

**BOROUGH OF CONSHOHOCKEN**  
**MONTGOMERY COUNTY, PENNSYLVANIA**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE BOROUGH OF CONSHOHOCKEN, MONTGOMERY COUNTY, COMMONWEALTH OF PENNSYLVANIA, AMENDING CHAPTER 16 *PARKS AND RECREATION* OF THE CODE OF ORDINANCES OF THE BOROUGH OF CONSHOHOCKEN BY AMENDING THE CHAPTER'S REGULATION OF THE BOROUGH'S PARK, PLAYGROUND, AND RECREATIONAL FACILITIES AND AREAS; CLARIFYING THE ROLE OF THE BOROUGH'S RECREATION SERVICES DEPARTMENT; AMENDING THE CHAPTER'S PROVISIONS REGARDING A PARK AND RECREATION COMMISSION; REPEALING PRIOR INCONSISTENT ORDINANCES AND PARTS OF ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; AND CONTAINING AN EFFECTIVE DATE.**

**WHEREAS**, the Borough Council of the Borough of Conshohocken is duly empowered by the Borough Code to enact certain regulations relating to the public health, safety and welfare of the community of the Borough of Conshohocken, including specifically the regulation of the Borough's park, playground, and recreational facilities and areas;

**WHEREAS**, the Borough Council of the Borough of Conshohocken has enacted regulations regarding the Borough's park, playground, and recreational facilities and areas at Chapter 16 *Parks and Recreation* (the "Park and Recreation Regulations") of the Borough's Code of Ordinances;

**WHEREA**, the Borough's current park, playground, and recreation system, facilities, programs, etc. exceed those in existence at the time the majority of the Park and Recreation Regulations were enacted, and are now managed by the Recreation Services Department within the Borough's administrative staff; and

**WHEREAS**, the Borough Council of the Borough of Conshohocken believes it to be in the best interest of the Borough to update the Borough's Park and Recreation Regulations, clarify the role of the Recreation Services Department, create provisions for a new Park and Recreation Commission with modified powers that fit within the Borough's existing park, playground, and recreation system, and to otherwise amend the Park and Recreation Regulations to address the Borough's current park, playground, and recreation system.

**NOW THEREFORE, BE IT ORDAINED AND ENACTED** by the Borough Council of the Borough of Conshohocken as follows:

**SECTION 1.**

Chapter 16 *Parks and Recreation* of the Borough’s Code of Ordinances is hereby repealed in its entirety and replaced with the following:

**Chapter 16 Parks and Recreation**

**Part 1 RULES AND REGULATIONS APPLICABLE TO ALL BOROUGH PARKS, PLAYGROUNDS, AND OTHER RECREATIONAL FACILITIES AND AREAS**

**§ 16-101. General Provisions.**

**A. Recreation Services Department.** The public parks, playgrounds, and other recreational facilities and areas of the Borough of Conshohocken shall be under the control of, and managed by, the Recreation Services Department, or any successor department, which shall be a department of the Borough’s administration.

**B. Public parks, playgrounds, and other recreational areas of the Borough identified.** The following areas are identified as the public parks, playgrounds, and other recreational facilities and areas of the Borough, which list may be amended from time-to-time by ordinance, resolution, or other appropriate action of Borough Council:

<b><u>Name</u></b>	<b><u>Location</u></b>
2nd Avenue Park	West 2nd Avenue and Maple Street
AA. Garthwaite Stadium (A-Field)	East 11th Avenue and Harry Street
Anita Barton Park	Adjacent to 20 West 6th Avenue
Aubrey Collins Memorial Park	248 East Elm Street
B Field	East 13th Avenue and Hallowell Street
Community Center at the Fel	515 Harry Street
Fritz Lodge Pocket Park	801 Fayette Street

Haines & Salvati Memorial Park	Wood Street, behind homes at 321-339 West Elm Street
Mary H. Wood Park and Mary H. Wood Park House	East 6th Avenue and Hallowell Street
Sutcliffe Park	900 Freedley Street
Weinmann Park	Harry Street and Stoddard Avenue

C. **Alcohol.** No person shall consume or possess any alcohol, liquor, malt or brewed beverage, as such drinks are defined in the Liquor Code of the Commonwealth of Pennsylvania, in any public park, playground or other recreational facility or area in the Borough.

D. **Tobacco.** The public parks, playgrounds, and other recreational facilities and areas of the Borough shall be tobacco free.

1. No person shall possess or use any tobacco product in any public park, playground, or other recreational facility or area in the Borough.

2. "Tobacco product" shall mean:

a. Any product containing, made, or derived from tobacco or nicotine that is intended for human consumption, whether smoked, heated, chewed, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, including, but not limited to, cigarettes, cigars, little cigars, chewing tobacco, pipe tobacco, snuff; and

b. Any electronic device that delivers nicotine or other substances to the person inhaling from the device, including, but not limited to, electronic cigarette, cigar, pipe, or hookah.

c. Notwithstanding any provision of Subsection **D.2.a** and **D.2.b** to the contrary, "tobacco product" includes any component,

part, or accessory of a tobacco product, whether or not sold separately.

d. "Tobacco product" does not include any product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product or for other therapeutic purposes where such product is marketed and sold for such an approved purpose.

**§ 16-102. Visitation Hours Regulated in Public Parks, Playgrounds and Other Recreational Facilities and Areas.**

No person shall enter or remain upon any public park, playground or other recreational facility or area in the Borough during hours as set by Borough Council from time to time by resolution.

**§ 16-103. Rules and Regulations in Public Parks, Playgrounds and Other Recreational Facilities and Areas.**

In addition to those prohibited acts specifically set forth in this Chapter, the use and occupation of public parks, playgrounds, or other recreational facilities and areas of the Borough shall be subject to such rules and regulations as shall be established by ordinance or resolution of the Borough Council of the Borough of Conshohocken from time to time.

**§ 16-104. Penalty for Violation.**

Any person, firm or corporation who shall violate any provision of this Chapter shall, upon conviction thereof, be sentenced to pay a fine of not more than \$600 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation continues shall constitute a separate offense.

**Part 2 PARK AND RECREATION COMMISSION**

**§ 16-201. Park and Recreation Commission.**

A. A Park and Recreation Commission is hereby created consisting of five members, two of whom may be members of the Borough Council, and all of whom shall be residents of or engaged in business in the Borough of Conshohocken.

B. Said Commission shall be selected and serve as follows:

1. Of those Commissioners who may be members of Borough Council, Borough Council may appoint two members to serve for a term of two years or until the expiration of their terms as Council members if within two years.

2. Of those Commissioners who are to be residents of or engaged in business in Conshohocken as herein provided they shall be appointed by Borough Council to serve for a term of two years.

3. Commissioners shall be subject to removal by Borough Council in its absolute discretion for any cause or no cause at all.

4. Whenever a vacancy for any reason shall occur, it shall be filled in the same manner and by the same body or bodies appointing the original Commissioners.

5. The Commissioners shall receive no compensation for their services.

6. Immediately upon their appointment, said Commissioners shall organize and elect from their own number a Chair and a Secretary, and such other officers or committees, as they may deem proper. The Commissioners shall reorganize in January of the year following a municipal election.

**§ 16-202. Purpose and Duties of Parks and Recreation Commission.**

A. The purpose of the Parks and Recreation Commission shall be to advise in the development, use, improvements, and maintenance of the Borough's parks, playgrounds, and recreational facilities and areas as set forth in this Chapter.

B. At the request of Borough Council, the Parks and Recreation Commission shall review and make recommendations to Borough Council for adoption of the following:

1. Rules and regulations for the operation of the parks, playgrounds, and recreational facilities and areas owned or otherwise controlled by the Borough.
2. Maintenance, use, removal, or improvement of existing parks, playgrounds, and recreational facilities and areas owned or otherwise controlled by the Borough.
3. Acquisition and development of new parks, playgrounds, and recreational facilities and areas by the Borough.
4. Ordinance provisions that relate to use of the parks, playgrounds, and recreational facilities and areas, and management of same.
5. New development proposals, with regard to the adequacy of parks, playgrounds, or other recreational facilities and areas.

C. Advise and assist in special projects or events related to parks, playgrounds, and recreation at the request of the Recreation Service Department or Borough Council.

D. Submit an annual report to the Borough Council, including an analysis of the adequacy and effectiveness of Borough parks, playgrounds, and recreation facilities and areas. Also included in the annual report should be recommendations for improvements, additions, deletions or upgrades for parks, playgrounds, and recreational facilities and areas.

E. Use the most current Borough Comprehensive Plan and the other official Borough plans for the Borough's park, playground, and recreation system as tools to guide the Borough's role in park, playground, and recreational efforts, and make recommendations to the Borough Council to revise and update these documents from time to time.

§ 16-203. **Role of Borough Staff.** The Director of Recreation Services, Borough Manager, and/or other person appointed by the Borough Manager or Borough Council will attend regular Commission meetings as necessary in an effort to facilitate communication between the Commission, the Borough Council, the Recreation Services Department, and

the Borough's administration. The Director of Recreation Services, Borough Manager, and/or other person appointed by the Borough Manager or Borough Council will work with the Commission on researching and applying for available grant moneys if requested by Borough Council.

### Part 3 **MARY H. WOOD PARK**

#### § 16-301. **The "Mary H. Wood Park" Named.**

The public park and playground, extending from Fifth Avenue to Sixth Avenue and from Harry Street to Hallowell Street, given and devised to the Borough of Conshohocken under the will of Mary H. Wood, deceased, shall hereafter be known as the "Mary H. Wood Park."

#### § 16-302. **Manner of Use of Mary H. Wood Park.**

Said park and playground shall be used for the recreation and enjoyment of the public, in such manner and for such purposes as may from time to time be ordained by the Borough authorities; subject to the rules and regulations herein contained and to such rules and regulations as may be laid down by Borough Council pursuant to this Chapter with the recommendation, as applicable, of the Recreation Services Department and the Park and Recreation Commission created in this Chapter.

#### § 16-303. **Rules and Regulations for Mary H. Wood Park.**

Said park and playground shall be under the following rules and regulations; and such others as Borough Council from time to time may establish by ordinance, resolution, or such other appropriate act, with the recommendation, as applicable, of the Recreation Services Department and the Park and Recreation Commission created in this Chapter:

- A. No person shall carry firearms or shoot birds in the park, or throw stones or other missiles therein.
- B. No one shall cut, break or in anywise injure or deface the trees, shrubs, plants, turf or any of the buildings, fences, structures or statuary or foul any water within the park or its buildings.

C. No person shall sell or expose any articles for sale within the park without the permission of the Borough.

D. No gaming shall be allowed therein, nor any obscene or indecent act therein.

E. No person shall have any musical, theatrical or other entertainment therein without the permission of the Borough.

F. No gathering or meeting of any kind, assembled through advertisement, shall be permitted in the park without the previous permission of the Recreation Services Department, nor shall any gathering or meeting for political purposes in the park be permitted under any circumstances.

G. No person shall solicit alms or subscriptions in the park.

H. No person shall scatter, drop or leave in any part of the park, except in the receptacles provided for the purpose, any piece of paper, rag, garbage, dead flowers or other rubbish.

I. No person shall injure, deface or destroy any notices, rules or regulations for the government of the park placed, posted or in any other manner permanently fixed within the limits of the same.

J. No placard, advertisement, public notice or personal card, except park notices, rules and regulations, shall be distributed, posted or affixed in any manner in the park.

K. No person without the authority of the Borough shall light or permit a fire to burn in the park or its buildings.

**§ 16-304. Penalty for Violation of Park Rules and Regulations.**

Any person who shall violate any of the foregoing rules or regulations or any others which shall be established by Borough Council as set forth in this Chapter, shall upon conviction thereof, be sentenced to a fine of not to more than \$600 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation continues shall constitute a separate offense.

§ 16-305. **The Mary H. Wood Fund.**

All income and other moneys derived from the trust fund created under the will of Mary H. Wood, deceased, or from any other trust fund now or thereafter created for the purposes or uses of said park shall be paid over to the Borough Treasurer, who is hereby designated the proper official to receive and receipt for same. Said moneys shall be kept in a separate fund to be known as the "Mary H. Wood Fund." Payments therefrom shall be made only for the uses and purposes as set forth in Item six of the codicil of the said will of Mary H. Wood, deceased.

Part 4 **A.A. GARTHWAITE FIELD**

§ 16-401. **"A.A. Garthwaite Field" Named.**

The following described premises conveyed by Leeland Foundation to the Borough of Conshohocken shall hereafter forever be known and designated as "A.A. Garthwaite Field," to wit:

All that certain premises beginning at a spike at the intersection of the northwest right-of-way line of Hallowell Street (66.0 feet wide) and the northeast right-of-way line of Eleventh Street (80.0 feet wide); thence from said point of beginning along the northeast right-of-way line of Eleventh Street N44° 10'34" W500.00 feet to a drill hole in the southeast right-of-way line of Harry Street (50.0 feet wide); thence along the southeast right-of-way line of Harry Street N45° 45'34" E322.90 feet to an iron pin; thence S43° 05'38" E320.98 feet to a concrete monument; thence N46° 41'04" E136.98 feet to a concrete monument; thence N47° 12'59" E210.08 feet to an iron pin; thence N44° 06'57" W54.70 feet to an iron pin; thence N45° 25'01" E75.00 feet to an iron pin in the southwest right-of-way line of 13th Street (60.0 feet wide); thence along said right-of-way line S44° 07'00" E500.00 feet to an iron pin in the northwest right-of-way line of Hallowell Street; thence along said right-of-way line S45° 53'42" W751.68 feet, passing through an iron pin 421.68 feet distance, to the point and place of beginning; containing 3.157 acres.

§ 16-402. **Prohibited Acts.**

A. A.A. Garthwaite Field and the use and occupation of said premises by the public shall be subject to such rules and regulations as shall be established by ordinance, resolution, or such other appropriate act of the Borough Council. In addition to such rules and regulations as may be established from time to time by Borough Council, it shall be unlawful for any person:

1. To park or operate any motor vehicle thereon without the prior permission of the Borough.
2. To carry, possess or consume any alcoholic beverage or intoxicant upon the premises.
3. To engage in any games, sports, competition or other activity without the prior scheduled approval of the Director of Recreation Services.
4. To remain or be present upon the premises more than one hour after the close of a scheduled activity.
5. To ride, push or possess any bicycle upon the premises.
6. To bring, allow or permit any dog or other animal upon the premises.
7. To be or remain upon the premises after dark unless a properly scheduled activity is in progress or has terminated within the previous hour.
8. To fail to cooperate in maintaining rest rooms and washrooms in a neat and sanitary condition.
9. To willfully mark, deface, disfigure, injure, tamper with, damage, displace or remove any building, wall, fence, railing, gate, grandstand, post or other structures, equipment, facilities, field property or appurtenances whatsoever, either real or personal.
10. Unless previously authorized by Borough, to sell or offer for sale any article or thing.

11. To willfully interfere with, disrupt or prevent the performance of any scheduled activity.

12. To cause any nuisance or disturbance of the peace.

§ 16-403. Penalties.

Any person, firm or corporation who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine of not more than \$600 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation continues shall constitute a separate offense.

**SECTION 2.**

Any and all other ordinances or parts of ordinances in violation or in conflict with the terms, conditions and provisions of this ordinance are hereby repealed to the extent of such irreconcilable conflict.

**SECTION 3.**

The terms, conditions and provisions of this ordinance are hereby declared to be severable, and, should any portion, part or provision of this ordinance be found by a court of competent jurisdiction to be invalid, non-enforceable or unconstitutional, the Council hereby declares its intent that the ordinance shall have been enacted without regard to the invalid, non-enforceable, or unconstitutional portion, part or provision of this ordinance.

**SECTION 4.**

This ordinance shall become effective at the earliest time permitted by Pennsylvania law.

**ORDAINED** and **ENACTED** an ordinance of the Borough of Conshohocken this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

**BOROUGH OF CONSHOHOCKEN:**

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TINA SOKOLOWSKI  
COUNCIL PRESIDENT

ATTEST:

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STEPHANIE CECCO,  
BOROUGH SECRETARY

Approved this \_\_\_\_\_ day of \_\_\_\_\_,  
2026

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YANIV ARONSON, MAYOR