

ORDINANCE NO. 2202

AN ORDINANCE AMENDING PORTIONS OF SECTIONS 102, SECTION 103, AND SECTION 105, ALL OF PART 1, GENERAL REGULATIONS, OF CHAPTER 16, PARKS AND RECREATION, OF THE CODE OF ORDINANCES OF THE BOROUGH OF POTTSTOWN, AS AMENDED, TO MODIFY AND AMEND RULES AND REGULATIONS FOR ALL PARKS AND SPECIAL REGULATIONS FOR CERTAIN BOROUGH PARKS.

SECTION 1. § 102, General Rules and Regulations, of Part 1, General Regulations, of Chapter 16, Parks and Recreation, of the Code of Ordinances of the Borough of Pottstown, is hereby amended by modifying the existing section and adding subsections L through P to read as follows:

§ 102. General Rules and Regulations.

1. Except as otherwise specifically permitted pursuant to § 105, Special Regulations for Certain Parks, below, the following rules and regulations shall apply to all Borough parks:
...
 - L. Use of tobacco products and vapor-producing products is prohibited within 25 feet of all playground areas and sports courts. For the purpose of this section, “playground areas” are defined as the area within the perimeter of the tested and attenuated safety surfacing installed beneath play equipment.
 - M. The deliberate launch or release of decorative balloons and/or airborne sky lanterns, also known as Chinese lanterns, is prohibited in all parks.
 - N. Organized groups of 20 persons or more utilizing areas of the park identified as rental areas/facilities in the Schedule of Fees are required to obtain a permit for use.
 - O. Individuals utilizing areas of the park identified as rental areas/facilities in the Schedule of Fees are required to yield use of the area/facility to any group holding a valid Parks and Recreation Facility Rental Permit for which all fees have been paid.
 - P. Metal detecting and associated digging in the turf or soil in the parks is prohibited.

SECTION 2. § 103, Tennis Courts, of Part 1, General Regulations, of Chapter 16, Parks and Recreation, of the Code of Ordinances of the Borough of Pottstown, as amended, is hereby amended to read as follows:

For any park with tennis courts and related facilities, use and occupancy of a court is restricted to one hour when all other courts are being utilized and other people are waiting to play, except as modified by any valid User Agreements between the Borough of Pottstown and any outside organizations. No skateboarding, rollerblading, in-line skating, scooter riding or bike riding shall be permitted in any portion or area within the boundaries of the tennis sports court.

SECTION 3. § 105, Special Regulations for Certain Parks, of Part 1, General Regulations, of Chapter 16, Parks and Recreation, of the Code of Ordinances of the Borough of Pottstown, as amended, is hereby amended in pertinent part as follows:


1. No skateboarding, rollerblading, in-line skating, scooter riding or bike riding shall be permitted in any portion or area within the Smith Family Plaza, the Fountain of Youth Spray Park, Maple Street Park, Tennis Courts and/or all playground areas.
2. (NO CHANGES IN PARAGRAPH 2).
3. (NO CHANGES IN PARAGRAPH 3).

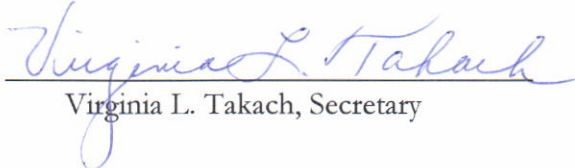
SECTION 4. Severability. If any sentence, clause, section or other part of this ordinance is, for any reason, found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any remaining provisions, sentences, clauses, sections or other parts of this ordinance. It is hereby declared as the intent of the Burgess and Town Council of the Borough of Pottstown that this ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof, not be included herein.

SECTION 5. Repealer/Re-Enactment. All remaining provisions of Part 1, General Regulations, of Chapter 16, Parks and Recreation, of the Code of Ordinances of the Borough of Pottstown, as amended, to the extent not inconsistent herewith, are hereby reenacted and reordained.

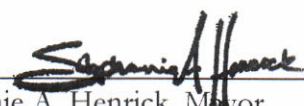
SECTION 6. Effective Date. This ordinance will become effective immediately upon enactment.

**THE BURGESS AND TOWN COUNCIL
OF THE BOROUGH OF POTTSTOWN**

BY: 
Dan Weand, President

ATTEST: 
Virginia L. Takach, Secretary

Approved this 8th day of
FEBRUARY, A.D., 2021.


Stephanie A. Henrick, Mayor