

**PARKS AND RECREATION COMMISSION  
MEETING  
APRIL 27, 2022  
AGENDA  
7:00 P.M.**

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- I. CALL TO ORDER
- II. ATTENDANCE
- III. PRESENTATION
  - A. Proposed Eagle Scout Project by Liam Hitchens
- IV. NEW BUSINESS
  - A. Review of Nancy Werner (Island Park) Park Rules and Regulations
  - B. Park Courts
  - C. Park Updates
- V. APPROVAL OF MEETING MINUTES
  - A. March 23, 2022
- VI. OTHER BUSINESS
- VII. ADJOURNMENT

BILL NO. B-16-85

Revised 3, 28/85 5/9/85  
4/2/85  
5/1/85 6/4/85  
ORDINANCE NO. 816

TOWNSHIP OF O'HARA  
ALLEGHENY COUNTY, PENNSYLVANIA

AN ORDINANCE OF THE TOWNSHIP OF O'HARA ENACTING  
AND ESTABLISHING RULES, REGULATIONS, AND FEE  
SCHEDULES FOR THE USE OF ISLAND PARK RECREATION  
AREAS.

THE TOWNSHIP OF O'HARA HEREBY ORDAINS:

WHEREAS, the Township of O'Hara is fortunate to possess within its boundaries an island park recreation area known as Nancy Werner Park situated on Six-Mile Island located in the Fourth Ward of O'Hara Township in the Allegheny River; and

WHEREAS, the Township of O'Hara recognizes that the island park recreation area is ecologically sensitive and that damage to the island may result if the area is not managed correctly; and

WHEREAS, it is necessary for the protection of the township of O'Hara that certain rules and regulations be adopted and enforced regarding the issuance of an annual island park recreation area permit and the use of the island by the permit holder and members of the public:

SECTION I. Issuance of Annual Permit for Use of the  
Island Park Recreation Areas

A. The township manager is authorized to issue an annual permit for use of the island park recreation area to any non-profit organization as defined by Section 501 of the Internal Revenue Code which can best demonstrate that it will preserve, maintain, and protect the natural state of the island.

B. The township manager shall develop an application form to be used by applicants for annual island park recreation area permits. Said form shall be designed to provide information on the ability of the applicant to carry out the above-stated policy.

C. Upon the review of the applications for the annual island park recreation area permit, the township manager shall award the permit to that organization which best demonstrates the ability to protect, maintain, and preserve the island park and which agrees to abide by the rules and regulations for the island park.

D. The fee for the annual island park recreation area permit shall be \$1,000., plus \$25 for each member over twenty-five (25) using the island on a seasonal basis. Payment of the fee must be made before a permit will be issued.

E. Term of the lease will be from April 1 to March 31 of each year. New applications must be submitted annually.

SECTION II. Rules and Regulations

A. The following rules and regulations shall apply to the annual island park recreation area permit holder:

1. The permit holder shall agree to indemnify, hold harmless, and defend the Township of O'Hara from and against any and all actions or causes of action, claims, demands, liabilities, loss, damage, or expense of whatsoever kind in nature, including attorney's fees, which the Township of O'Hara may suffer or incur by reason of bodily injury, including death, to any person or persons, or by reason of damage to or destruction of any property, including the loss of use thereof, arising out of or in any manner connected with the use of an island park recreation area permit holder, or which the Township of O'Hara may sustain or incur in connection with any litigation, investigation, or other expenditures incident thereto, including any suit instituted to enforce the obligation of this agreement of indemnity, whether or not due in whole or in part to any act, omission, or negligence of the Township of O'Hara, or any of its representatives, or employees, in an amount not less than \$500,000 per occurrence for bodily injury, including death, and in an amount not less than \$100,000 for damage to or destruction of property, including the loss of use thereof, per occurrence.

2. The permit holder shall furnish to the Township of O'Hara two copies of a certificate from the permit holder's insurance carrier, acceptable to the Township of O'Hara, that policies of insurance have been issued by it to the permit holder providing for the insurance listed above, and that such policies are in force. Such certificates shall state that the Township of O'Hara is named as an additional insured, and the insurance carrier will give the Township of O'Hara thirty (30) days prior written notice of any cancellation or material change in such policies. The certificate shall also quote in full the agreement of indemnity set forth above as evidence of the type of contractual liability coverage furnished. The Township of O'Hara will receive a copy of the policy and shall approve its provisions.

3. The permit holder may restrict the use of the island park recreation area by any member of the public except as follows:

a. Said use may be limited to twenty-four (24) continuous hours.

b. Members of the public who disobey any of the rules and regulations as herein contained may be denied access to or use of the island park recreation area. Violations must be directed to the township for prosecution.

Revised 3/28/85

5/1/85

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4. The permit holder if constructing any docks or landings on the island park recreation area, must reserve a minimum of two docks or landings for public use.

5. The permit holder shall comply with all applicable federal, state, and local regulations presently in existence and those which may be issued during the term of the permit holder's stay on the island park recreation area. Specifically included in the above are rules and regulations pertaining to the human, animal, solid, and liquid waste disposal.

6. The permit holder shall provide the township with a cash bond in the amount of five hundred dollars (\$500) to be used by the township to defray any costs incurred by the township as a result of actions or inactions by the permit holder while using the island park recreation area. It is understood that this bond does not in any way reduce the responsibility of the permit holder under Section II, subsection A, paragraphs 1 and 2, of this ordinance. The bond will be refunded to the permit holder within sixty (60) days of termination of the permit, provided that no use of the bond by the township is necessary.

B. The following rules and regulations shall apply to the island park recreation area permit holder, its members, guests, visitors, and members of the public who use the island park recreation areas.

1. The island park recreation area may only be used for such recreation purposes as overnight camping, fishing, swimming, boating, and other similar activities.

2. Littering is absolutely prohibited.

3. Trees, shrubs, hedges, berries, wild flowers or other flowers must not be picked, cut, broken or injured in any way.

4. Any person or organization using the island park recreation area, whether with or without a permit, shall be fully and financially responsible for any damages they may inflict upon park property and equipment.

5. No person shall conduct herself or himself in any manner which causes harm to the health, safety, morals, or general welfare of any person within the island park.

6. Lotteries or other gambling or games of chance are prohibited.

7. Alcoholic beverages are permitted. Drunkenness, disorderly or indecent conduct, and profane or offensive language are forbidden.

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8. No firearms, airguns, pistols, rifles, or weapons of any nature shall be used or carried within the limit of an island park.

9. When amplifying or sound systems are used, the maximum time permitted shall be limited to a maximum of four (4) hours and may only be used between the hours of 10:00 A.M. to 8:00 P.M., Monday - Saturday, and 1:00 P.M. to 8:00 P.M., Sunday. Noise levels which disturb the peace are not permitted.

10. No person or organization may sell or offer for sale any service for hire, article, or substance within the limits of an island park or set up any stand or booth for such purposes, or distribute or display handbills, cards, or advertisements of any nature whatsoever unless duly authorized by the township manager.

11. Permanent structures may not be constructed.

SECTION III. Penalties

A. Any person violating any of the provisions of this ordinance or any regulation or rule provided herein shall upon conviction thereof in any summary proceeding before any magistrate be sentenced to pay a fine not in excess of \$300 and not less than \$25 and costs of prosecution.

B. All applicants for island park recreation area permits shall be required to sign the following statement as part of the application:

"I hereby acknowledge receipt of a copy of the O'Hara Township Island Park Recreation Area Ordinance No. 816 and intend to be fully and legally bound by its terms and provisions. Further, I understand that as the applicant for an O'Hara Township Island Park Recreation Area Permit, I will be judged to be the responsible party in the event of any damages to park facilities or violation of park rules by any members or guests of my organization or group; and I accept this responsibility and legal obligation."

C. The township manager or designee shall have the right to revoke an island park recreation area permit for any violation of this ordinance.

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SECTION IV. Repealer

Any ordinance or resolution, or parts thereof, which are in conflict herewith are repealed to the extent of the conflict.

ORDAINED and ENACTED INTO LAW by O'Hara Township Council vote of \_\_\_ to \_\_\_ this 4th day of June, 1985.

TOWNSHIP OF O'HARA

*William H. Crooks, Jr.*  
William H. Crooks, Jr.  
President of Council

ATTEST:

*Carol T. Young*  
Carol T. Young  
Township Manager

First Reading	Palombo	-	Drake	5 - 1	4/9/85
				(Zaenger Dissented)	
Second Reading	Bartholomew	-	Walter	6 - 0	5/14/85
Motion to Adopt	Walter	-	Drake		
Motion to Amend	Bartholomew	-	Drake	(DEFEATED) 4 - 2	5/14/85
Motion to Table	Zaenger	-	Bartholomew	(TABLED) 4 - 2	5/14/85
				(Walter and Crooks Dissented)	
Motion to Adopt	Drake	-	Bartholomew	*	
Motion to Amend	Walter	-	Drake	5 - 2	6/4/85
				(Zaenger and Bartholomew Dissented)	
* Motion to Adopt as Amended	Walter	-	Drake	5 - 2	6/4/85

BILL NO. B-71-86

ORDINANCE NO. 835

TOWNSHIP OF O'HARA  
ALLEGHENY COUNTY, PENNSYLVANIA

AN ORDINANCE OF THE TOWNSHIP OF O'HARA AMENDING ORDINANCE  
NO. 816, RULES AND REGULATIONS GOVERNING ISLAND PARK RECREA-  
TION AREAS

WHEREAS, when Ordinance No. 816 was adopted by the Township Council on June 4, 1985, Section II. A. 3. was written incorrectly.

NOW, THEREFORE, the TOWNSHIP OF O'HARA hereby ordains that Section II. A. 3. is amended as follows:

The permit holder may not restrict the use of the island park recreation area by any member of the public except as follows:

- a. Such use may be limited to twenty-four (24) continuous hours.
- b. Any member of the public who disobeys any rule or regulation as herein contained may be denied access to or use of the island park recreation area. Violations shall be directed to the township for prosecution.

ORDAINED AND ENACTED by the TOWNSHIP OF O'HARA COUNCIL by a vote of 6 to 0 on November 10, 1986.

TOWNSHIP OF O'HARA

ATTEST:

William H. Crooks, Jr.  
William H. Crooks, Jr.  
President of Council

Mary Jane Kuffner Hirt  
Mary Jane Kuffner Hirt  
Township Manager

First Reading	<u>Candris - Palombo</u>	<u>6 - 0</u>	<u>10/14/86</u>
Second Reading	<u>Drake - Candris</u>	<u>6 - 0</u>	<u>11/10/86</u>
Advertised			<u>          </u>
Codified			<u>          </u>