

**REGULATIONS GOVERNING  
PARKS AND RECREATION AREAS  
UNDER THE JURISDICTION OF THE  
CITY OF PHILADELPHIA  
DEPARTMENT OF PARKS AND RECREATION**

**AUGUST 2023**

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**AUTHORITY TO ENACT REGULATIONS FOR THE GOVERNMENT OF PARKS AND RECREATION AREAS UNDER THE JURISDICTION OF THE CITY OF PHILADELPHIA DEPARTMENT OF PARKS AND RECREATION – LEGAL AUTHORITY**

The following regulations are adopted by the Philadelphia Department of Parks and Recreation pursuant to the Act of April 14, 1868, P.L. 1803, as amended, Philadelphia Home Rule Charter Section 8-407, and Philadelphia Code Sections 15-201, 15-202, 15-203, and 15-204.

In addition to these regulations, use of lands and facilities under the jurisdiction of the Department of Parks and Recreation are subject to applicable provisions of the Philadelphia Code and to applicable provisions of Pennsylvania law and federal law.

Upon these regulations becoming effective, the “Regulations for the Government of Parks under the Control of the Commissioners of Fairmount Park, Philadelphia,” dated 1984, as amended (the “**1984 Regulations**”), are revoked and replaced in their entirety by these regulations. With respect to any violation of the 1984 Regulations that arose before the adoption of these regulations, however, the violation is not waived or dismissed, the 1984 Regulations remain enforceable, and the violator remains legally liable for that violation in accordance with and pursuant to the 1984 Regulations.

**DEFINITIONS: In these regulations,**

“**Commissioner**” means the Parks and Recreation Commissioner.

“**Department**” means the City of Philadelphia Department of Parks and Recreation.

“**Park**” means each City of Philadelphia park under the Department’s jurisdiction, including without limitation Fairmount Park; Wissahickon Creek Park; Pennypack Park; Cobbs Creek Park; Tacony Creek Park; Poquessing Creek Park; the park space along Benjamin Franklin Parkway, Roosevelt Parkway, and Cobbs Creek Parkway; and City of Philadelphia neighborhood parks and public squares.

“**Park and Recreation Facility**” means each Park, Recreation Center, Playground, and Park Road or Drive under the Department’s jurisdiction and, within these areas, each building, roadway, drive, athletic field, athletic court, swimming pool, sprayground, waterway, dock, statue, and monument, and every natural area, trail, path, and human-made physical development.

“**Park Road or Drive**” means each road and drive under the Department’s jurisdiction, including without limitation Benjamin Franklin Parkway, Cobbs Creek Parkway, Roosevelt Boulevard, FDR Park Drive, Upper Wissahickon Drive (Forbidden Drive), Belmont Drive, Chamounix Drive, Greenland Drive, Georges Hill Drive, South Georges Hill Drive, States Drive, Avenue of the Republic, North Concourse Drive and South Concourse Drive.

“**Playground**” means each City of Philadelphia playground under the Department’s jurisdiction.

“**Recreation Center**” means each City of Philadelphia recreation center under the Department’s jurisdiction.

## JURISDICTIONAL AREAS

Except for provisions in these regulations that expressly apply to a specific Park and Recreation Facility, these regulations apply to every Park and Recreation Facility.

## APPENDICES

Each Appendix to these regulations is incorporated into these regulations, has the same legal force as these regulations, and is enforceable under Chapter 5 of these regulations.

### CHAPTER I. GENERAL REGULATIONS

#### SECTION 101. HOURS OF OPERATION

(A) The curfew in each Park is 1:00 A.M., except at those Parks where seasonal hours of operation apply or unless posted otherwise or permitted for a special event or by a lease or license agreement.

(B) The curfew at each Recreation Center and Playground is 10:00 P.M., except at those Recreation Centers and Playgrounds where the Department has established seasonal hours of operation or where permitted for a special event or by a lease or license agreement.

(C) Individual Parks, Recreation Centers, and Playgrounds subject to specific curfews or hours of operation are listed in **Appendix A** to these regulations.

(D) The Department may from time to time establish temporary curfews or temporary hours of operation for specific Parks, Recreation Centers, and Playgrounds.

#### SECTION 102. PERMITS

**(A) Permits for the reservation and use of any sites, facilities, or amenities within any Park, Recreation Center, or Playground may be obtained from the Department by contacting either 215-683-3600, [www.phila.gov/parks](http://www.phila.gov/parks), or in person at a designated Department outlet.**

(B) Permits issued by the Department for the use of any site, facility, or amenity must be kept in the possession of the person responsible for the event or activity and who must be present at the date, time, and location for which the permit was issued.

(C) A permit holder is entitled to the exclusive use of the site, facility, or amenity for which the permit was issued during the day and time specified in the permit, except as otherwise stated in the permit.

(D) If a person or organization does not have with them the permit showing their right to use a site, facility, or amenity, then other persons may use that site, facility, or amenity. This Section 102(D) does not apply to sites, facilities, or amenities the use of which is permitted for recurring league play.

### **SECTION 103. ALCOHOLIC BEVERAGES**

(A) It is prohibited to sell beer, wine, liquor, and any form of alcoholic beverage unless expressly permitted by a permit, lease, or license issued by the Department, and only if done in accordance with all applicable laws.

(B) It is prohibited to consume beer, wine, liquor, or any form of alcoholic beverage unless expressly permitted by a permit, lease, or license issued by the Department, and only if done in accordance with all applicable laws.

### **SECTION 104. SALES, SOLICITING AND VENDING**

No person may engage in vending, selling, soliciting, or busking in any Park or Recreation Facility unless expressly permitted under a permit, lease, or license issued by the Department, and only if done by a duly licensed vendor in accordance with all applicable laws. In addition to the enforcement measures stated in Section 501 of these Regulations, any person vending food in violation of this Section 104 is subject to the enforcement measures set forth in **Appendix B** to these regulations.

### **SECTION 105. METAL DETECTORS**

No person may use, carry, or deploy metal detectors or subterranean excavation equipment in any Park or Recreation Facility, except where permitted under a permit, license, or lease, as part of a professional or volunteer archeological recovery or salvage project.

### **SECTION 106. FIRES AND FIREWORKS**

(A) No person may start or maintain any fire except in appropriate masonry or metal equipment designed to contain the fire and its debris. All fires must be attended at all times and must be fully extinguished before the persons who started or maintained the fire leaves the site. All remnants and debris from the fire must be fully extinguished and removed from the site.

(B) Fireworks displays may be permitted at a Park and Recreation Facility only as an activity within a community-wide celebration, and only if executed by a licensed, qualified contractor who has obtained all required permits, licenses, and approvals, and only if done in accordance with all applicable laws.

(C) Fireworks displays are prohibited if they are for a private, non-public event. Fireworks may be viewed from any open Park and Recreation Facility if the fireworks are launched from a barge on a waterway or from an adjacent private property.

### **SECTION 107. HUNTING, TRAPPING AND FISHING**

(A) No person may in any manner hunt, trap, chase or capture any wildlife of any kind or disturb the nests or eggs of any wildlife. Fishing is permitted in accordance with the laws of the Commonwealth of Pennsylvania in areas and waterways and at times as may be designated by the Commonwealth of Pennsylvania or the Department.

(B) The Department may conduct or contract for wildlife management projects in accordance with the laws of the Commonwealth of Pennsylvania.

## SECTION 108. **VEHICLES; PARKING**

(A) For purposes of this Section 108, a “**Motor Vehicle**” includes automobiles, trucks, snowmobiles, motorcycles, motorbikes, motor-powered dirt-bikes, motor-powered all-terrain vehicles, mopeds, and electric personal transportation devices.

(B) It is prohibited to use a Motor Vehicle on any Park trail or recreation path, except that self-propelled mobility devices (for example, Segway brand devices or other brands’ similar devices) may be operated on the Benjamin Franklin Parkway sidewalks and on the Kelly Drive recreation paths and Martin Luther King Drive (also called MLK Drive) recreation path. As used in this Section 108 (B), “self-propelled mobility device” is defined in Philadelphia Code Section 12-102(16.1).

(C) It is prohibited to park or drive a Motor Vehicle on grass or other area not clearly marked or maintained for motor vehicle driving or parking, except if expressly permitted under a Department permit, lease, or license agreement.

(D) It is prohibited to clean, maintain, or repair a Motor Vehicle in any Park.

(E) No commercial or public passenger Motor Vehicle that is designed to transport more than 10 passengers may pass over or use any Park Road or Drive without a Department permit.

(F) The prohibitions in this Section 108 do not apply to any electric-powered wheelchair and any other vehicle designed and operated for the exclusive use of persons with mobility-related disabilities.

(G) It is prohibited to ride a Motor Vehicle on any part of Martin Luther King Drive (also called MLK Drive) that is closed to Motor Vehicles, except for vehicles permitted by a Fairmount Park Ranger or police officer to enter the drive to access a picnic area, boathouse, or parking lot. Persons permitted to take a Motor Vehicle onto Martin Luther King Drive under this Section 108(G) shall proceed directly to their stated destination without detouring or stopping along the way, shall drive at a speed not exceeding five miles per hour, and shall yield to all other recreational drive users.

(H) The use of Bicycles, E-Bicycles, and Motorized Bicycles at, on, or in each Park and Recreation Facility is governed by Section 308 below.

## SECTION 109. **USE OF DOCKS**

For purposes of this Section 109, “**Department Dock**” includes each dock, jetty, pier, quay, and wharf on the Schuylkill River or the Delaware River installed, constructed, owned, leased, licensed or permitted, or operated or maintained, by the Department or other City of Philadelphia agency or any tenant of the City.

(A) No person or organization may dock, moor, or otherwise secure a boat to any Department Dock,

1. for more than four hours;

2. at any time before or after the hours of operation of the adjoining Park or other Park and Recreation Facility;
3. at any time that the dock is closed to public use; or
4. if the boat is too large to reasonably secure to the Department Dock safely and without causing damage to the boat or the Department Dock.

(B) No person or organization may dock, moor, or otherwise secure a boat to any Park, including but not limited to any natural or human-made landscape feature, or constructed or installed facility or fixture, that the Department does not specifically, expressly, and clearly make available for the public to use to dock, moor, or secure a boat.

(C) Each day that a person or organization violates any provision of this Section 109 is a separate violation and is punishable by the maximum fine allowable by law.

(D) The prohibitions in this Section 109 do not apply to any person or organization expressly authorized to use a Department Dock under a written agreement (a) with the Department, or (b) with a person or organization the Department has by written agreement authorized to use, operate, maintain, and repair the Department dock or to administer use of the Department dock.

#### **SECTION 110. ANIMALS AND ANIMAL-FREE AREAS**

(A) For purposes of this Section 110, “**Animal**” does not include a support, service, or guide animal as recognized under Pennsylvania or federal law and does not include wildlife.

(B) No person may bring any Animal on or in any Park and Recreation Facility that the Department has posted as “animal free” or with a similar designation.

(C) Each area created or designated by the Department as a “Dog Park,” “Dog Run,” or similar designation, may have specific rules and regulations regarding the use of that site and posted at the site.

(D) Each Animal within any Park and Recreation Facility must be on a leash not exceeding six feet in length (including the handgrip but not including the collar or harness) and must be accompanied by a person able to fully control the Animal at all times. The prohibition in this Section 110(D) does not apply to dogs off leash within a specifically designated and fenced-in dog park or dog run.

(E) A person who brings an Animal onto any Park and Recreation Facility shall clean up and properly dispose all feces created by the Animal.

## SECTION 111. **SMOKING AND VAPING.**

For purposes of this Section 111,

“**Smoking**” means burning or carrying any lit cigarette, cigar, pipe, hookah, or other device intended for use to inhale tobacco or nicotine smoke or other smoke of a burning plant or chemical product.

“**Vaping**” means the inhaling of vapor produced by any electronic cigarette or other electronic device.

Smoking and Vaping are prohibited indoors and outdoors in all Parks, Recreation Centers, and Playgrounds.

## SECTION 112. **LITTERING AND DUMPING PROHIBITED**

It is prohibited to litter or dump any trash, debris, or waste in any Park and Recreation Facility. Park and Recreation Facility users are encouraged to neatly dispose of their trash, debris, or waste in designated receptacles or to carry those items out and dispose of them properly.

## **CHAPTER II. ASSEMBLIES AND ENTERTAINMENT**

### SECTION 201. **ASSEMBLIES**

(A) No meetings or gatherings where more than 50 people are expected to attend may be conducted without a permit from the Department. **Permits for an assembly in any Park and Recreation Facility may be obtained from the Department by contacting 215-683-3600, [www.phila.gov/parks](http://www.phila.gov/parks), or in person at a designated Department outlet.** Permit holders should review Section 102 of these regulations regarding having the permit with them on-site during the event or activity.

(B) Any individual, group, or organization that wants to hold a meeting or gathering in the Philadelphia Vietnam Veterans Memorial plaza must do so in accordance with the regulations specified in **Appendix C** to these Regulations.

(C) No person or organization may obtain a permit for a meeting, event, or other gathering in Philadelphia Holocaust Memorial Park. Only the City may hold events in Holocaust Memorial Park, either itself or through a contractor. *See, **Appendix D*** to these Regulations.

### SECTION 202. **ENTERTAINMENT**

(A) No individual or group may present any musical event, theatrical event, fair, exhibit, show, performance, or other entertainment in any Park or Recreation Facility without a permit from the Department.

(B) The date, time and site or amenity requested for an event may not conflict with another reservation for the same date, time and site or amenity, or a reservation scheduled within one hour before or after the requested time, and the event may not extend beyond the curfew or hours of operation for the requested site or amenity.

(C) The event may not deprive the public of the reasonable use and enjoyment of the site or amenity, or interfere with the public's right of free passage within the site or amenity, unless expressly permitted by the permit.

## SECTION 203. **SOUND**

No person may create or cause electronically amplified sound in any Park and Recreation Facility that is audible at the property boundary of any occupied residential or commercial property outside of that Park and Recreation Facility, except for electronic amplification for an event that has been expressly allowed under a permit duly issued by the Department or is permitted by a Department lease or license agreement. Philadelphia Code Chapter 10-400, Noise and Excessive Vibration, applies to each Park and Recreation Facility.

## CHAPTER III. **RECREATIONAL USES**

### SECTION 301. **PUBLIC USE**

All individuals or groups using any Park and Recreation Facility for athletic or recreational use shall do so in compliance with these regulations. Each Park and Recreation Facility is open and available for general public use unless the Department has issued a permit for an individual's or group's exclusive use of a facility or the facility is specifically designed for special needs individuals.

### SECTION 302. **PARTICIPATION AND CONDUCT**

(A) No individual participating in an athletic event or recreational activity, or observing any of those events or activities, may take any action which may create a hazardous condition or endanger the health and safety of others.

(B) All individuals and groups using any Park and Recreation Facility shall do so in a manner that is respectful and courteous to all other users in and around that facility.

### SECTION 303. **RECREATIONAL AREAS**

No individual may engage in any activity on or in any Park and Recreation Facility for which the facility is not intended or designated.

### SECTION 304. **CAMPING AND TENTS**

(A) Definitions: In this Section 304, the words listed below have the meanings assigned to them below.

“**Camp**” and “**Camping**” include the use of real property for temporary or permanent outdoor living accommodation, such as: sleeping, preparing a site to sleep, laying down or setting up a sleeping bag, bedroll, mattress, blankets, or making other preparations to sleep; storing, stacking, or collecting personal belongings on or at a site; making any fire or using portable heating and cooking devices or carrying on cooking

activities; setting up, using, erecting, or parking any tent, lean-to, tarpaulin, vehicle, or other shelter or protection from the elements (other than wearing clothing); clearing, digging or breaking earth to create a campsite; and other activities supportive of living overnight outdoors of a permanent shelter. The activities described above in this definition constitute camping if, in light of all the circumstances, it reasonably appears that in conducting one or more of the activities the participant in fact is using or will use the area as a living accommodation, regardless of the intent of the participant or the nature of any other activities in which the participant may also be engaging. “Camp” and “Camping” do not include arrangements for a daytime picnic or party that does not extend past a park’s official closing time.

“**Tent**” means a temporary structure of any kind intended for the shelter or enclosure of persons or property. “Tent” does not include a structure erected for a limited time during daylight hours for protection from the sun that is open on one or more sides and commonly referred to as a “shade tent.”

(B) Camping is prohibited at each Park and Recreation Facility, except under the following circumstances:

1. In connection with the activities of a City tenant, licensee, or concessionaire under and in accordance with a City-issued written agreement.
2. In connection with a governmental event or activity that by law requires physical privacy.

(C) No person or organization may erect or use a Tent anywhere in a Park and Recreation Facility, except under the following circumstances:

1. In connection with a special event under a City-issued special event permit or license for use as an administrative services area, a registration area, a security coordination or control area, a rest area, a first aid area, a storage area, or for similar uses related to the special event.
2. In connection with the activities of a City tenant, licensee, or concessionaire under and in accordance with a City-issued written agreement.
3. In connection with a governmental event or activity that by law requires physical privacy.

## SECTION 305. AIRCRAFTS

(A) No individual may fly, launch, or deploy any fuel-powered, battery-powered, or remote-controlled airplane, helicopter, rocket, drone, or other aircraft at any Park and Recreation Facility.

(B) Permission to use an aircraft at any Park and Recreation Facility is regulated by the City of Philadelphia Office of Emergency Management and may also be subject to Federal law and regulations. **Persons seeking the City of Philadelphia’s permission to use an aircraft at any Park and Recreation Facility may contact 215-686-1300 or [www.phila.gov/OEM](http://www.phila.gov/OEM).** The City of Philadelphia’s permission to use any aircraft does not supersede any applicable Federal laws and regulations.

## SECTION 306. **SKATEBOARDING**

No individual may skateboard on any Park and Recreation Facility unless the facility is specifically designated for skateboarding.

## SECTION 307. **SWIMMING**

(A) No individual may bathe, swim, or wade in any waterway or body of water in or at any Park and Recreation Facility except at the Department's public pools and only when a lifeguard is present.

(B) No individual may bathe, swim, or wade in any public fountain unless allowed to do so in connection with a permitted event, or as allowed under a Department lease or license agreement.

(C) No individual may bathe, swim, or wade in any pool unless properly attired in swimwear.

(D) Individuals may change into or out of swimwear only in designated changing buildings or shelters.

## SECTION 308. **BICYCLING**

(A) In this Section 308, the following definitions apply:

“**Bicycle**” means any vehicle propelled in whole or in part by human power. “Bicycle” does not include any vehicle propelled solely by motorized power.

“**E-Bicycle**” means a bicycle with working pedals that must be operated to engage the electric power and has a maximum speed of 20 miles per hour.

“**Motorized Bicycle**” includes (1) a motorized bicycle powered exclusively by an internal combustion engine, and (2) a bicycle powered wholly or in part by electric power that has a maximum speed with motor power of greater than 20 miles per hour.

(B) It is prohibited to ride a Bicycle or E-Bicycle on, in or at any Park and Recreation Facility except on sidewalks, recreation paths, and trails designated for bicycle use.

(C) Bicycle and E-Bicycle riding is permitted on each Park Road and Drive and other roadways within any Park, subject to all Pennsylvania and City of Philadelphia traffic laws and regulations, other provisions of these regulations, and as posted on the Park Road and Drive.

(D) It is prohibited to ride a Bicycle or E-Bicycle

1. on the roadway of Lincoln Drive between Wissahickon Avenue and Kelly Drive at any time; and

2. on the roadway of Kelly Drive Monday through Friday between the hours of 7:00 A.M. and 10:00 A.M., and the hours of 4:00 P.M. and 6:30 P.M.

(E) It is prohibited to ride or place a Bicycle or E-Bicycle on any turf, landscaped, or planted area in any Park and Recreation Facility unless it is specifically designated for that use; for example, the Philly Pumptrack for mountain Bicycles.

(F) Bicyclists and E-Bicyclists shall yield the right of way to pedestrians, joggers, and horseback riders on sidewalks, recreation paths, and trails, except during an organized bicycle race or event.

(G) It is prohibited to ride a Bicycle or E-Bicycle on a recreation path or trail at a speed exceeding seven miles per hour.

(H) It is prohibited to ride a Motorized Bicycle on any Park sidewalk, recreation path, or trail, including but not limited to the Schuylkill River recreation path (commonly called Schuylkill Banks), the Kelly Drive recreation paths, the Martin Luther King Drive (also called MLK Drive) recreation path, and Upper Wissahickon (Forbidden) Drive.

(I) It is prohibited to ride a Motorized Bicycle on any part of Martin Luther King Drive (also called MLK Drive) that is closed to Motor Vehicles, except for vehicles permitted by a Fairmount Park Ranger or police officer to enter the drive to access a picnic area, boathouse, or parking lot. Each person permitted to take a Motorized Bicycle onto Martin Luther King Drive under this Section 308(I) shall proceed directly to their stated destination without detouring or stopping along the way, shall drive at a speed not exceeding five miles per hour, and shall yield to all pedestrians, Bicycles, and E-Bicycles.

(J) It is prohibited to ride or place a Motorized Bicycle on any turf, landscaped, or planted area in any Park and Recreation Facility.

(K) Under Pennsylvania law, electric scooters are prohibited from being used on roadways.

## SECTION 309. **HORSES**

(A) Horses on any Park and Recreation Facility must be led by harness, attached to a vehicle, or ridden by an equestrian.

(B) Horses on any Park and Recreation Facility must be under a rider's or handler's strict and continuous control. No person may permit a horse to be unbridled or in an unattended space without the horse being securely fastened, except within a Parks and Recreation horse stable or corral.

(C) No person may graze a horse on any Park and Recreation Facility unless permitted to do so by a Department permit, lease, or license agreement.

(D) No person may hire to others a horse or horse-drawn vehicle in any Park and Recreation Facility except under a Department permit, lease, or license agreement.

(E) No person may ride a horse or drive a horse-drawn vehicle in any Park and Recreation Facility between the hours of 10:00 P.M. and 6:00 A.M., nor on any street, avenue, road, drive, trail, or area that the Department has not designated for that purpose.

(F) Philadelphia Code Sections 10-108 and 10-108.1 set forth requirements for obtaining a license for rental or carriage horses and for other horses.

## **SECTION 310. USE OF TRAILS**

(A) All users of Department trails shall use the trails safely and with common courtesy to all other users. Trail users include all people using Department trails whether on foot, bicycle, horse, carriage, horse-drawn vehicle, or any other permitted vehicle.

(B) All trail users shall not exceed a maximum speed limit of seven miles per-hour on all Department trails.

(C) All trail users, except pedestrians, shall proceed single file, except on Upper Wissahickon (Forbidden) Drive (see Section 310(E) below).

(D) Subject to Section 309(E), horse-drawn vehicles may be driven on Department trails of sufficient width to safely accommodate them. Travel by horse-drawn vehicles must be single-file on all Department trails (including Upper Wissahickon (Forbidden) Drive).

(E) All users of Upper Wissahickon (Forbidden) Drive may travel a maximum of two abreast when trail conditions and traffic permit two abreast to be responsibly and safely accommodated. Otherwise, uses of Upper Wissahickon (Forbidden) Drive shall travel in single file.

## **CHAPTER IV. TREES AND SIGNS**

### **SECTION 401. STREET TREES, PARK TREES, PLANTS AND FLOWERS**

(A) The Department has exclusive custody and control of, and the authority to plant, set out, remove, maintain, protect and care for all trees in every Park and Recreation Facility. The Department has exclusive custody and control of, and responsibility for and power to plant, set out, remove, maintain, protect and care for, street trees on the streets of Philadelphia. *See*, Philadelphia Code Section 15-203.

(B) No person may prune, spray, plant, cut down, break or remove any tree, plant, shrub, vine, flower, flower bed or turf within any Park and Recreation Facility, or climb on or otherwise injure or deface or disturb any tree, tree guard, or support thereof in any Park and Recreation Facility, without the approval of the Department and, where required, under the supervision of an authorized agent of the Department.

1. No guy rope, cable, wire, sign, or other fixture may be attached or fastened or affixed on any tree or tree support in any Park and Recreation Facility, except by the Department.

2. No person may lay pavement within an area of three feet by four feet around the base of the trunk of any street tree, nor may any person deposit any stone, gravel, cement, lumber, or other material around the base of the street tree trunk.

3. No individual may fasten a horse or other animal to any tree, tree guard, or tree support, of any street tree or any tree in any Park and Recreation Facility.

4. No person may fasten, nail, tack, or maintain any sign on any tree, tree guard, or tree support of any street tree or any tree in any Park and Recreation Facility.

5. No person may fasten or lock a motorcycle, bicycle, or any other vehicle or equipment to any tree, tree guard, or tree support of any street tree or any tree in any Park and Recreation Facility, except as expressly permitted by the Department.

(C) Street Tree Maintenance, Trimming and Removal; Dangerous Conditions

1. The Department shall, itself or by contract, provide maintenance for all street trees whether abutting private or public property, including trimming, pruning, and spraying (as necessary) of street trees.

2. The Department shall perform maintenance on street trees in the City in order on a fixed, repeating cycle as scheduled by the Department's Division of Operations and Landscape Management; subject, however, to available appropriations and to priority of importance, emergencies, and unforeseen circumstances.

3. Upon receipt of written notice of a dead, dying, dangerous, or diseased street tree, the Department shall have the tree inspected by a Department officer or contractor and shall take action as the Department deems necessary or appropriate, within a timeframe as the Department deems reasonable, to eliminate the dangerous condition. **Routine tree maintenance may be requested by calling 311; fallen trees or branches blocking roadways or pedestrian walkways may be reported by calling 911. Written notice of a dead, dying, dangerous, or diseased street tree must be sent either by mail to:**

**City of Philadelphia  
Department of Parks and Recreation  
City Forester  
One Parkway Building – 10<sup>th</sup> Floor  
1515 Arch Street  
Philadelphia, PA 19102**

**or by email to: [StreetTree.Info@phila.gov](mailto:StreetTree.Info@phila.gov).**

4. A private property owner may, at the owner's own expense and responsibility, perform maintenance, trimming, and pruning to a street tree along that owner's property, and may take necessary or appropriate action to eliminate a dangerous condition caused by the street tree, provided that the private property owner shall itself or through a qualified contractor obtain a permit from the Department for the work. Contractors hired by private property owners to perform maintenance or other work on a street tree must comply with the requirements of Section 401(D) below.

(D) Private Contractors. Each contractor or person (including individuals, commercial businesses, and other organizations) engaged in the business (whether for-

profit or not-for-profit) of planting, removing, spraying, pruning, bark tracing, and root pruning, of street trees in the City of Philadelphia shall comply with the following regulations relating to the proper performance of that work:

1. The person shall obtain a permit from the Department before performing any work on any street tree in the City.
2. The person shall sign an agreement whereby the person agrees to indemnify and defend the City of Philadelphia against any and all claims and liabilities of whatever nature arising from or related to damage of property or injury to any persons, however caused, through the exercise of the permit either directly or by the person's contractor, agent, servant, or employee.
3. The person shall obtain comprehensive liability insurance for injury to any person or persons and for damage to any property, in an amount as the Department may require.
4. The person must cause a certificate of insurance evidencing the required insurance coverage to be delivered to the Department to be placed on file with the Department and the City of Philadelphia Office of Risk Management.

#### SECTION 402. **SIGNS**

(A) Commercial signs are prohibited at all Park and Recreation Facilities. The prohibition stated in this Section does not apply to names of individuals, businesses, or organizations that may be posted on plaques or signs under the Department's naming policy or donation policy.

(B) Advertising signs are prohibited at all Parks and Recreation Facilities, except signs placed by the Department or other City of Philadelphia agency to advertise a governmental or public event, service, program, or emergency. The prohibition stated in this Section does not apply to postings typically placed on bulletin boards or notice boards erected for the purpose of providing a space for those types of postings.

(C) Political campaign signs and signs promoting a political party, organization, or cause are prohibited at all Park and Recreation Facilities; except as follows:

1. On each federal, Commonwealth of Pennsylvania, or City of Philadelphia municipal primary or general election day, at each Park and Recreation Facility used as an official polling place, signs are permitted in and near the polling place strictly in accordance with Pennsylvania law and not farther than 50 feet from the polling place entrance.
2. The person or organization who posts any signs under this exception shall remove all the signs immediately after the polls close.

(D) Signs outside the boundaries of any Park and Recreation Facility but within adjacent areas subject to the Department's regulations under the Philadelphia Code are governed by the provisions set forth in **Appendix E** to these regulations. Signs within those areas include each sign within 200 feet of any boundary line of the following (the "**Scenic Park Preservation Zone**"), if the sign is visible within any area of the following:

1. Fairmount Park.

2. Cobbs Creek Park or Cobbs Creek Parkway.
3. Roosevelt Boulevard.

(E) If the Department's sign regulations, including Appendix E, conflict with Philadelphia Code Title 14 (Zoning) or Philadelphia Art Commission sign requirements, then the most restrictive provision or requirement controls.

## CHAPTER V. ENFORCEMENT AND PENALTIES

### SECTION 501. ENFORCEMENT AND PENALTIES

(A) **Enforcement.** To enforce these regulations, a police officer, Fairmount Park Ranger, and any other person authorized to enforce ordinances or regulations, may issue a notice of violation, a code violation notice, or other offense notice as permitted by law.

1. Any person who receives a notice of violation, a code violation notice, or other offense notice, may within ten days of receiving the notice pay the amount of the fine, admit the violation, and waive appearance before a judge or the Board of Administrative Adjudication, as applicable. To do so, the violator must return the notice together with payment of the stipulated fine to the address provided in the notice.

2. If a person who receives a notice of violation, a code violation notice, or other offense notice, fails to pay the prescribed payment within ten days of the issuance of the notice, the City may issue a code enforcement complaint against the person named in the notice. If the person named in the complaint is found to have violated these regulations or fails to appear on the date set for hearing, the person is subject to the imposition of fines in the amounts set forth in Section 501(B) below, plus court costs.

(B) **Penalties.**

1. The penalty for violation of any provision of these regulations is a minimum fine of \$300 per day for each violation. Each day the violation continues is a separate offense.

2. Any fine or costs imposed by the court will be entered as a judgment against the violator.

3. A person against whom the court has imposed a fine shall pay the fine within ten days of its imposition. If the fine together with any court costs is not paid within the ten-day period, the violator is subject to proceeding for contempt of court and /or collection of the fine as provided by law.

4. If these penalty provisions conflict with any other penalty provisions in the Philadelphia Code, the stricter of the penalty provisions controls.

**APPENDIX A**

**to**

**REGULATIONS FOR THE GOVERNMENT OF  
PARKS AND RECREATION AREAS  
UNDER THE CONTROL OF THE  
CITY OF PHILADELPHIA  
DEPARTMENT OF PARKS AND RECREATION**

**Non-Standard Hours of Operation (see also regulation Section 101)**

(A) The operating hours at the following Parks are 6:00 A.M. to 6:00 P.M. from November 1 through March 31, and 6:00 A.M. through 9:00 P.M. from April 1 through October 31:

Bartram's Garden  
Burholme Park  
Fluehr Park  
Pennypack Park (Pine Road and Rhawn Street parking lots)  
Franklin Delano Roosevelt Park  
Schuylkill Playground (in Schuylkill River Park)

(B) The operating hours at the following parks is 6:00 A.M. to 9:00 P.M. throughout the year:

Awbury Park  
Marconi Plaza  
Tacony Creek Park  
Pastorius Park  
Allens Lane Art Center (park and grounds)  
Ford Road Playground (in West Fairmount Park)

## APPENDIX B

to

### REGULATIONS FOR THE GOVERNMENT OF PARKS AND RECREATION AREAS UNDER THE CONTROL OF THE CITY OF PHILADELPHIA DEPARTMENT OF PARKS AND RECREATION

#### **Sales, Soliciting, and Vending (see also regulation Section 104)**

(A) Except as otherwise provided for by permit, lease, or license agreement, no person may engage in vending in any Park and Recreation Facility.

(B) If any person engages in vending in violation of this regulation, then under the conditions listed below any officer authorized to enforce ordinances or regulations may confiscate and remove that person's vending stand, cart, cooler, display, equipment, goods, wares, merchandise, food and beverages, and any other article or thing held or offered for sale or used to make sales:

1. A uniformed police officer, Fairmount Park Ranger, or other uniformed officer is present.
2. The enforcing officer provides the person with written notice of the violation or a written order to vacate the location where the vending occurs.
3. The person refuses to comply immediately with this regulation or to vacate the location, as the case may be.
4. The officer who issues the violation notice or order notifies the person of the place where the person's property can be reclaimed.

(C) The Department is not obligated to refrigerate perishable items and may discard them. A person whose property is confiscated pursuant to this regulation is entitled to reclaim that property only after paying both a fine and the City's removal and storage costs, which together will not be less than \$300 by cash or check (payable to the "City of Philadelphia"). The procedures and penalties provided in this Appendix B are in addition to those provided in Section 501 of these regulations.

## APPENDIX C

to

REGULATIONS FOR THE GOVERNMENT OF  
PARKS AND RECREATION AREAS  
UNDER THE CONTROL OF THE  
CITY OF PHILADELPHIA  
DEPARTMENT OF PARKS AND RECREATION

### **Philadelphia Vietnam Veterans Memorial (see also regulation Section 201(B))**

(A) Purpose. The Philadelphia Vietnam Veterans Memorial has been constructed as a memorial for the benefit, honor, and enjoyment of the people of the City of Philadelphia, the Commonwealth of Pennsylvania, and the United States of America in honor of the men and women who served in the armed forces of the United States during the Vietnam War and in remembrance of those who gave their lives and those who remain missing. It is the intention of the regulations set forth in this Appendix to ensure that the Vietnam Veterans Memorial be preserved as a quiet, dignified, and solemn site for reflection and meditation.

(B) Applicability of Other Regulations. Whenever the provisions of any statute, ordinance, or regulation impose greater obligations, restrictions, or penalties than the regulations set forth in this Appendix, the provisions set forth in such statute, ordinance, or regulation control.

(C) Definitions. When used in this Appendix, the following terms shall have the meanings set forth below:

**"Memorial"** means the Vietnam Veterans Memorial and all the granite walls, structures, and walkways within the Memorial.

**"Memorial Park"** means the area bounded by Spruce Street on the north, Delaware Avenue on the east, Front Street on the west, and the edge of the cover over Interstate-95 on the south and includes the Memorial, the playground south of the Memorial, and the adjacent lawns and landscaped areas.

**"Committee"** means the Philadelphia Vietnam Veterans Memorial Advisory Committee.

(D) Permits. A permit is required for any activity in or at the Memorial Park in which more than 25 people may reasonably be expected to attend. All requests for permits for activities at the Memorial Park at which more than 25 people may reasonably be expected to attend must be submitted to the Special Events Manager of the Department. Permit requests must provide details, including the type of activity, the date and time of the activity, the name of the sponsoring individual or organization, the names of the officers of any sponsoring organization, the estimated number of persons expected to attend the activity, and a description of any sound amplification equipment expected to be used. **Individuals or organizations may apply for a permit to hold an event in the Memorial Park in accordance with Section 102(A) of these regulations.**

(E) In addition to the limitations set forth in Section 203 of these regulations, the Department reserves the right to further regulate the use of sound amplification equipment in or at the Memorial Park.

(F) Prohibited Activities.

(1) Commercial activity (whether for-profit or not-for-profit), including commercial photography and the vending or sale of any goods or services, is prohibited anywhere in or at the Memorial Park unless the Department issues specific written permission for the commercial activity.

(2) The following are prohibited in the Memorial Park:

(a) food and beverages, except when brought by a person into the Memorial Park for that person's personal consumption;

(b) smoking and vaping (as each is defined in Section 111 of these regulations);

(c) littering;

(d) picnics;

(e) recreational and sporting activities, including games, athletic contests, ball play, jogging, and yoga;

(f) bicycles, skateboards, hoverboards, roller skates, roller blades, sleds, scooters, and similar items;

(g) animals, except for guide dogs for the physically impaired;

(h) sleeping or camping (as defined in Section 304 of these regulations);

(i) audible radios; televisions; recorded tape, disc, or digital sound players audible to others in the park; playing musical instruments, similar devices; and amplified sound; except the prohibitions in this Section (F)(2)(i) do not apply to a City-sponsored event;

(j) any noise or sound that is objectionable due to intermittence, beat, frequency, shrillness, or loudness;

(k) loud, boisterous, or disorderly behavior;

(l) vandalism or destruction of any portion of the Memorial or any feature of the Memorial Park;

(m) the removal by any unauthorized person of any article or memento (including flowers, photographs, military decorations, letters and other correspondence, documents, articles of clothing, and flags) which by its appearance, placement, or nature has been left at the Memorial in memory of or as a tribute to a Vietnam Veteran;

(n) any activity that is inherently dangerous, constitutes a public or private nuisance, or emits or creates strong, unusual or offensive odors, fumes, dust vapors;

(o) placing, erecting, hanging, or painting any sign, inscription, streamer, banner, placard, logo, or insignia.

(G) Advisory Committee.

(1) The Committee shall function as an advisory body to assist the Department in matters relating to the Memorial and the Memorial Park.

(2) The Committee shall consist of members who must be individuals selected by the United Veterans Council of Philadelphia and serve as Committee members for such time period and under such rules at that body may prescribe.

(3) The Department authorizes the Committee to remove from the Memorial and safeguard any articles or mementos referred to in Section (F)(2)(l) above.

(H) Enforcement. Violations of the provisions of this Appendix are subject to the enforcement and penalty provisions set forth in Section 501 of these regulations.

## APPENDIX D

to

REGULATIONS FOR THE GOVERNMENT OF  
PARKS AND RECREATION AREAS  
UNDER THE CONTROL OF THE  
CITY OF PHILADELPHIA  
DEPARTMENT OF PARKS AND RECREATION

### **Philadelphia Holocaust Memorial Park (see also regulation Section 201(C))**

(A) Purpose. Preservation of the Philadelphia Holocaust Memorial Park as a quiet, dignified and solemn site dedicated to remembrance and contemplation of the history of the Holocaust, honoring Holocaust victims and survivors, understanding genocide and preventing it, and promoting human dignity, tolerance, and understanding.

(B) Applicability of Other Regulations. Whenever the provisions of any statute, ordinance, or other regulation impose greater or more stringent obligations, restrictions, or penalties than these regulations, the provisions set forth in the statute, ordinance, or other regulation control.

(C) Definitions. When used in this Subsection, the term "**Holocaust Memorial Park**" means the area located on the west side of the intersection of Benjamin Franklin Parkway, 16<sup>th</sup> Street, and Arch Street, including the sculpture, *Monument to the Six Million Martyrs*, and the public fixtures, furniture, and walkways within Holocaust Memorial Park. "Holocaust Memorial Park" does not include the sidewalk along the north, east, and southern boundary of the park.

(D) Demonstrations and Special Events. Demonstrations and special events are prohibited in Holocaust Memorial Park; except that each year in keeping with the nature of the park the City may hold up to 20 events related to remembrance and contemplation of the history of the Holocaust, honoring Holocaust victims and survivors, understanding genocide and preventing it, and promoting human dignity, tolerance, and understanding, including (1) an annual Holocaust Remembrance Day observance, (2) a Holocaust Remembrance Education Day program, and (3) an International Genocide Awareness Day program.

(E) Prohibited Activities.

(1) Commercial activity in Holocaust Memorial Park is prohibited, whether profit or not-for-profit, and including without limitation commercial photography and the vending or sale of any goods, services, food, or beverages; except only in connection with City-sponsored events under Section 6(d).

(2) The following are prohibited in Holocaust Memorial Park:

- (a) food and beverages, except when brought by a person into Holocaust Memorial Park for that person's personal consumption;
- (b) smoking and vaping (as each is defined in Section 111 of these regulations);

- (c) littering;
- (d) picnics;
- (e) recreational and sporting activities, including games, athletic contests, ball play, jogging, and yoga;
- (f) bicycles, skateboards, hoverboards, roller skates, roller blades, sleds, scooters, and similar items; use of bicycles, skateboards, hover boards, roller skates, roller blades, sleds, scooters, and similar items;
- (g) animals, except for guide dogs for the physically impaired;
- (h) sleeping or camping (as defined in Section 304 of these regulations);
- (i) audible radios; televisions; recorded tape, disc, or digital sound players audible to others in the park; playing musical instruments, similar devices; and amplified sound; except the prohibitions in this Section (E)(2)(i) do not apply to a City-sponsored event under Section (D) above;
- (j) any noise or sound that is objectionable due to intermittence, beat, frequency, shrillness, or loudness;
- (k) loud, boisterous, or disorderly behavior;
- (l) vandalism or destruction of any portion of the or feature of Holocaust Memorial Park;
- (m) the removal by any unauthorized person of any article or memento (including flowers, photographs, military decorations, letters and other correspondence, documents, articles of clothing, and flags) which by its appearance, placement, or nature has been left at Holocaust Memorial Park in memory of or as a tribute to a victim or survivor of the Holocaust or other genocide;
- (n) any activity that is inherently dangerous, constitutes a public or private nuisance, or emits or creates strong, unusual or offensive odors, fumes, dust vapors; and
- (o) placing, erecting, hanging, or painting any sign, inscription, streamer, banner, placard, logo, or insignia.

(F) Enforcement. Violations of the provisions of this Appendix are subject to enforcement and penalty provisions set forth in Section 501 of these regulations.

## APPENDIX E

to

### REGULATIONS FOR THE GOVERNMENT OF PARKS AND RECREATION AREAS UNDER THE CONTROL OF THE CITY OF PHILADELPHIA DEPARTMENT OF PARKS AND RECREATION

#### **Signs (see also regulation Section 402)**

A. Signs in any Scenic Park Preservation Zone (as defined in Section 402(D) of these regulations) must be accessory signs (as “accessory sign” is defined in the Philadelphia Code) and are permitted only as specified below. Non-accessory signs are prohibited in each Scenic Park Preservation Zone.

- (1) Each sign must comply in every respect with the applicable requirements of the Philadelphia Code, except that if these regulations impose stricter limits or requirements than these regulations control.
- (2) The sign must be setback at least 40 feet from the nearest point of the curb line of the Park Road or Drive or of the Park and Recreation Facility which it fronts or borders, as the case may be, or from the boundary of the Park and Recreation Facility if there is no curb there.
- (3) In the case of any building which is in a district in which the required building set-back line results in the construction of a building which is less distant from the curb line or boundary line than the minimum distance required for sign set-backs, the property owner may apply to the Commissioner for a special exception, including a public hearing on the application.
- (4) Each building in the Scenic Park Preservation Zone may have a sign that identifies the name and lawful use of the building, and the name or emblem of the person, firm, institution, organization, or activity occupying the building. The total area of permitted signs may not exceed four square feet for each lineal foot of width of building frontage toward the Scenic Park Preservation Zone.
- (5) Freestanding signs whose structures are mounted on the ground may not exceed 20 feet in height, measured to the top of the sign structure from the lower of (1) the average level of ground of the lot frontage, and (2) the average level of ground of the entire lot. The total area of any freestanding sign may not exceed 100 square feet, including all elements of the sign structure and sign apron, but excluding supporting columns, uprights, and braces.
- (6) An accessory wall sign may not exceed in area the total of the permitted sign area under the Philadelphia Code, as measured for purposes of this section by including all elements of the sign

structure and sign cabinet. The total area of any projecting sign or any roof sign may not exceed 100 square feet, as measured by including all elements of the sign structure, sign cabinet, and sign apron, but excluding supporting columns, uprights, and braces. No roof sign, projecting sign, or freestanding sign may exceed in total area one 100 square feet.

- (7) Signs may be illuminated by interior lighting or lighting directed toward the sign only if the illumination is focused on the sign itself and does not cause glare or reflection on surrounding areas and eliminates light pollution to the greatest extent possible. No sign may be illuminated by neon or other gas, or be flashing or animated, or have intermittent illumination, or be any type of digital sign (as “digital sign” is defined in Philadelphia Code Section 14-202(296.2(a))).
- (8) Temporary real estate signs are permitted for a period of one year only for the purpose of advertising the sale or rent of the real estate upon which they are erected, subject to the following limitations:
  - (a) On the subject real estate, only one temporary real estate sign is permitted on the frontage facing toward the Scenic Park Preservation Zone.
  - (b) The total area of a temporary real estate sign may not exceed 24 square feet.
  - (c) The temporary real estate sign may not be illuminated by any means.
  - (d) Lawn signs are prohibited, except signs placed by the Department or other City of Philadelphia agency.

B. The following signs are prohibited:

- (1) Mechanical signs.
- (2) Non-mechanical signs that are capable of free movement by the wind or other means.
- (3) Signs which are intended to be capable of free-movement or oscillation.
- (4) Any sign with a revolving device that causes intermittent flashes or light to be projected.
- (5) Digital signs. No non-digital sign may be converted to any type of digital sign.
- (6) Neon signs or any sign illuminated with another type of gas.

C. Enforcement. Violations of the provisions of this Appendix are subject to enforcement and penalty provisions set forth in Section 501 of these regulations.