIR CONDUCT SHALL BE SUBJECT TO A FINE AND/OR REMOVAL FROM THE PARK PROPERTY.

B. ALL VEHICLES, CONTAINERS, CAMPERS, TENTS AND CAMPSITES ARE SUBJECT TO INSPECTION BY PARK OFFICIALS AND POLICE TO DETERMINE THE PRESENCE OF ANY ALCOHOLIC BEVERAGES. SUCH POSSESSION WILL SUBJECT ALL PERSON SUBSEQUENT WITH VIOLATIONS UNDER LOCAL AND/OR STATE LAWS.

C. SPECIAL USE PERMITS MAY BE GRANTED BY THE DEPARTMENT/BOARD FOR THE CONSUMPTION OF ALCOHOLIC BEVERAGES FOR SPECIFIC PERMITTED ACTIVITIES HELD WITHIN THE CONFINES OF THE PICNIC PAVILIONS WITHIN THE PARKS PICNIC AREA.

SECTION 27. PERSONAL CONDUCT

NO PERSON SHALL,

A. ENGAGE IN ANY VIOLENT, ABUSIVE, LOUD, BOISTEROUS, VULGAR, LEWD, WANTON, OBSCENE OR OTHERWISE DISORDERLY CONDUCT TENDING TO CREATE A BREACH OF THE PEACE, OR TO DISTURB OR ANNOY OTHERS, WHILE IN OR ON ANY PROPERTY ADMINISTERED BY OR UNDER THE JURISDICTION OF THE DEPARTMENT/BOARD.

SECTION 28. USE OF LOUDSPEAKER, RADIO, PHONOGRAPH, TAPE RECORDERS, TELEVISION

NO PERSON SHALL,

A. USE A LOUD SPEAKER, PUBLIC ADDRESS SYSTEM OR AMPLIFIER WITHIN OR UPON DEPARTMENT PROPERTY WITHOUT A PERMIT ISSUED BY THE DEPARTMENT.

B. PLAY OR CAUSE TO PLAY ANY RADIO, PHONOGRAPH, TAPE RECORDERS, TELEVISION, STEREO TAPE, ETC., IN A LOUD OR BOISTEROUS MANNER WHICH TENDS TO DISTURB OR ANNOY ANY VISITOR.

SECTION 29. FIREWORKS

NO PERSON SHALL,

A. FIRE, DISCHARGE OR HAVE IN THEIR POSSESSION ANY ROCKET, FIRECRACKER OR OTHER FIREWORKS OR ANY SUBSTANCE OF AN EXPLOSIVE NATURE UNLESS THE DEPARTMENT/BOARD ISSUES A PERMIT WITHIN THE PARK.

SECTION 30. FIREARMS - HATCHETS AND KNIVES, ETC.

NO PERSON SHALL,

A. USE, DISCHARGE, OR SET OFF ANYWHERE OR AT ANY TIME WITHIN THE PROPERTY OF THE PARK A REVOLVER, SHOTGUN, RIFLE, KNIFE OR HATCHET FOR THE PURPOSE OF THREATENING OR CAUSING HARM TO ANOTHER INDIVIDUAL. PERSONS HOLDING A CURRENT AUTHORIZED GUN PERMIT CAN USE THE WEAPON ONLY FOR THE SPECIFIC PURPOSE OF THE PERMIT. EXCEPT THAT THIS SECTION SHALL NOT APPLY TO ANY POLICE OFFICER OR OTHER DULY APPOINTED LAW ENFORCEMENT OFFICER WHILE CARRYING OUT THE DUTIES AND RESPONSIBILITIES OF HIS POSITION NOR TO ANY PERSON WHILE ON OR IN THOSE AREAS DESIGNATED FOR HUNTING OR FISHING.

SECTION 31. BALLOONS, AEROPLANES AND PARACHUTES

NO PERSON SHALL,

A. MAKE ANY ASCENT IN ANY BALLOON OR AEROPLANE OR ANY DESCENT IN OR FROM ANY BALLOON, AEROPLANE OR PARACHUTE UNLESS AUTHORIZED BY THE DEPARTMENT/BOARD WITHIN THE PARK, UNLESS THE DESCENT IS OF A CRITICAL OR EMERGENCY NATURE.

SECTION 32. LITTERING, DUMPING AND POLLUTION OF WATERS

NO PERSON SHALL,

A. DISCARD, DEPOSIT, DUMP, LITTER OR ALLOW TO BLOW AWAY REFUSE OF ANY KIND OR NATURE EXCEPT BY PLACING SAID REFUSE IN CONTAINERS PROVIDED FOR SUCH PURPOSE.

B. BRING OR DISPOSE OF ANY TYPE OF TRASH, REFUSE OR DEBRIS IN THE PARK WHETHER DISPOSING OF IN RECEPTACLES OR NOT, IF SUCH REFUSE DID NOT RESULT FROM PARK USAGE WITHIN THE PARK.

SECTION 33. PUBLIC EXHIBITION

NO PERSON SHALL,

A. EXHIBIT ANY MACHINES, ANIMALS, OR INDULGE IN ANY AEROBATIC EXHIBITIONS, NOR SHALL ANY PERSON CARRY ON ANY PERFORMANCE OR DO ANYTHING WHATSOEVER WHICH SHALL CAUSE PERSONS TO CONGREGATE SO AS TO INTERFERE WITH THE PROPER USE OF SUCH PROPERTY BY THE GENERAL PUBLIC, OR TO OBSTRUCT THE PASSAGE OF VEHICLES OR PERSONS, WITHOUT FIRST HAVING OBTAINED A PERMIT FROM THE DEPARTMENT/BOARD WITHIN THE PARK.

SECTION 34. ANIMALS AND BIRDS

NO PERSON SHALL,

A. BRING, DEIVE, LEAD OR CARRY ANY DOG, ANIMAL OR PET WHICH IS UNLEASHED OR ON A LEASH MORE THAN SIX (6) FEET IN LENGTH. ANIMALS MUST BE UNDER CONTROL OF A COMPETENT PERSON EXCEPT FOR

ANIMALS USED IN HUNTING OR FIELD TRIALS.

B. PERMIT HIS DOG OR PET TO ENTER ANY PUBLIC BUILDING OR TO BE UPON ANY DESIGNATED SWIMMING AREA EXCEPT A TRAINED SEEING EYE DOG.

C. PERMIT ANY HORSE OR OTHER ANIMAL TO STAND UNATTENDED UNLESS IN CHARGE OF A COMPETENT PERSON.

D. ALLOW ANY PET OR ANIMAL TO ENTER INTO ANY SWIMMING AREA EXCEPT IN THOSE AREAS DESIGNATED AS DOG TRAINING AREAS WHERE RETRIEVER DOGS MAY ENTER THE WATER FOR TRAINING PURPOSES BY PERMIT.

E. ALLOW ANY PET OR ANIMAL TO RUN AT LARGE WHICH IS DEEMED AFTER DUE CONSIDERATION BY THE PARK RANGER TO CONSTITUTE A THREAT TO THE PUBLIC HEALTH AND WELFARE.

SECTION 35. FEEES AND CHARGES AND PERMITS

NO PERSON SHALL,

A. USE ANY FACILITY, LAND OR AREA FOR WHICH A FEE OR CHARGE HAD BEEN ESTABLISHED BY THE DEPARTMENT/BOARD WITHOUT PAYMENT OF SUCH FEE OR CHARGE ON RECEIPT OF APPROPRIATE PERMIT WITHIN THE PARK.

SECTION 36. EMERGENCY POWERS

NOTHING IN THESE RULES SHALL,

A. PROHIBIT OR HINDER DULY AUTHORIZED AGENTS OF THE DEPARTMENT/BOARD OR ANY POLICE OFFICERS FROM PERFORMING THEIR OFFICIAL DUTIES.

B. PROHIBIT THE DEPARTMENT/BOARD FROM ESTABLISHING RULES AND REGULATIONS REQUIRED TO PROTECT THE HEALTH, WELFARE AND SAFETY OF PARK VISITORS AND PROPERTY WITHIN THE PARK.

SECTION 37. ENFORCEMENT AND PENALTIES

A. THE BOARD OF THE CARBON COUNTY COMMISSIONERS HEREBY AUTHORIZE THE LAW ENFORCEMENT OFFICERS OF THE PENNSYLVANIA STATE POLICE, PENNSYLVANIA FISH AND BOAT COMMISSION, PENNSYLVANIA GAME COMMISSION AND OF THE MUNICIPALITIES WITHIN WHICH THE PARK SYSTEM IS LOCATED, THE PARK RANGERS, AND ANY DULY AUTHORIZED COUNTY ENFORCEMENT OFFICER, TO ENFORCE THIS ORDINANCE AS WELL AS ANY RULES AND REGULATIONS PROMULGATED BY THE BOARD ON THE PROPERTY OF THE PARK SYSTEM WITHIN OR WITHOUT THE MUNICIPAL LIMITS OF THE EMPLOYING MUNICIPALITY WITH THE SAME FORCE AND EFFECT AS THE APPOINTMENT OF SUCH LAW OFFICER TO SERVE WITHIN THE MUNICIPALITY. SINCE THE PARK

SYSTEM PROPERTY IS LOCATED WITHIN MORE THAN ONE MUNICIPALITY, THE PURPOSE OF THIS SECTION IS TO AUTHORIZE THE LAW ENFORCEMENT OFFICERS OF EACH MUNICIPALITY TO THIS ORDINANCE TO ENFORCE THE PROVISIONS OF THE ORDINANCE IN AND ALONG THE PARK SYSTEM PROPERTY WITHOUT THE RESTRICTION OF MUNICIPAL LIMITATIONS. THE LAW ENFORCEMENT OFFICERS ARE AUTHORIZED TO PROCEED IN THE USUAL FASHIONS FOR ORDINANCE VIOLATION AND THE FINES COLLECTED THEREON SHALL BE COLLECTED BY THE DISTRICT JUSTICE OFFICE AND DISTRIBUTED ON THE BASIS OF 50% SHALL BELONG TO THE COUNTY AND 50% SHALL BELONG TO THE MUNICIPALITY IN WHICH THE VIOLATION OCCURS.

B. ANY PERSON VIOLATING ANY OF THE PROVISIONS OF THIS ORDINANCE AND CONVICTED OF THE SAME SHALL BE LIABLE TO A FINE IMPOSED BY THE DISTRICT JUSTICE AND COSTS OF PROSECUTION FOR EACH AND EVERY OFFENSE. PROVIDED, EACH DAY'S VIOLATION OF ANY OF THE PROVISIONS OF SUCH SECTIONS SHALL CONSTITUTE A SEPARATE OFFENSE. WHERE SUCH VIOLATOR HAS REMOVED, DESTROYED, DAMAGED, DEFACED OR BEFALLED THE RECREATION, PARK OR CONSERVATION AREA OF THE CONTESTS THEREOF, THE COST OF MAINTENANCE, REPAIR OR REPLACEMENT SHALL BE CHARGED TO SUCH PERSON OR GROUP IN ADDITION TO ANY FINE. FURTHER, USE OF RECREATION, PARK AND CONSERVATION FACILITIES MAY BE DENIED TO VIOLATORS OF THIS ORDINANCE IN ADDITION TO THE IMPOSITION OF FINES.

SECTION 38. SEVERABILITY

THE PROVISIONS OF THE ORDINANCE ARE SEVERABLE. IF ANY SENTENCE, CLAUSE OR SECTION OF THIS ORDINANCE IS FOR ANY REASON FOUND TO BE UNCONSTITUTIONAL, ILLEGAL OR INVALID, SUCH UNCONSTITUTIONAL, ILLEGAL OR INVALID CLAUSES OR SECTIONS OF THIS ORDINANCE SHALL NOT AFFECT THE VALIDITY OF THE REMAINDER OF THIS ORDINANCE. IT IS HEREBY DECLARED TO BE THE INTENTION OF THE COUNTY COMMISSIONERS OF THE COUNTY OF CARBON THAT THIS ORDINANCE WOULD HAVE BEEN ADOPTED HAD SUCH UNCONSTITUTIONAL, ILLEGAL OR INVALID SENTENCE, CLAUSE OR SECTION NOT HAVE BEEN INCLUDED HEREIN.

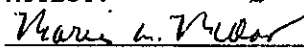
SECTION 39. ORDINANCE REPEAL

ALL ORDINANCES AND RESOLUTIONS OR PARTS OF ORDINANCES AND RESOLUTIONS INSOFAR AS THEY ARE INCONSISTENT HEREWITH ARE HEREBY REPEALED.

ENACTED AND ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF CARBON, PENNSYLVANIA, THIS FOURTEENTH DAY OF OCTOBER, 1993.

/S/ DEAN D.W. DELONG  
/S/ TOM C. GERHARD  
/S/ JOHN D. MOGILSKI  
COUNTY COMMISSIONERS OF THE  
COUNTY OF CARBON

ATTEST:

  
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MARIE A. MIDAS, CHIEF CLERK