TITLE NINE - Recreation

Article 941. Parks.

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ARTICLE 941

Parks

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CROSS REFERENCES

Public bathing places - See 35 P.S. §672 et seq

Disorderly conduct in parks - See GEN. OFF. Art. 705

Fighting; intoxication in parks - See GEN. OFF. Art. 705

Recreation fees and charges - See GEN. OFF. Art. 729

941.01 DEFINITIONS.

For the purposes of this Article, the following terms, phrases, words and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number, and words in the singular number include the plural number. The word "shall" is always mandatory and not merely advisory.

(a) "Alcoholic beverages" means any beverage with an alcoholic content of more than two percent (2%).

**(b) “Bathing”, “Bathe”, “Swimming” or “Swim” mean the sport or activity of entering and/or moving through water by moving your arms and legs for recreational or other purposes, including, but not be limited to, exercise, therapy, or refreshment.**

(c) “City” means the City of Bethlehem.

(d) “Community Gardens” means a parcel of City-owned land designated specifically to grow fruits, vegetables, ornamentals and native plants that are planted and maintained by the community.

(e) "Director" means the Director of the Department of Parks and Public Property.

(f) “Dog Park” means an area designated by the City for allowing City residents to exercise their dog off leash.

**(g) “Fishing” means the activity of catching fish, either for food or as a sport as regulated and licensed by the Pennsylvania Fish & Boat Commission.**

**(h) “Generator” A gasoline or diesel powered device that converts mechanical energy into electrical energy.**

(i) “Greenway” means South Bethlehem Greenway.

(j) “Loiter” or “Loitering” means protractedly lingering, staying, remaining or waiting at one location or repetitively wandering around in the same vicinity, either alone or in consort with others.

(k) “[Malicious](http://ecode360.com/13739329#13739329)” or “maliciously” means a vexatious, threatening, intimidating or injurious manner toward people or property; or with intent to engage in any disorderly conduct or behavior tending to a breach of the public peace; or acting with the effect of causing interference with or precluding peaceful use and enjoyment of the park by others.

(l) “Metal Detectors” means a hand-held unit used in searching an area for coins or other metal objects.

(m) “Motorized Vehicles” means any device propelled by an engine, including but not limited to automobiles, mopeds, motorcycles, go carts, scooters, All Terrain Vehicles (ATV), and Segways. The term specifically excludes any electric personal assistive mobility device, any self-propelled wheel chair, any electrical mobility device operated by and designed for the exclusive use of a person with a mobility-related disability, and any FDA approved devices for use by the disabled on pedestrian facilities. (Ord. 4424. Passed 4/17/07.)

(n) “Mounted Police” means police who do patrols on horseback.

(Ord. 2009-23. Passed 9/1/09.)

(o) “Park” means any land or facility owned or leased by the City and designated or used for park, recreation, gardening, or open space purposes.

(p) “Pavilion” means any permanent open park structure used for picnics, parties, and social occasions.

(q) "Person" means any person, firm, partnership, association, corporation, company or organization of any kind.

(r) “Special facility” means (i) the Illick’s Mill building; (ii) the Earl E. Schaffer Ice Rink; or (iii) the Charles Brown Ice House.

**(s) “Tents” or “Temporary Shelters” mean any portable shelter usually of fabric or canvas stretched over a frame or supporting pole structure.**

(t) “Vehicle” means any wheeled device, whether motor-powered, animal-drawn or self-propelled. The term shall include any trailer in tow of any size, kind or description, except for baby carriages and vehicles in the service of the City parks. (Ord. 4424. Passed 4/17/07.)

941.02 PARK PROPERTY.

 (a) Buildings and Other Property.

 (1) Disfiguration and removal. No person shall willfully mark,
 deface, disfigure, damage, tamper with, displace or
 remove any buildings, bridges, tables, benches, fireplaces,
 railings, paving or paving material, water lines or other
 public utilities or parts or appurtenances thereof, signs,
 notices or placards, whether temporary or permanent,
 monuments, stakes, posts or other boundary markers, or
 other structures or equipment, facilities or park property
 or appurtenances whatsoever, either real or personal.

 (2) Restrooms and washrooms. No person who accesses or uses public restrooms or washrooms in a park shall fail to cooperate in maintaining restrooms and washrooms in a neat and sanitary condition. Every user shall clean up and properly dispose of trash and waste which he or she creates.

(3) Removal of natural resources. No person shall dig or remove any beach sand, whether submerged or not, or any soil, rock, stones, trees, shrubs or plants, down-timber or other wood or materials in a park, unless the park is designated as a community garden or the Director issues a permit to do so.

(4) Excavation. No person shall make any excavation by tool, equipment, blasting or other means or agency within a park,unless issued a permit to do so by the Director.

 (5) Erection of structures. No person shall construct or erect
any building, tent or temporary shelter of any kind, or run or string any public service utility into, upon or across park lands, except **by** special written permit issued as set forth in Section 941.08(c).

 (b) Trees, Shrubbery and Lawns.

(1) Injury and removal. No person shall damage, cut, carve,
transplant or remove any tree or plant or injure the bark
or pick the flowers or seeds of any tree or plant within a
park, nor shall any person attach any rope, wire or other
contrivance to any tree or plant within a park. No person shall dig in or otherwise disturb grass areas or in any way injure or impair the natural beauty or usefulness of any area within a park, unless specifically authorized by the Director.

(2) Climbing Trees, Structures and Fixtures. No person shall climb any tree or walk, stand or sit upon monuments, vases, fountains, railings, fences, walls or upon any other park property not designated or customarily and safely usable for such purposes.

 (3) Hitching of animals. No person shall tie or hitch an animal
 to any tree or plant in a park.

 (c) Wild Animals, Birds, Protective Species, Etc.

1. Hunting. No person shall hunt, molest, harm, frighten, kill, trap, chase, tease, shoot or throw projectiles at any animal, reptile or bird in a park, nor shall any person in a park remove, possess, control, molest or tamper with the young of any wild animal or the eggs, nest or young of any reptile or bird, except for authorized USDA animal control representatives or City

 employees.

 (2) Feeding. No person shall give or offer, or attempt to feed, any animal or bird in a park. (Ord. 2211 §3. Passed 9/22/70.)

941.03 SANITATION.

(a) Pollution of Waters. No person shall throw, discharge or otherwise place or cause to be placed in the waters of any fountain, pond, lake, stream or other body of water in or adjacent to any park, or any tributary, stream, storm sewer or drain flowing into such water, any substance, matter or thing, whether liquid or solid, which will or may result in the pollution or altering of the flow of such waters.

(b) Refuse, Trash, and Recycling**.** No person shall bring into or dump, deposit or leave any bottles, broken glass, ashes, paper, boxes, cans, dirt, rubbish or other trash in a park. None of the foregoing items shall be placed in any waters in or contiguous to any park, or left anywhere on the grounds thereof, but shall be placed in the proper receptacles where these are provided; where receptacles are not so provided, all rubbish or waste shall be carried away from the park by the person responsible for its presence, and properly disposed of elsewhere. (Ord. 2211 §4. Passed 9/22/70.)

941.04 TRAFFIC.

(a) State Motor Vehicle Laws Apply. No person in a park shall fail to comply with all applicable provisions of the State motor vehicle traffic laws in regard to equipment and operation of motorized vehicles together with such regulations as are contained in this Article and other ordinances.

(Ord. 4424. Passed 4/17/07.)

(b) Enforcement of Traffic Regulations. No person in a park shall fail to obey all traffic officers and park employees, such persons being hereby authorized and instructed to direct traffic whenever and wherever needed in the parks and on the highways, streets or roads immediately adjacent thereto in accordance with the provisions of these regulations and such supplementary regulations as may be issued by the Director.

(c) Obey Traffic Signs. No person shall fail to carefully observe all traffic and parking signs in parks.

(d) Speed of Vehicles. No person shall ride or drive a vehicle in a park at a rate of speed exceeding fifteen miles an hour, except upon such roads as the Director may designate by posted signs.

(e) Operation Confined to Roads. No person shall drive any motorized vehicle on any area except the paved park roads or parking areas, or such other areas as may on occasion be specifically designated as temporary parking areas by the Director. (Ord. 4424. Passed 4/17/07.)

 (f) Parking.

 (1) Designated areas. No person shall park a vehicle in other
 than an established or designated parking area in a park,
 and such use shall be in accordance with the posted
 directions **and/or** with the instructions of any attendant who
 may be present.

 (2) Night Parking. Except in an emergency, no person shall leave a vehicle in a park standing or parked at night on any

 driveway or road area except legally established parking areas,or by special permit issued by the Director. If a vehicle is disabled and left in an unauthorized area after a park is closed, the owner or operator shall follow the Vehicle Breakdown Notification Procedure.

(3) Vehicle Breakdown Notification Procedure. Whenever a vehicle has broken down in a park or has become otherwise inoperable therein, the operator of such vehicle shall notify, within one hour of the occurrence of such breakdown or inoperability, an attendant or the police if the breakdown or inoperability of the vehicle requires the assistance of a tow truck, mechanic or other person.

 (4) Double parking. No person shall double park any vehicle
 on any road or parkway unless directed by a park official.

 (g) Bicycles, skateboards, non-motorized scooters.

 (1) Confined to roads. No person shall ride a
 bicycle, skateboard, or non-motorized scooter in a park

 anywhere other than on a paved vehicular road or path
designated for that purpose or multiuse trail – mountain bike trail. A bicyclist shall be permitted to push a bicycle by hand over any grassy area or wooded trail or on any paved area reserved for pedestrian use.

(2) Racks. No person shall leave a bicycle in a park in a place other than a bicycle rack when such is provided and there is a space available.

(3) Immobile. No person shall leave a bicycle in a park lying on the ground or paving, or set against trees, or in any place or position so as to present any obstruction to pedestrian or vehicular traffic. (Ord. 2211 §5. Passed 9/22/70.)

(h) Motorized Vehicles. Motorized vehicles are prohibited on the multipurpose pathways in the parks and along the rivers, creeks, canals, (except along and upon designated areas). These paths are to be used for walking, running, biking, and

other non-motorized means of transportation. The prohibition against motorized vehicles shall not include segways, vehicles engaged in maintenance or emergency activities or vehicles approved by the Director. (Ord 4424. Passed 4/17/07.)

941.05 RECREATIONAL ACTIVITIES.

(a) Bathing and Swimming.

1. **Designated areas. No person shall bathe or swim in any natural waters and/or streams in or adjacent to any park, except where designated by the Director for the conduct of such activity.**

(2) Certain hours. No person shall frequent or enter any park waters or places designated for the purpose of swimming or bathing, nor congregate there, except between such hours of the day as shall be designated by the Director for such purposes.

 (3) Bathhouses. No person shall dress or undress in any vehicle,
 toilet or other place in a park, except in such bathing houses or structures as may be provided for that purpose.

 (b) Boating and Motorized Watercraft.

1. Designated areas. No person shall bring into a park or

operate any motorized boat, raft, or other motorized

watercraft, whether motor-powered or not, upon any waters located within or adjacent to a park, except at places designated for boating by the Director. Such activity shall be in accordance with applicable regulations of the Fish & Boat Commission as are now or may hereafter be adopted.

 (2) Operation of boats. No person shall navigate,
 direct or handle any boat in a park in such a manner as to

 annoy or frighten or endanger the occupants of any other boat or wildlife.

 (3) Prohibition during closing hours. No person shall launch,
 dock or operate any boat of any kind on any waters located within

 or adjacent to a park between the closing hour of the park at night

 and opening hour the following morning, nor shall any person be

 on, or remain on or in, any boat during the closed hours of the

 park.

 (c) Hunting Devices. No person shall discharge, shoot, aim or threaten the use of air rifles, spring guns, bow and arrows or slings that propel projectiles potentially harmful to wildlife and dangerous to human safety, nor shall any person use or operate any kind of animal trapping device, within a park or directed into park areas from beyond park boundaries, with the exception of authorized USDA animal control representatives or City employees. [See Article 725 regarding Discharging Firearms Prohibited; Exceptions] (Ord. 2015-12. Passed 3/17/15)

 (d) Picnic Areas and Use.

(1) Pavilions. Permits must be obtained from the Director for the use of pavilions in designated areas at South Mountain, Monocacy and Saucon Parks.

1. Open Fires. Open fires, portable fire pits, portable grills of all fuel types, and ground fires are prohibited in all parks.
2. **Cooking Fires. Cooking fires are allowed only in permanent mounted grills located at Saucon Park, South Mountain Park, and Monocacy Park pavilions. Charcoal shall be the only allowed fuel source for such grills. Cooking fires shall be completely extinguished at the conclusion of use. Spent charcoal and charcoal ash shall not be disposed of in dumpsters, placed on the ground, or thrown into any natural waters.**

(4) Duty of Picnickers and Permittees. No person who has started, re-started or used a cooking fire in a park shall leave the picnic area abandoned before the cooking fire is completely extinguished. Such persons and any permittees using a picnic area are required to, and are responsible for, extinguishing cooking fires started in a grill. Picnic area users and any permittees using the area are required to clean up and dispose of garbage, trash, and recyclables in the disposal receptacles provided. If no trash receptacles are available, then refuse and trash shall be carried away from the park area by such persons who shall lawfully dispose of the trash elsewhere.

(e) Camping. No person shall camp in any park without written permission from the Director.

(f) Safety. No person shall participate in any activity in a park that involves throwing or otherwise propelling objects such as stones, arrows, javelins or golf balls, except in areas set apart for such forms of recreation.

(g) Horseback Riding. No person shall ride a horse in any park. This subsection shall not apply to City of Bethlehem Mounted Police. (Ord. 2211 §6. Passed 9/22/70; Ord. 2009-23. Passed 9/1/09.)

**(h) Fishing. Fishing in parks is only permitted as regulated and licensed by the Pennsylvania Fish & Boat Commission.**

941.06 BEHAVIOR.

**(a) Alcoholic Beverages. No alcoholic beverages shall be brought into**

**or consumed in any park except at or within 25 feet of any pavilion in Monocacy Park, Saucon Park or South Mountain Park.**

 (1) Restrictions. Where alcoholic beverages are permitted in a

 Park, the following restrictions shall apply:

1. **Consumption of alcoholic beverages shall be restricted to those persons affiliated with pavilion permittee.**

(B) Alcoholic beverages are limited to malt or brewed beverages (beer, ale, malt liquor) and wine. Distilled spirits
such as whiskey, scotch, gin or any alcoholic beverage
with an alcoholic content of more than twelve percent (12%) are prohibited.

(C) Permitted containers for alcoholic beverages are metallic containers, with maximum content of sixteen ounces, and wine boxes. Bottles are prohibited.

 (2) Drunkenness. No person in a park shall be under the influence of intoxicating liquor in violation of Pennsylvania Crimes Code Section 5505, as amended, regarding public drunkenness.

(3) Private Events Exception. The restrictions in (a)(1)(A) and (B) shall not apply to private events conducted inside any Special Facility when all of the following are satisfied:

1. The event is authorized by (i) a permit agreement between the City and either a third party or a tenant of the Special Facility sponsoring the private event or (ii) a license agreement between the tenant of the Special Facility and a third party sponsoring the private event. All private events are subject to approval of the Director under paragraph (C) below.
2. A private event under this Article means that (i) attendance is by either by private invitation or direct ticket sales; (ii) the event shall not be open to the general public; (iii) attendance at the event shall not exceed any applicable building occupancy limits set by City ordinance and Code regulations and directives by the Fire Commissioner and Bethlehem Fire Inspection Department; and (iv) revenues from the event, if any are received by a tenant, permittee or licensee, shall benefit only non-profit and registered charitable organizations; and (v) for events held at any Special Facility, alcohol shall be served and consumed exclusively inside the building.
3. An application for a permit or license agreement for an event subject to Article 941.06 shall be submitted to and is subject to review and approval by the Director. The application shall be submitted no less than sixty (60) days prior to the event. A permit or license agreement approved by the Director must be executed by the permittee or licensee, as the case may be, and executed copies delivered to the Director and the City’s Legal Bureau no later than the date determined by the Director and set forth in the approved agreement. A permit or license agreement approved by the Director may be amended by written agreement executed by all parties. Execution of a permit or license agreement or amendment on behalf of the City shall be by the Mayor and Controller with signed approval and certification by the Director.
4. Alcohol shall be served free of charge at the private event. Attendees may bring their own alcohol for personal consumption (“BYOB”) to private events. The provision of alcohol shall not be conditioned upon (i) the purchase of a ticket for admission to the event; (ii) in exchange for a donation or other fee; (iii) a required purchase or payment that would constitute a sale of alcohol under the Pennsylvania Liquor Code. An allowable BYOB private event under this Article 941 is restricted to a private event inside a Special Facility which is permitted or licensed for a limited period of time, but in no event to exceed six (6) hours in length, nor to exceed one (1) rental in a twenty-four (24) hour period, nor to occur between the hours of 12:00 p.m. midnight and 11:00 a.m. (See City of Bethlehem ordinances, Article 736).

1. A permittee of the City, a tenant of the Special Facility or a licensee hosting a private event when alcohol will be served exceeding the restrictions in (a)(1)(A) and (B):

(i) shall obtain either a liquor liability insurance policy, or a special event liability insurance policy including host liquor liability coverage, or a general liability insurance policy including host liquor liability insurance coverage, satisfying coverage limits specified by the Director, naming the “City of Bethlehem, its officials and employees” as additional insureds, and scheduled in force for the duration of the event;

(ii) shall provide a certificate of insurance from a licensed insurance agent or the insurer, evidencing issuance of the required coverage, to the Director and the City’s Law Bureau no later than the date determined by the Director and set forth in the approved City permit or license;

1. The lease of a tenant hosting or licensing a private event shall not be in default status as determined in the sole judgment of the Director.

(4) Special Occasion Exception. A qualified entity under the Pennsylvania Liquor Code and applicable Pennsylvania Liquor Control Board (“PA LCB”) regulations may host and conduct an event in a park or Special Facility with the approval of the Director if the event qualifies for a Special Occasion Permit (“SOP”) under the Pennsylvania Liquor Code and if all additional conditions stated hereafter are satisfied:

 (A) The entity must apply for and receive approval by the Director of a permit for the event in compliance with (a)(3)(C) preceding.

(B) The entity must secure an SOP from the PA LCB. A copy of the required SOP issued by the PA LCB shall be provided to the Director and the City’s Law Bureau no later than the date determined by the Director and set forth in the approved City permit.

(C) The entity must comply with insurance requirements under (a)(3)(E) preceding.

(D) The permit for an event for which the applicant must obtain an SOP also must be approved by resolution of City Council which, in its discretion, may refuse approval of a permit if the event is deemed unsuitable to the facility, potentially harmful to the facility, if it conflicts with other events, if it conflicts with the City’s use of or access to the park, or if it causes unreasonable burden on City resources needed to support the event.

(E) Events authorized and conducted pursuant to an SOP and City Council approved permit may be open to the general public but the limitations of (a)(3)(B)(iii), (iv) and (v) preceding shall apply to the event.

(5) Bethlehem Golf Club Exception.

(A) A permittee, tenant or licensee operating the restaurant at the Bethlehem Golf Club on Illick’s Mill Road shall not be subject to restrictions on the provision, sale and service of alcohol under Article 941 but shall:

 (i) operate in compliance with the Pennsylvania Liquor Code and any PA LCB regulations regarding provision, sale and service of alcohol, including the terms and conditions of issuance and use of the required golf course liquor license;

 (ii) operate in compliance with the applicable lease, permit or license granted by the City;

 (iii) comply with the greater of the insurance requirements under (a)(3)(E) preceding or in the lease, if applicable;

 (iv) not pledge or encumber as collateral, sell, assign or transfer the liquor license without express written consent from the City signed by the Mayor and the Controller; a violation of the preceding entitling the City to terminate a permit, lease or license.

(B) The sale of beer on the golf course by the restaurant operator, and its consumption, if lawful under the applicable golf course liquor license, is permitted.

(6) Denial of Applications and Revocation of Permits. The Director may deny a permit application and City Council may refuse to approve a permit if the event is deemed, in either of their discretion, to be: (i) unsuitable to any park and/or Special Facility therein; (ii) potentially harmful to any park and/or Special Facility therein; (iii) in conflict with other events; (iv) in conflict with the City’s use of or access to any park and/or Special Facility therein; or (v) potentially causing an unreasonable burden on City resources needed to support the event. The Director may deny, suspend or revoke the permission granted an event host under a permit, lease or license who fails to comply with the requirements of this Article or other applicable laws, the PA Liquor Code, PA LCB regulations and City ordinances.

(b) Fireworks and Explosives. No person shall bring into, or have in his possession, or set off or otherwise cause to explode or discharge or burn, any firecrackers, torpedo, rockets, fireworks, explosives or flammable or incendiary material, or discharge them or throw them in any park or into any park from land or highway adjacent thereto. This prohibition includes the use or possession in any park of any substance, compound, mixture or article that in conjunction with any other substance or compound would be dangerous from any of the foregoing standpoints. Exceptions – (i) Permit authorization by the Director and the Bethlehem Fire Department; (ii) matches and lighter fluid used solely to ignite a cooking fire in a grill; and (iii) City employees for animal control.

(c) Domestic Animals. Domestic animals are allowed in parks but must be leashed and under the owner’s control. The leash shall not be longer than 6 feet, and the owner must pick up all animal waste and either dispose of it in receptacles provided or remove it from the park. Nothing herein shall be construed as permitting the unleashed running of domestic animals except in the City Dog Park. Dogs must be licensed and up to date on all vaccinations.

(d) Closed Areas. No person shall enter a park area posted as "Closed to the Public," nor shall any person use, or abet the use of any area in violation of posted notices.

(e) Gambling. No person shall gamble or participate in or initiate any game of chance in a park.

(f) Going Onto Ice. No person shall go onto the ice on any park waters except such areas as are designated as skating rinks, i.e. Earl E. Schaffer Municipal Rink.

(g) Malicious Loitering Prohibited. No person shall maliciously loiter in a City of Bethlehem park. However, no person shall be convicted under this subsection (g) unless a police officer observes the person engaged in the act of malicious loitering.

 (1) [Enforcement and Conviction.](http://ecode360.com/13739326#13739333)

(A) No person shall be convicted of malicious loitering in a City of Bethlehem park unless a police officer, at the time and upon observation of the alleged malicious loitering, determines that such person was causing the conditions of malicious loitering;

 (B) Unless flight by a suspected offender or other

 circumstances make it impracticable, a police officer shall, prior to making an arrest or issuing a citation for an offense under this Article, afford the person an opportunity to dispel suspicion, which otherwise would be reasonably warranted, by requesting the person’s identity, and proof thereof, and an explanation of his or her presence and conduct; and

 (C) No person shall be convicted of malicious loitering in violation of this Article if the police officer did not comply with Subsection ([B](http://ecode360.com/13739335#13739335)) preceding or if it appears to the fact finder at trial that the explanation given by the person was true and, if believed by the police officer at the time, should have dispelled the officer’s determination that the person engaged in malicious loitering.

(h) Exhibit Permits. No person in a park shall fail to produce and exhibit any permit from the Director he claims to have upon request of any authorized person who desires to inspect the permit for the purpose of enforcing compliance with any ordinance or rule. Users must have a permit to exclusively occupy designated pavilions.

1. Noise. Amplification Sound Systems, Public Address systems and amplified music are prohibited, unless approved by the Director. Revving the engine of a parked vehicle and playing music from a vehicle sound system to project noise into park areas is prohibited.

**(j) Generators. Generators powered by gasoline or diesel are not permitted in any park unless authorized under 941.08 (c).**

941.07 MERCHANDISING, ADVERTISING AND SIGNS.

(a) Vending and Peddling. No person in any park shall expose or offer for sale any article or thing, nor station or place any stand, cart or vehicle for the transportation, sale or display of any such article or thing, except in the case of a regularly licensed concessionaire acting by and under the authority and regulation of the Director. (Ord. 2211 §8. Passed 9/22/76.)

(b) Advertising. No person in a park shall announce, advertise or call the public attention in any way to any article or service for sale or hire, except as provided for in subsection (d) hereof.

(c) Signs. No person shall paste, glue, tack or otherwise post any sign, placard, advertisement or inscription whatsoever in a park, nor shall any

person erect or cause to be erected any sign whatsoever on any public lands or highways or roads adjacent to a park, except as provided for in subsection (d) hereof.

(d) Exceptions. An organization may, upon application and written approval by the Director and in accordance with the following provisions and restrictions, erect, or cause to be erected, signs promoting the interests, services, or events of their sponsors:

(1) Should any athletic or playing field be used by more than one organization, either concurrently or consecutively, then the Director shall be authorized to equally apportion areas for signs or may require an organization to remove all signs at the completion of the normal playing season.

1. Remuneration such as rental fees, if any, shall be a matter of private concern between the sponsor and the organization with no involvement whatsoever by the City or any of its officials.
2. City Council may, in any event, at any time, without regard to, and without incurring any liability whatsoever, direct that all signs erected be removed. The responsibility for removing signs shall be upon the organization erecting

 them. (Ord. 2462. Passed 3/18/75.)

 941.08 OPERATING POLICY

(a) Hours. Except for unusual and unforeseen emergencies, parks shall be open to the public every day of the year from dawn to dusk. Exception - The following will close at 11:00 P.M.: lighted baseball fields at Monocacy Park; lighted tennis and basketball courts at Sand Island; lighted athletic fields at Saucon Park; and the Golf Course Driving-Range. This subsection (a) does not pertain to the South Bethlehem Greenway. The Director is authorized to extend the hours for special events upon the request of any group or organization, provided such request is made at least forty-eight hours prior to the date of the special event. No individual shall enter any park area before dawn or after dusk, unless such individual has written permission of the Director. (Ord. 3010-Passed 9/3/85; Ord. 3426-Passed 8/6/91.)

(b) Closed Areas. Any section or part of any park may be declared closed to the public by the Director at any time and for any interval of time, either temporarily or at regular and stated intervals (daily or otherwise) and either entirely or merely to certain uses, as the Director shall find reasonably necessary.

(c) Permit. An Event Permit shall be obtained from the Director before establishing an organized park activity or event.

(1) Standards for issuance. The Director shall issue a permit hereunder when he finds that:

 (A) The proposed activity or use of the park will not
 unreasonably interfere with or detract from the general
 public enjoyment of the park;

(B) The proposed activity or use will not unreasonably interfere with or detract from the promotion of public health, welfare, safety and recreation;

(C) The proposed activity or use is not reasonably anticipated to incite violence, crime or disorderly

conduct;

(D) The proposed activity will not entail unusual, extraordinary or burdensome expense or police operation by the City; and

(E) The facilities desired have not been reserved for other use at the day and hour required in the application.

 (2) Appeal. Within ten days after receipt of an application the
Director shall apprise an applicant in writing of his reasons
for refusing a permit, and any aggrieved person shall have
the right to appeal in writing within ten days to City Council,
which shall consider the application under the standards set
forth in subsection (c) (1) hereof and sustain or overrule
the Director's decision within twenty-one days. The
decision of City Council shall be final.

 (3) Effect of permit. A permittee shall be bound by all park
 rules and regulations and all applicable ordinances fully as
 though the same were inserted in permits.

(4) Liability of permittee. The person or persons to whom a permit is issued shall be liable for any loss, damage or injury sustained by any person or the City whatsoever by reason of the negligence of the person or persons to whom such permit has been issued.

 (5) Revocation. The Director shall have the authority to revoke
 a permit upon a finding of violation of any rule or ordinance,

 or upon cause shown. (Ord. 2211 §9. Passed 9/22/70.)

941.09 ENFORCEMENT.

(a) Officials. The Director, the Police, and City park employees shall, in connection with their duties imposed by law, diligently enforce the provisions of this Article.

(b) Ejectment. The Director, the Police and any City park employee shall have the authority to eject from any park any person acting in violation of this Article.

941.99 PENALTY.

Any person who violates any provision of this Article commits a Summary Offense and upon conviction shall be sentenced to pay a fine or to imprisonment, or both, at the discretion of the court, according to the following schedule:

 (a) First violation - A fine of $200.00, or thirty days imprisonment,
 or both;

(b) Second violation - A fine of $500.00, or sixty days imprisonment, or both;

(c) Third and each subsequent violation - A fine of $1,000.00, or ninety days imprisonment, or both. (Ord. 3038. Passed 10/22/85; Ord. 3242. Passed 2/7/89.)

(Ord. 2014-33. Passed 11/18/14.)