

OFFICIAL

**BOROUGH OF ASPINWALL  
ORDINANCE NO. \_\_\_\_\_**

AN ORDINANCE OF THE BOROUGH OF ASPINWALL,  
ALLEGHENY COUNTY, PENNSYLVANIA, AMENDING  
CHAPTER 16, PARKS AND RECREATION TO REMOVE  
CERTAIN REGULATIONS PERTAINING TO THE USE OF  
RECREATIONAL FACILITIES WITHIN THE BOROUGH BY  
NONRESIDENTS.

WHEREAS, Section 1202(2) of the Pennsylvania Borough Code, 8 Pa. C.S. §1202(2), authorizes the Borough of Aspinwall (“Borough”) to establish regulations related to the operation of recreational facilities within the Borough; and

WHEREAS, Chapter 16 of the Borough Code of Ordinances, Parks and Recreation, (“Parks and Recreation Ordinance”) does establish certain rules and regulations for public parks located within the Borough; and

WHEREAS, the Council of the Borough of Aspinwall (“Borough Council”) has reviewed certain language contained in Section 16-109 of the Parks and Recreation Ordinance which requires written permission from the Borough Manager prior to the use of playgrounds, playfields, basketball courts and other recreational centers within the Borough by nonresidents; and

WHEREAS, Borough Council would like to permit individuals and organizations from outside the Borough to use the Borough’s parks and recreational facilities; and

NOW, THEREFORE, the Council of the Borough of Aspinwall hereby ordains and enacts as follows, incorporating the above recitals by reference:

**SECTION 1.** Section 16-109 of the Borough Code of Ordinances, Nonresident and For-Profit use of Recreational Facilities, is amended as follows by deleting the stricken text:

**§ 16-109 ~~Nonresident and For-Profit Use of Recreational Facilities.~~**

All playgrounds, playfields, basketball courts and other recreational centers which have been or hereafter may be established by the Borough of Aspinwall ~~are intended for the use and enjoyment of Borough residents and organizations and, unless written permission is obtained from the Manager or his designated representative or where specific user regulations have been established, nonresidents shall not be permitted to use such facilities. Provided further, Borough parks and recreational facilities shall not be used for for-profit purposes unless a permit is obtained from the Borough Manager or his their designee.~~

**SECTION 2.** All prior ordinances and resolutions are hereby repealed in whole or in part to the extent inconsistent herewith.

**SECTION 3.** Should any sentence, section, clause, part or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the Ordinance as a whole, other than the part declared to be invalid.

**SECTION 4.** This Ordinance shall take effect in accordance with applicable law.

**ORDAINED** and **ENACTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2022, by the Council of Aspinwall Borough in lawful session duly assembled.

ATTEST:

BOROUGH OF ASPINWALL

\_\_\_\_\_  
Melissa Lang O'Malley  
Borough Manager/Secretary  
(SEAL)

By: \_\_\_\_\_  
Tim McLaughlin  
President, Borough Council

**EXAMINED** and **APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Joseph Noro  
Mayor