

**HATFIELD TOWNSHIP
MONTGOMERY COUNTY, PENNSYLVANIA**

RESOLUTION #11-02

A RESOLUTION OF THE TOWNSHIP OF HATFIELD, MONTGOMERY COUNTY, PENNSYLVANIA, AMENDING SECTION 195-2 OF THE HATFIELD TOWNSHIP CODE TO ELIMINATE THE PROHIBITION AGAINST CARRYING FIREARMS IN TOWNSHIP PARKS; AMENDING SECTION 195-5 OF THE HATFIELD CODE TO REQUIRE PERMISSION FROM BOTH HATFIELD TOWNSHIP AND LANSDALE BOROUGH TO CONDUCT CERTAIN ACTIVITIES IN SCHWEIKER PARK; PROVIDING THAT ALL UNAFFECTED PROVISIONS OF RESOLUTION 08-34 SHALL REMAIN IN FULL FORCE AND EFFECT; REPEALING ALL INCONSISTENT RESOLUTIONS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the Board of Commissioners of Hatfield Township has adopted Resolution No. 08-34 which established certain rules and regulations governing use of the Township park system; and

WHEREAS, Resolution No. 08-34 contains a provision prohibiting the carrying of firearms in the Township park system; and

WHEREAS, the United States Constitution guarantees all persons the right to bear arms; and

WHEREAS, there are other state and federal legal requirements in effect that govern and regulate the carrying and discharge of firearms; and

WHEREAS, Hatfield Township desires to have its park system rules and regulations conform to all federal and state requirements and realizes that it must rely on the enforcement of state and federal firearm laws to protect the health, safety and welfare of its residents and those persons using the Township park system; and

WHEREAS, Hatfield Township desires to revise the special regulations for Schweiker Park, which is located in both Hatfield Township and Lansdale Borough, to require permission from both Hatfield Township and Lansdale Borough to conduct certain activities in Schweiker Park;

NOW, THEREFORE, be it, and it is hereby **RESOLVED** by the Board of Commissioners of Hatfield Township as follows:

- I. Section 195-2(16) of the Hatfield Township Code is amended to read as follows:

“(16) No person shall carry bows and arrows or other projectile devices within the park system unless authorized by Hatfield Township. This section shall not apply to firearms, the carrying and discharge of which are governed and regulated by state and federal law.”

II. The following Sections of Section 195-5, “Schweiker Park Special Regulations”, of the Hatfield Township Code are amended as follows:

A. Section 195-5.A. is amended to read as follows:

“A. Subsections A(8), (10), (11), (13), (16), (18), (20), (25), (26), (28), (29) and (33) of Section 195-2, “Rules and Regulations”, do not apply.”

B. Section 195-5.B. is amended to read as follows:

“B. No person shall solicit alms or subscriptions in Schweiker Park unless authorized by Hatfield Township and Lansdale Borough.”

C. Section 195-5.C. is amended to read as follows:

“C. No person shall sell or expose for sale any tickets of any kind in Schweiker Park unless authorized by Hatfield Township and Lansdale Borough.”

D. Section 195-5.D. is amended to read as follows:

“D. No person shall sell or expose any articles for sale within Schweiker Park unless authorized by Hatfield Township and Lansdale Borough.”

E. Section 195-5.E. is amended to replace the word “or” in the last sentence, with the word “and”.

F. Section 195-5.G. is amended to read as follows:

“G. No placard, advertisement, public notice or personal card, except park notices and rules and regulations, shall be distributed, posted, or affixed in any manner in Schweiker Park unless authorized by Hatfield Township and Lansdale Borough.”

G. Section 195-5.J. is amended to change the word “agency” in the first sentence to the word “agencies”, and to change the word “or” at the end of the first sentence to the word “and”.

H. A new Subsection K. is added to Section 195-5 as follows:

“K. No person shall carry bows and arrows or other projectile devices in Schweiker Park unless authorized by Hatfield Township and Lansdale Borough.

This subsection K. shall not apply to firearms, the carrying and discharge of which are governed and regulated by state and federal law.”

I. A new Subsection L. is added to Section 195-5 as follows:

“L. No person shall conduct any musical or theatrical entertainment, nor use sound amplification equipment in Schweiker Park unless authorized by Hatfield Township and Lansdale Borough.”

III. All sections of Resolution No. 08-34 unaffected by this Resolution are declared to be in full force and effect.

IV. All resolutions or ordinances inconsistent with the provisions of this Resolution are hereby repealed to the extent of the inconsistency.

V. The provisions of this Resolution are declared to be severable. If any provision of this Resolution is declared by a court of competent jurisdiction to be invalid or unconstitutional, such determination shall have no effect on the remaining provisions of this Resolution, or on the provisions of Resolution 08-34 or the Hatfield Township Code.

VI. This Resolution shall be effective immediately upon its legal adoption.

ADOPTED this 23rd day of February 2011.

ATTEST:

**BOARD OF COMMISSIONERS OF
HATFIELD TOWNSHIP**

ANDREW S. HAINES,
TOWNSHIP MANAGER

TOM ZIPFEL, VICE PRESIDENT