

ORDINANCE NO. 150

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF UPPER MILFORD TOWNSHIP, LEHIGH COUNTY, PENNSYLVANIA, REGULATING THE USE AND ENJOYMENT BY THE PUBLIC OF THE HAROLD G. FULMER NATURE PRESERVE; PRESCRIBING RULES AND REGULATIONS FOR THE USE BY THE PUBLIC THEREIN; AND PRESCRIBING PENALTIES FOR THE VIOLATIONS OF THOSE RULES AND REGULATIONS.

WHEREAS, Upper Milford Township (“Township”) is a Second Class Township located in Lehigh County, Pennsylvania; and

WHEREAS, pursuant to Section 2203 of the Second Class Township Code, the Board of Supervisors (“Board”) may by ordinance regulate the use and enjoyment by the public of any park or recreation grounds owned and maintained by the Township, and prescribe rules for the use by the public of parks and recreation grounds and facilities connected therewith; and

WHEREAS, the Board has heretofore previously adopted Ordinance Nos. 73, 78, and 135 regulating the use and enjoyment by the public of parks or recreation ground owned and operated by the Township and prescribed rules for the use by the public of parks and recreation grounds and facilities connected therewith; and

WHEREAS, the Township recently acquired the Harold G. Fulmer Nature Preserve located at 3620 Quarry Drive North, Emmaus, PA, 3751 Main Road East, Emmaus, PA and 3750 Quarry Drive, Emmaus, PA (“Properties”) and the Board is desirous to adopt prescribed rules and regulations for this property.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, by the Board of Supervisors of Upper Milford Township, Lehigh County, Pennsylvania, as follows:

1. The Board of Supervisors of Upper Milford Township hereby adopt the attached rules and regulations for the Harold G. Fulmer Nature Preserve at the

forementioned Properties for the use and enjoyment by the public. A copy of the rules and regulations are attached hereto, made a part hereof, and marked as Exhibit "A".

2. The rules and regulations shall be posted in conspicuous places at the Properties.

3. Any person who violates the rules and regulations, including any field use rules and regulations, shall be guilty of a summary offense, be sentenced to a term of imprisonment which shall be fixed by the Court at not more than ninety (90) days, and/or be fined in an amount not to exceed One Thousand Dollars (\$1,000.00) per violation. In addition, any person found guilty of a summary offense shall be directed to make restitution to the Township, be responsible for all reasonable attorney's fees and expenses incurred by the Township as a result of the prosecution, and be responsible for all costs of prosecution.

4. All ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed.

5. This Ordinance shall become effective five (5) days after adoption.

ORDAINED AND ADOPTED this 29th day of December, 2016, by the Board of Supervisors of Upper Milford Township.

ATTEST:

**BOARD OF SUPERVISORS
UPPER MILFORD TOWNSHIP**

Jessie L. Donald
SECRETARY

George D. DeVault
George D. DeVault, CHAIRPERSON

Daniel J. Mohr
Daniel J. Mohr, VICE CHAIRPERSON

Robert C. Sentner
Robert C. Sentner, SUPERVISOR

EXHIBIT "A"

UPPER MILFORD TOWNSHIP HAROLD G. FULMER NATURE PRESERVE RULES AND REGULATIONS

1. Automobiles may be driven and parked only in driving areas specifically designated for parking, and at no time shall motor vehicles of any description be permitted on the lawn or seeded areas without the express permission of the Board of Supervisors. Parking provided for park visitors only. No vehicle maintenance to be conducted.
2. No littering or dumping shall be allowed and refuse shall be placed in the proper receptacles for recyclables and non-recyclables. Refuse is that which is generated in the park; no disposal of household refuse.
3. No outdoor fires for cooking purposes or otherwise, are permitted other than facility(s) specifically as may be provided by the Township.
4. No person shall be allowed to cut, mutilate, remove, take or carry away any trees, shrubs, flowers, or plants of any nature whatsoever unless it be with the specific permission of the Board of Supervisors. No excavation by hand, tools, or equipment is permitted.
5. No mineral deposit of any nature whatsoever, including, but not limited to Jasper, shall be removed from the property(s).
6. Consumption of alcohol is prohibited. Use of indecent, profane, and improper language is not tolerated. Disorderly conduct of any type will lead to prosecution.
7. Pets are permitted in the parks; however, the same shall be the absolute responsibility of its owner, and all dogs shall be required to be on a leash and under proper and adequate control, including the proper removal of pets' feces.
8. The removing, defacing or destructing of any sign, poster, fixture, building or any other property on the premises is expressly prohibited.
9. The use of firearms, archery, air rifles, or any device capable of discharging a projectile is strictly prohibited and no hunting, trapping, or taking of wildlife is permitted in park areas unless specifically carried out by an officer of the law or other authorized person performing his assigned or authorized duty.

10. No political or religious demonstrations or rallies shall be allowed or placards, advertisement, public notices or personal cards shall be distributed, posted or affixed in any manner in park areas other than notices from the Board of Supervisors.
11. All bicycle or other wheeled activity shall be conducted only on designated areas. Helmets and proper safety equipment are required. No motorized vehicles, unlicensed recreational vehicles, snowmobiles or the like, are permitted.(Not including vehicles and equipment associated with agricultural practices or other such motorized equipment as may be necessary for property maintenance.
12. Township Parks shall be drug free areas.
13. Persons shall be permitted on the park premises between dawn and dusk prevailing time only.
14. No swimming or boating shall be allowed.