BOARD OF COMMISSIONERS
COUNTY OF LEBANON
COMMONWEALTH OF PENNSYLVANIA

ORDINANCE 6-4-2026

WHEREAS, the County of Lebanon is the owner of a recreational rail trail traversing through various municipalities within the county; and

WHEREAS, the rail trail is managed by Lebanon Valley Rails to Trails (LVRT) Inc.;

WHEREAS, no existing ordinance governs the use of the rail trail; and

WHEREAS, the Board of Commissioners for the County of Lebanon believe it is in the best interest of the County to enact an Ordinance establishing rules and regulations pertaining to the use of the rail trail; and

NOW, THEREFORE, with the above matters incorporated by reference herein, it is **HEREBY ORDAINED AND ENACTED**, by the Board of Commissioners of the County of Lebanon, Pennsylvania, the attached Ordinance:

Section 1. Effective Date.

This Ordinance shall become effective immediately upon recording in the county ordinance book.

Section 2. Severability Clause.

If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal, or invalid, such finding shall not affect or impair the remaining provisions, sentences, clauses, section or parts of this Ordinance.

It is hereby declared to be the intent of the Lebanon County Board of Commissioners that this Ordinance would have been adopted and would be enforceable had such unconstitutional,

illegal, or invalid sentence, clause, section or part thereof not been included herein.

Duly enacted and ordained this 4th day of June 2026 by the Board of Commissioners of Lebanon County, Pennsylvania in lawful session duly assembled.

ATTEST:

Jamie A. Wolgemuth
Chief Clerk/Administrator

COUNTY OF LEBANON
BOARD OF COMMISSIONERS

Michael J. Kuhn,
Chairman

Robert J. Phillips,
Vice-Chairman

Jo Ellen Litz,
Secretary

The above Ordinance was ordained, enacted, and adopted this 4th day of June 2026 at a regular meeting of the Board of Commissioners of the County of Lebanon duly advertised and assembled upon motion of Commissioner Litz and seconded by Commissioner Phillips and passed with a vote of 3 yes and 0 no.

ORDINANCE NO. 6-4-2026

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§ Section 1. Definitions.

Except where the context clearly indicates otherwise, the following terms as used in this Chapter shall have the following meanings:

BICYCLE/PEDALCYCLE. A vehicle conforming to the corresponding definition in the PA Vehicle Code, 75 P.S. Section 102. Specifically, it is a vehicle propelled solely by human-powered pedals or a pedalcycle with electric assist. The term does not mean a three-wheeled human-powered pedal-driven vehicle with a main driving wheel 20 inches in diameter or under and primarily designed for children six years of age or younger.

COUNTY. The County of Lebanon, Pennsylvania.

LVRT. Lebanon Valley Rails to Trails, Inc.

PEDALCYCLE WITH ELECTRIC ASSIST (E-BIKE). A vehicle conforming to the corresponding definition in the PA Vehicle Code, 75 P.S. Section 102. Specifically, it is a vehicle:

- weighing not more than 100 pounds:
- with two or three wheels more than 11 inches in diameter:
- containing an electric motor system rated at not more than 750 watts;
- equipped with operable pedals;
- and capable of a speed not more than 20 miles per hour on a level surface when powered by the motor source only.

The term does not include a device specifically designed for use by persons with disabilities.

PERMIT. Any written authorization issued by or under the authority of LVRT

PERSON. Any natural person, corporation, organization, company, association, partnership, government, governmental subdivision, agency, or any other legal or commercial entity.

RULES AND REGULATIONS. Any rules and regulations hereby or hereafter promulgated by the Board of Commissioners of Lebanon County or LVRT.

SIGNS. Any permanent and/or temporarily posted flyer, placard, poster, advertisement, signage etc. Signs shall include, but are not limited to, postings on bulletin boards, directional signs, roadway signs and points of interest.

TRAIL. The lands or facilities owned by or in the possession of the County and used by the County as part of the recreational rail trail administered by Lebanon Valley Rails to Trails, Inc. Any parks adjacent to the rail trail and administered by LVRT, including John E. Wengert Park, Inwood Bridge Pocket Park, and any other parks contiguous and operated in association with the rail trail system, are part of the **TRAIL**.

Section 2. Authority to Act as Agent.

The duly appointed representative(s) of LVRT is/are authorized to act as the agent of the County with respect to implementing the provisions of this Ordinance and the operation of the Trail.

Section 3. Permits for Special Events Use of the Trail.

A Special Events Permit and Agreement is required for any gathering, meeting, rally or other event. A request to reserve and use the Trail by any organization or any specially organized event is subject to the following process:

A. An application for a Permit shall be made to LVRT upon any forms designated by it. Inquiries regarding such permits shall be made through LVRT's website at www.lvtrail.com. Applications for permits must be submitted to LVRT by the first day of the month for the month prior to the month of the event. For example, an application for an event on April 20 must be submitted on or before March 1.

B. Permits will be issued in writing (including by e-mail) by LVRT. LVRT may, in its discretion, charge Permit fees through an established fee schedule. Permits shall be valid only on the day or dates specified in the Permit. Unless expressly stated in the Permit, a Permit does not grant exclusive use of any part of the Trail to the Permit holder.

C. Permit holders must comply with this Ordinance and all LVRT Rules and Regulations governing the use of the Trail, including, but not limited to, leaving the designated space(s) used in a clean condition. No painted or similar markings may be placed anywhere on the Trail. The Permit holder shall be responsible for all costs incurred by County or LVRT due to a violation of the provisions of this Ordinance or LVRT Rules and Regulations.

D. The holder of a Permit shall be held responsible for the actions and conduct of all Persons using the Trail under his/her Permit.

E. A representative of LVRT may revoke, in the field, any Permit for just cause arising from violations of the Permit, applicable Rules and Regulations or activities presenting a danger to other Trail visitors.

F. It shall be unlawful for any Person to use the Trail in a manner for which a Permit is required except through the grant of a Permit and payment of the applicable fee.

G. Engaging in commercial (for profit) activity within the Trail is strictly prohibited. This provision shall not prohibit approved fundraising/non-profit activities approved and permitted by LVRT in accordance with this Section 3.

Section 4. Hours.

A. Trail use is limited to the period from dawn to dusk daily. No Person shall be permitted within or remain upon the Trail between dusk and dawn. Use is permitted between dusk and dawn on the portion of the Trail located between Wilhelm Avenue and John E. Wengert Memorial Park within the City of Lebanon; on the portion of the Trail located along Chestnut Street between 16th Street and 22nd Street; and on the portion of the Trail to be located along the 22nd Street bridge from Chestnut Street to Cumberland Street. No overnight parking in the trailheads of the Trail is permitted.

Section 5. Signs.

A. It shall be unlawful to install, move, remove, damage or deface a Sign. Erection of any political or commercial signs on the Trail are prohibited and may be discarded by County or LVRT representatives.

B. Users of the Trail shall comply with all directions set forth in any Sign erected by the County or LVRT.

C. No person shall disobey a posted or displayed Sign.

Section 6. Property Destruction.

No Person shall alter, damage, deface or remove any portion of the Trail or the benches, gates, and other components of the Trail.

Section 7. Trespass.

No Person shall:

A. Enter upon or disturb any construction or equipment within the Trail (except authorized personnel of the County, LVRT or their contractors and agents).

B. Re-enter onto the Trail after written notice by the County or LVRT not to do so due to violating Rules and Regulations or inappropriate behavior.

C. Create private access from/to the Trail without written permission.

D. Enter onto any private property abutting the Trail without written permission from the property owner.

Section 8. Plant Life.

No Person (other than authorized personnel) shall:

A. Cut, remove, damage or destroy any plant life.

B. Remove or dig any sod, earth, rock, gravel, soil or sand.

C. Plant any tree, shrub or plant.

Section 9. Fires and Lighted Objects.

A. No Person Shall:

1. Build or set any fire within the Trail.

2. Drop, throw or otherwise scatter lighted matches, burning cigars, cigarettes, tobacco paper or other flammable material within or upon any property of the Trail, except in appropriate receptacles.

3. Use charcoal or gas grills, or any other cooking devices.

4. Use lighted candles or lanterns of any kind within the Trail.

5. Smoke cigarettes, cigars or other flammable and/or flammable materials, including from a vaporizer, on Trail property during a burning ban enacted by local, county or state governments.

Section 10. Dogs and Animals.

A. Dogs must be on a leash at all times while on the Trail. The leash must be held by the handler at all times. There are no exceptions. The leash must be maintained at a length that allows other Trail users to pass safely. To the extent that an already existing municipal ordinance governs dogs on a leash, the provisions of the municipal ordinance shall supersede the provisions of this Ordinance. All Persons must clean up any fecal matter deposited by his/her pet in all areas of the Trail and take it home to dispose of the waste properly.

B. No Person shall within the Trail:

1. Pursue, catch, attempt to catch, strike, molest, wound or kill any bird, animal or reptile or any nest, lair, den, burrow or the like of any animal.

2. Hunt or trap any animals.

3. Fish, except in accordance with the laws of the State of Pennsylvania.

4. Permit his/her dog or other pet to pursue, catch, wound or kill any bird, animal or reptile or to disturb the nests, dens, home or place of refuge of any other animal or bird.

Section 11. Horses.

No Person shall:

A. Ride, lead, or cause a horse to be upon the Trail, except in specifically designated and approved portions of the Trail. Horses shall be ridden in the designated areas parallel to the Trail as directed by any posted Signs.

B. Ride a horse within the Trail in a careless, negligent or reckless manner so as to create a nuisance or to endanger the life, property or Persons within the Trail.

Section 12. Operation of Motor Vehicles within the Trail.

A. Except for County and LVRT authorized maintenance and construction vehicles and as permitted in Section 13, no motor vehicles may be operated on the Trail, except for crossing the Trail to designated trailheads.

B. No Person shall:

1. Operate a motor vehicle within the Trail, except: (a) to access and park in a designated trailhead; or (b) farm equipment as specifically authorized by LVRT.

2. Park a motor vehicle within the Trail in such a manner as to take up more than one designated parking space.

3. Park any motor vehicle at a trailhead in an identified handicapped or ADA parking space without proper certification.

4. Operate any motor-driven sled, toboggan, snowmobile, All Terrain Vehicle (ATV) or motorbike within the Trail, except as authorized in Section 13.

5. Operate any vehicle in or near an authorized trailhead with an overall weight, including any trailer and cargo, of 10,000 lbs.

6. Operate a motor vehicle on a trailhead without having a valid operator's license, automobile

registration certificate, insurance and valid certificate of inspection displayed on the vehicle.

7. Fail to yield the right of way to any Person riding a horse, hiking and biking on marked trails where such trails cross streets or roadways within the Trail.

Section 13. Bicycles/Pedalcycles/Electric Bikes (E-Bikes).

A. Only Bicycles/Pedalcycles, unicycles and E-Bikes as defined in Section 1 may be used on the Trail. Such bikes must be in pedal assist mode only when used on the Rail Trail (i.e. no throttle). All other E-Bikes are prohibited. The use of all other battery powered devices or self-propelled devices (scooters, skateboards or hover boards) are also prohibited, except devices designed specifically for ADA accommodations.

B. Golf carts, utility vehicles, and snowmobiles are prohibited, except:

1. Vehicles being used by construction and maintenance personnel, as authorized by the County or LVRT.

2. Residents of Cornwall Manor may use golf carts in designated areas adjacent to the trail.

3. Snowmobiles may be used in appropriate conditions (including sufficient snow so that snowmobile is not directly contacting the Trail surface) from the Lancaster/Lebanon County line to Horseshoe Trail.

C. No Person shall:

1. Operate a bicycle or Pedalcycle within the Trail, except as close to the right-hand curb or right-hand side of the path, trail or roadway as conditions will permit. Passing on the left is permitted and should be announced to others using the Trail.

2. Operate more than two (2) bicycles or Pedalcycles abreast.

3. Ride upon the handlebar or frame of any bicycle Pedalcycle.

4. Operate a bicycle or Pedalcycle within the Trail in a careless or reckless manner in disregard of the rights and safety of others.

D. Bicycles and Pedalcycles shall yield the right-of-way to all pedestrians/persons with horses where such paths, trails or roadways within the Trail cross or become one.

E. No permitted vehicle may travel more than 15 mph on the Trail.

Section 14. Other Prohibited Activities.

A. While in or on the Trail, no Person shall:

1. Within the Trail, peddle or solicit business of any nature whatsoever, collect any fund for any service or charity, distribute/post/display handbills or other advertising matter, engage in political activities, post unauthorized signs on any lands, waters, structures, or property; or use such lands, waters, structures, or property for such purposes.

2. Interfere with authorized personnel or agents of the County, police or LVRT in performing their duties.

3. Use or have possession of alcoholic beverages or illegal substances on the Trail.

4. Operate drones or remote-controlled planes on the Trail, except pursuant to an approved Permit issued pursuant to Section 3 of this Ordinance. LVRT reserves the right to issue any such Permit only in exceptional circumstances and in its absolute discretion.

5. Camp on any portion of the Trail.

6. Engage in any violent, abusive, loud, boisterous, offensive, vulgar, lewd, wanton, obscene or otherwise disorderly conduct tending to create a breach of the peace or to disturb or annoy others, while in or on the Trail.

7. Create noise (including through the use of electronic devices) which would likely annoy or disturb a reasonable person of normal sensitivity.

8. Engage in any type of sexual activity.

9. Fire, discharge or have in his or her possession any rocket, firecracker, torpedo, squib, or other fireworks or any substance of an explosive nature.

10. Possess any type of bladed weapon, with the exception of knives not to exceed three (3) inches in length, in any area of the Trail.

Section 15. Littering.

While in or upon the Trail, no Person shall:

A. Litter, discard, deposit, dump or allow to blow away refuse of any kind or nature within or upon the Trail, except by placing said refuse in appropriate refuse containers provided for such purpose.

B. Throw, cast, lay, drop or discharge into or leave in waters of the Trail any substance, matter or

thing, liquid or solid, which may or shall result in the pollution of said waters.

C. Pour or cause to spill or permit to escape in any area of the Trail any oil, gas, salt, acid or other deleterious substances whether liquid, solid, gaseous.

D. Bring to or dispose of any type of trash, personal items, refuse or debris, including, but not limited to, wastepaper sweepings, ashes, household waste, glass, refuse or rubbish or any dangerous or detrimental substance in the Trail whether disposing of it in receptacles or not, if such was not generated from park usage.

E. Deposit any bodily waste in or on any portion of the Trail, except in a facility intended for that purpose.

Section 16. Emergency Powers.

Nothing in these rules shall:

A. Prohibit or hinder duly authorized agents of the local police, LVRT and/or the Lebanon County Board of Commissioners, or any law enforcement officers, from performing their official duties.

B. Prohibit LVRT or the Lebanon County Board of Commissioners and/or their respective agents from establishing emergency rules and regulations, as well as policies and procedures, required to protect the health, welfare, and safety of park visitors and property within the Trail.

Section 17. Additional Rules and Regulations.

LVRT is authorized to establish additional rules and regulations, as well as policies and procedures. All such posted directives shall be obeyed by all Persons utilizing the Trail. The violation of such additional rules, regulations, policies and/or procedures shall be a violation of this Article and shall be subject to the penalties herein.

Section 18. Authority to Close Areas.

Any police officer or authorized representative of the County or LVRT may close any park or recreation area within the Trail which becomes hazardous or unsafe for public use due to weather, water, fire, public safety or unforeseeable conditions, as well as for general maintenance and other needed work or activities on the Trail.

Section 19. Enforcement.

It is the intention of this Ordinance that any and all police officers of a municipality within which the Trail is located shall have authority to cite Persons for violations of this Ordinance.

County of Lebanon and LVRT officials, as well as law enforcement, shall have the authority to direct any individual to leave the Trail, as well as to assess damages against any person violating this Ordinance. The County and LVRT shall also have the authority to prohibit a person who has violated this Ordinance from entering onto the Trail for a specified period of time into the future, indefinitely or permanently.

Section 20. Violations and Penalties.

A. Any Person who violates any provision of this Article shall, for every such offense, upon conviction thereof, in a summary proceeding, be sentenced to pay a fine not to exceed One Thousand Dollars ($1,000.00) and/or to undergo imprisonment for a term not to exceed ten (10) days, or both, plus costs of prosecution and restitution, if applicable, to the County of Lebanon. Restitution shall include, but not be limited to, reimbursement for hours spent by LVRT representative and/or County of Lebanon employees and agents performing repairs, as well as replacement costs and material costs. Prosecutions shall be brought in the name of the County of Lebanon or the municipality in which the offense occurred, and all fines, court costs and restitution shall be paid to the County of Lebanon.

B. This Ordinance is intended to supplement and not replace any and all provisions of the Pennsylvania Crimes Code or any other codes or ordinances that may be applicable to the conduct of the Person(s) involved.

C. Nothing in this Article shall be construed as a waiver of the County of Lebanon's right to pursue recovery of damages in a civil proceeding.

D. Any person violating any provision of this Ordinance shall be liable to the County for any property or other damage caused by his/her/their action.