

WEST GOSHEN TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA

ORDINANCE NO. ____ – 2020

**AN ORDINANCE OF THE TOWNSHIP OF WEST GOSHEN,
CHESTER COUNTY, PENNSYLVANIA, AMENDING THE
WEST GOSHEN TOWNSHIP CODE OF ORDINANCES, AS
AMENDED, CHAPTER 57, TITLED “PARKS AND
RECREATION AREAS”, TO CLARIFY PERMITTED USES
IN TOWNSHIP PARKS.**

BE IT ENACTED AND ORDAINED by the Board of Supervisors of West Goshen Township that the West Goshen Township Code of Ordinances, as amended, Chapter 57, titled “Parks and Recreation Areas”, is hereby further amended as follows:

SECTION 1. Section 57-3(E) is amended to read as follows:

§57-3.

E. Permission and permitting required.

- (1) Any for-profit organization, association, group, league, corporation, partnership or sole proprietor, regardless of size, that is not affiliated or sponsored by the Township, may not use the Township parks or fields for their business use.
- (2) No person, organization, association, group, league, corporation or partnership, whether operated for profit or not for profit shall hold any meeting, gathering or activity (hereafter "activity") assembled through public or private advertisement or notice, whether written, oral or electronic, within the parks without first having made written application to and having been issued a valid permit by the Township Manager or his designee. The permit application shall specify the sponsoring person or organization, the approximate number of persons attending the activity, the hours for which the activity is scheduled, the nature of any equipment which the permittee intends to bring to the park in connection with the activity, the park facilities requested to be used and such other pertinent information as the Township Manager may require. The application for such permit shall be made at least 10 calendar days prior to the time of the planned activity for which the permit is being requested.
- (3) Such permit shall specify location or locations within the park where such gathering, meeting or activity will be held, which limitation shall circumscribe the only permitted location thereof. Use of any park facilities or areas not authorized by the permit shall constitute sufficient grounds for expulsion of the activity from the parks. The application for such permit shall be in the name of a person who

shall be responsible for the collection and immediate removal by the permittee from the park following the activity of all refuse and other material utilized in connection with such activity. In the event that containers have been provided by the township within the park, they may be utilized for disposal of such refuse if they are sufficiently empty to accommodate the amount of refuse produced by the activity. In no event shall refuse be allowed to spill from township-provided containers or left in and around the containers or at other locations in the park.

(4) Scheduling for the use of Township parks or fields will be on a first-come, first-serve basis; however, activities sponsored by or affiliated with the Township shall be given first priority

SECTION 2. Section 57-3(l) is amended to read as follows:

§57-3.

- I. Sales, structures, and for-profit activity prohibited. No person or organization, association, group, league, corporation or partnership, whether operated for profit or not for profit shall set up any booth, table, stand, vehicle or other structure whatsoever within the parks or fields without the prior written consent of the Township^[JB1], which shall have authority and discretion to refuse such consent in any instance. No person or organization, association, group, league, corporation or partnership, whether operated for profit or not for profit shall sell or offer for sale any object, merchandise, object of value, or services, including but not limited to personal training or athletic coaching, in the parks or fields, unless so specified by a permit which is first obtained for such purpose, or express written consent as described in §57-3(E)(1) above.

SECTION 3. SEVERABILITY. If any provision, sentence, clause, section or 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 of the remaining provisions, sentences, clauses, sections or parts hereof. It is hereby declared as the intent of the Township Board of Supervisors that this Ordinance would have been adopted had such unconstitutional, illegal or invalid provision, sentence, clause, section or part thereof not been included herein.

SECTION 4. REPEALER. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of any such inconsistency.

SECTION 5. EFFECTIVE DATE. This Ordinance shall become effective five days after enactment as by law provided.

ENACTED AND ORDAINED this _____ day of _____, 2020.

ATTEST:

**BOARD OF SUPERVISORS
WEST GOSHEN TOWNSHIP**

Casey LaLonde, Secretary

BY: _____
Robin Stuntebeck, Chair

Shaun Walsh, Vice-Chair

Ashley Gagné, Member

John Hellman, Member

Hugh J. Purnell, Jr., Member