

## CHAPTER XVII - PARKS AND RECREATIONAL AREAS

### Sections:

#### 17-1 - PUBLIC PARK RULES AND REGULATIONS.

17-1.1 Purpose. The purpose of this section is to establish rules and regulations concerning the conduct of the public in the use and management of public parks and recreational facilities and areas within the Borough.

(Ord. #1342, § 1)

17-1.2 Application of Provisions. The Rules and Regulations as set forth in this section shall apply to all persons, associations, partnerships and corporations that shall use the public parks and recreational areas within the Borough.

(Ord. #1342, § 2)

17-1.3 Rules and Regulations for Conduct Enumerated. The rules and regulations for the conduct of all persons is as follows:

- a. Tampering With Park Property Prohibited. No person shall willfully mark, deface, disfigure, injure, tamper with or displace or remove any buildings, bridges, tables, benches, fireplaces, railings, paving or paving materials, water lines or other public utilities or parts or appurtenances thereof, signs, notices or placards, whether temporary or permanent, monuments, stakes, posts, or other boundary markers or other structures or equipment facilities or park property or appurtenances whatsoever, either real or personal.
- b. Restrooms. All persons shall cooperate in maintaining restrooms and washrooms in a neat and sanitary condition. No person above the age of five (5) years shall use the rest rooms and washrooms designated for the opposite sex.
- c. Removal of Soil, Rocks, Plants, Etc. No person shall dig or remove any soil, rock, sand, stones, trees, shrubs or plants or other wood or materials or make any excavation by tool, equipment, blasting or other means or agency.
- d. Construction of Buildings, Etc. No person shall construct or erect any building or structure of whatever kind, whether permanent or temporary or run or string any public service utility into, upon or across such lands, except on special written permit issued hereunder.
- e. Damaging Trees or Plants. No person shall damage, cut, carve, transplant or remove any tree or plant or injure the bark or pick flowers or seed of any trees or plant, dig in or otherwise disturb grass areas or in any other way injure the natural beauty or usefulness of any area.
- f. Climbing or Walking on Trees or Monuments. No person shall climb any tree, or walk, stand or sit upon monuments, vases, planters, fountains, railings, fences or upon any other property not designated or customarily used for such purposes.
- g. Tying Domestic Animals to Trees or Plants. No person shall tie or hitch a domestic animal such as a dog or cat, to any tree or plant.
- h. Pollution of Waters. No person shall throw, discharge, or otherwise place or cause to be placed in the waters of any fountain, pond, lake, stream or other body of water in or adjacent to any park or any tributary stream, storm sewer, or drain flowing into such water any substance, matter or thing, liquid or solid, which will or may result in the pollution of the waters.
- i. Dumping Refuse in Waters. No person shall have brought in or shall dump in, deposit or leave any bottles, broken glass, ashes, paper, boxes, cans, dirt, rubbish, waste, garbage or refuse or other trash. No such refuse or trash shall be placed in any waters in or contiguous to any park, or

left anywhere on the grounds thereof, but shall be placed in the proper receptacles where same are provided; where receptacles are not provided, all such rubbish or waste shall be carried away from the park by the person responsible for its presence and properly disposed of elsewhere.

- j. Driving Restricted to Certain Areas. No person shall drive any vehicle on any area except the paved park roads or parking areas or such areas as may on occasion be specifically designated as temporary areas including motorized vehicles such as mini bikes and mopeds.
- k. Parking Restricted to Certain Areas. No person shall park a vehicle in other than an established or designated area and such shall be in accordance with posted directions or with the instruction of any Borough employee who may be present.
- l. Parking Vehicles Overnight Prohibited. No person shall leave a vehicle standing or parked overnight in established parking areas or elsewhere in the park area.
- m. Bicycles to Be Placed in Racks. No person shall leave a bicycle in a place other than a bicycle rack when such is provided and there is space available.
- n. Bicycle Safety. No person shall ride a bicycle without reasonable regard to the safety of others.
- o. Bicycle Hazard. No person shall leave a bicycle lying on the ground or paving or set against trees, or in any place or position where other persons may trip over or be injured by them.
- p. Swimming or Wading. No person shall swim, bathe or wade in any waters or water-ways in or adjacent to any park except in those areas so designated for swimming, bathing or wading and in those designated areas in accordance with the instructions and directions of the Borough employees present and in charge.
- q. Boats, Rafts, Etc. No person shall bring into or operate any boat, raft or other water craft, whether motor-powered or not, upon any waters, except at places designated for boating. Such activity shall be in accordance with applicable regulations as set forth in other ordinances of the Borough.
- r. Firearm Prohibition. No person shall carry or possess firearms of any description, or air-rifles, spring-guns, bows and arrows, slings or any other forms of weapons potentially inimical to wildlife and dangerous to human safety or any instrument that can be loaded with and fire blank cartridges or any kind of trapping device. Shooting into park areas from beyond park boundaries is forbidden except instructional classes, such as archery as shall be under the direction of official Borough authorization.
- s. Picnicking. No person shall picnic or lunch in a place other than those designated for that purpose.
- t. Exclusive Use of Picnic Areas. No person shall use any portion of the picnic area or any of the buildings or structures therein for the purpose of holding picnics to the exclusion of other persons, nor shall any person use such areas and facilities for an unreasonable time if the facilities are crowded.
- u. Extinguishing Fires and Trash Disposal. No person shall leave a picnic area before the fire is completely extinguished and before all trash is placed in the disposal receptacles where provided. If no such trash receptacles are provided, then trash shall be carried away from the park area by the picnicker to be properly disposed of elsewhere.
- v. Certain Games Prohibited. No person shall take part in or abet the playing of any games involving thrown or otherwise propelled objects such as balls, stones, arrows, javelins, horseshoes, quoits, or model airplanes except in those areas set apart for such forms of recreation and upon specific authorization from the appropriate Borough official.
- w. Dogs or Cats Shall Be Leashed. No person shall allow a dog or cat of which the person is in charge to go upon any part of the park property or recreational area unless held by a leash not longer than six (6') feet.
- x. Sale of Goods and Advertising Unlawful. No person shall sell or offer for sale, any goods, wares or merchandise whatsoever, or to display or distribute any advertising device, circular or card in

any park or recreational area except upon a written permit issued by the appropriate and authorized Borough official.

- y. Dogs and Cats Prohibited. No person shall allow a dog or cat of which the person is in charge to go upon any part of any fenced in athletic field at any time, for any reason.
- z. Waterfowl Feeding Prohibited. No person shall feed, cause to be fed or provide food or other sustenance essential for growth or maintenance of, domestic or migratory waterfowl, including Canada geese, in the Borough of Sayreville. No person shall create or foster any condition or allow any condition to exist or continue, which results in a congregation or congestion of domestic or migratory waterfowl.
- aa. Smoking Confined to Certain Areas at Certain Events. No person attending an athletic and/or recreational event that takes place on Borough property shall smoke in any area closer than fifty (50') feet from the boundary of any athletic field and/or within fifty (50') feet of any of the event participants whether or not such participants are engaged in event activities. No smoking shall take place in any restrooms serving an athletic and/or recreational event on Borough property during the course of an athletic or recreational event. Smoking is prohibited within fifty (50') feet of any area where food or beverages are served. This prohibition shall apply only to those athletic or recreational events where any of the participants are eighteen (18) years of age or younger. Violations of this prohibition shall be punishable as prescribed by law.

(Ord. #1342, § 3; Ord. #658-00, § 1; Ord. #771-02, § 1; Ord. #20-07, § 1)

17-1.4 Disorderly Conduct Prohibited. All persons shall conduct themselves in a proper and orderly manner while in a park or a recreational area and in particular as follows:

- a. Alcoholic Beverages. No person shall bring alcoholic beverages, drink alcoholic beverages at any time nor shall any person be under the influence of intoxicating liquor, except those programs that have been issued permits by the appropriate Borough official and nothing contained herein shall be in disregard of other appropriate Borough Ordinances concerning the drinking of alcoholic beverages in a public place.
- b. Explosives and Fireworks. No person shall have in his possession or set or otherwise cause to explode or discharge or burn any fireworks or explosives or flammable materials, or discharge them or throw them into any such areas from lands or highways adjacent thereto. This prohibition includes any substance, compound, mixture, or compound that would be dangerous from any of the foregoing standards.
- c. Fires and Flammable Materials. No person shall build or attempt to build a fire except in those areas and under such regulations as may be designated and posted. No person shall drop, throw or otherwise scatter lighted matches, burning cigarettes or cigars, tobacco paper or other flammable material within any park or recreational area or on any highways, roads, or streets abutting or contiguous thereto.
- d. Areas Closed to the Public. No person shall enter an area posted as "Closed to the Public" nor shall any person use or abet in the use of any area in violation of posted notices and for the purpose of this section and other applicable State Statutes and ordinances shall be considered to be a trespasser.
- e. Gambling Unlawful. No person shall gamble or participate in or abet any game of chance except in such areas and under such regulations as may be designated by the authorized Borough official.
- f. Sleeping on Benches and Disorderly Conduct. No person shall sleep or protractedly lounge on the seats or benches or other areas or engage in loud, boisterous, threatening, abusive, insulting or indecent language or engage in any disorderly conduct or behavior tending to breach the public peace.

- g. Disturbing or Interfering with Authorized Activities. No person shall disturb or interfere unreasonably with any person or party occupying any area or participating in any activity under the authority of a permit issued by an authorized Borough official.
- h. Posting Handbills. No person shall paste, tack or otherwise post any sign, placard advertisement, or inscription whatever, nor shall any person erect or cause to be erected any sign whatever on any public lands or highways or roads adjacent to a park.

(Ord. #1342, § 4)

17-1.5 Opening and Closing Hours. Public parks and recreational areas shall be open to the public every day of the year during the designated hours except for unusual and unforeseen emergencies. The opening and closing hours for each individual park or recreational area shall be posted therein for public information at the entrances.

(Ord. #1342, § 5)

17-1.6 Closing Time of Parks. All parks in the Borough not equipped with lights shall be closed to the public one (1) hour after sundown. All parks in the Borough equipped with lights shall be closed to the public at 11:00 p.m.

(Ord. #1015, § 6-7.1)

17-1.7 Certain Park Areas May Be Closed at Certain Times. Any section or part of any park may be designated closed to the public at any time and for any interval of time either temporary or at regular and slated intervals (daily or otherwise) and either entirely or merely for certain uses.

(Ord. #1342, § 6)

17-1.8 Permits for Special Events. All Borough permits for special events in parks and recreational areas shall be obtained by application to the Department of Recreation in accordance with the following procedure:

- a. Application. A person, association, corporation or partnership seeking issuance of a permit hereunder shall file an application with the Department of Recreation stating:
  - 1. The name and address of the applicant.
  - 2. The name and address of the person, corporation, associations or partnerships sponsoring the activity, if any.
  - 3. The day and hours for which the permit is desired.
  - 4. The park or portion thereof for which such permit is desired.
  - 5. Any other information which the Department of Recreation shall find reasonably necessary to a fair determination as to whether a permit should be issued hereunder.
- b. Standards for Issuance. Standards for issuance of a use permit by the Department of Recreation include the following findings:
  - 1. The proposed activity or use of the park will not unreasonably interfere with or detract from the general public enjoyment of the park.
  - 2. The proposed activity and use will not unreasonably interfere or detract from the promotion of public health, welfare, safety and recreation.
  - 3. The proposed activity or uses that are reasonably anticipated will not include violence, crime or disorderly conduct.

4. The proposed activity will not entail extraordinary or burdensome expense or policing by the Borough. Notwithstanding any other provisions of this section, all applications for use of playgrounds and recreational areas by private groups for picnics or similar activities shall be made on forms to be supplied by the Department of Recreation. All applications shall be made at least seven (7) days in advance of the proposed use. Permits to use Burke's Park shall be accompanied by a deposit of two hundred (\$200.00) dollars which shall be held in trust by the Borough as security against any damages, vandalism or destruction to its playgrounds or recreation facility. Permit to use Jackson Avenue Park shall be accompanied by a one hundred eighty (\$180.00) dollar deposit. The superintendent shall individually or through his agent make an inspection of the park, playground or recreation area immediately after the actual use applied for and if the area is found to be in order shall authorize return of seventy (\$70.00) dollars of the security deposit. The Superintendent of Recreation may in the exercise of his discretion waive the deposit provisions for any church, civic, social and fraternal organizations having their registered agent or principal office or headquarters within the Borough.
5. The facilities desired have not been reserved for other use at the date and hour requested in the application.
- c. Permittee Subject to Park Rules and Regulations. A permittee shall be bound by all park and recreation area rules and regulations and all applicable ordinances fully as though the same were inserted in the permits.
- d. Liability for Loss, Damage or Injury; Insurance. The person to whom the permit is issued shall be liable for all loss, damage or injury sustained by any person whatever by reason of the negligence of the person or persons to whom the permit shall have been issued. The Department of Recreation shall have the right to require any permittee to submit evidence of liability insurance covering injuries to members of the general public arising out of such permitted activities in such amount as may be determined by the Department of Recreation prior to the commencement of any activity for which a permit has been issued, but in no event shall it be less than twenty-five thousand (\$25,000.00) dollars per person and fifty thousand (\$50,000.00) dollars per accident.
- e. Revocation of Permit. The Department of Recreation shall have the absolute authority to revoke a permit upon finding of a violation of any rule, regulation or ordinance or upon good cause shown.

(Ord. #1342, § 7)

17-1.9 Enforcement.

- a. The Department of Recreation, its agent and park attendants shall in connection with their duties imposed by law, diligently enforce the provisions of this section and all other applicable ordinances.
- b. The Department of Recreation, its agents and any other park attendant shall have the authority to eject from the park area any person or persons acting in violation of this section.
- c. The Department of Recreation, its agents and any park attendant shall have the authority to seize and confiscate any property, thing or device in the park used in violation of this section.
- d. This section shall also be enforced by the Police Department of the Borough.
- e. Agents of the Borough in performance of their duties shall be exempt from the provisions of this section.

(Ord. #1342, § 8)

17-1.10 Penalty. Any person violating the provisions of this section shall upon conviction thereof be subject to a penalty as established in Chapter I, Section 1-5.

(Ord. #1342, § 9)

17-1.11 Park Defined. The use of the word park herein is intended where not specifically stated, to include all recreational areas owned by the Borough.

(Ord. #1342, § 10)

17-1.12 Notice of Regulations. Appropriate signs setting forth these regulations shall be erected in all parks of the Borough.

(Ord. #1015, § 6-7.3)

17-1.13 Fee Schedule for Use of Parks and Recreational Areas, Facilities and Programs. The Mayor and Borough Council shall establish by resolution on an annual basis or more often as may be required, a fee schedule to be charged to members of the public for the use and participation in the public parks, recreational facilities and areas and the recreational programs of the Borough of Sayreville. It shall be the duty of the Recreation Director to recommend a schedule of fees to the Mayor and Borough Council. Notwithstanding anything herein to the contrary, each fire company and first aid squad located within the Borough of Sayreville shall be entitled to the use of a public park or recreational facility once per year without fee subject to the availability of said park or facility.

(Ord. #1619-87)

17-1.14 Hitting of Golf Balls in Parks Prohibited.

- a. Findings. The Mayor and Borough Council of the Borough of Sayreville in the County of Middlesex, State of New Jersey find that the hitting of golf balls in Borough parks and recreation areas not specifically designated for such use, poses a substantial risk of damage to property in the area and a risk to the health, safety and well being of the general public by reason of the risk of personal injury resulting from persons being struck by a golf ball.
- b. Golfing Prohibited. It shall be unlawful for any person to engage in the hitting of golf balls within the boundaries of any park or recreation area in the Borough of Sayreville, unless the park or recreation area is specifically designated to allow the hitting of golf balls or unless the hitting of golf balls is otherwise permitted by the Municipal Department Head for the Department of Recreation.
- c. Penalty. Any person found guilty of violating the terms of this subsection shall be subject to the penalties as established in Section 1-5, the General Penalty section of the Revised General Ordinances of the Borough of Sayreville.

(Ord. #607-99, §§ 1-3)

17-2 - BOROUGH BATHING FACILITIES.

17-2.1 Established. The premises known as "Bailey Park" and any other lakes or ponds hereafter leased or owned by the Borough, together with the lands adjacent thereto, shall be designated as Sayreville's Municipal Bathing Facilities.

(Ord. #1015, § 6-8.1)

17-2.2 Hours. The bathing facilities shall be opened daily to the public between the hours of 10:00 a.m. and 8:00 p.m. during the months of June, July and August.

(Ord. #1015, § 6-8.2)

17-2.3 Permit Required. No person shall use the facilities for any purpose whatsoever or at any time without obtaining a permit. Permits shall be obtained at the Recreation Department and shall be exhibited on demand.

(Ord. #1015, § 6-8.3)

17-2.4 Entrance Fees. The entrance fee for Borough residents using Bailey Park shall be as follows:

For Season Use

|                                   |        |
|-----------------------------------|--------|
| Borough Family                    | \$1.00 |
| Individual Children or Dependents | \$.50  |

Non-Resident for Daily Use

|                                   |        |
|-----------------------------------|--------|
| Non-resident Adults               | \$1.00 |
| Individual Children or Dependents | \$.50  |

Non-Resident Weekends and Holidays

|                                   |        |
|-----------------------------------|--------|
| Non-resident Adults               | \$1.50 |
| Individual Children or Dependents | \$.75  |

(Ord. #1028, § 1)

17-2.5 Passes and Membership. The Borough may issue passes and membership cards to the Borough residents who register.

(Ord. #1028, § 2)

17-2.6 Alcoholic Beverages Prohibited. No person shall consume or bring any alcoholic beverages into any park or bathing facilities owned or operated by the Borough.

(Ord. #1015, § 6-8.5)

17-2.7 Disrobing Prohibited. No person shall undress or disrobe on any part of the premises or in any automobile on or near the premises or on any private or public land in the vicinity of the premises.

(Ord. #1015, § 6-8.6)

17-2.8 Parking Restricted. Parking of motor vehicles shall be permitted only in designated areas. No person shall park any motor vehicle on public or private roads adjacent to the premises.

(Ord. #1015, § 6-8.7)

17-2.9 Purpose. This section is enacted for the purpose of raising revenue and to regulate and control the use of the premises for bathing and swimming.

(Ord. #1015, § 6-8.8)

### 17-3 - PUBLIC USE OF MUNICIPAL TENNIS COURTS AT KENNEDY PARK.

- a. Eligibility. All residents of the Borough shall be required to obtain a resident's pass for the use of the tennis courts at Kennedy Park. The pass may be obtained at the Recreation Department in the Civic Center, Dolan Street, Monday through Friday from 9:00 a.m. to 5:00 p.m. In addition, special evening hours will be arranged for those residents who cannot obtain a pass during the day and the evening hours will be announced in newspapers circulated in the Borough. Guests of residents will be permitted to use the tennis courts at Kennedy Park. Only one (1) guest per registered resident will be permitted daily. Guests will be required to register at the Recreation Department office at least seventy-two (72) hours before the intended use of the courts and a permit will issue for the date requested.
- b. Fees. A fee of one (\$1.00) dollar will be charged for adult passes and fifty (\$.50) cents will be charged for students. In addition, a court fee of twenty-five (\$.25) cents per hour per person will be charged. Residents will be required to show two (2) proofs of residency when requesting a pass.
- c. Hours. The tennis courts at Kennedy Park will be open on weekdays from 8:00 a.m. to 11:00 p.m. and on weekends from 7:00 a.m. to 11:00 p.m. The tennis courts at Kennedy Park will be maintained and open all year.
- d. Reservations. Reservations can be made twenty-four (24) hours in advance, but cannot be made any sooner thereof. Reservations will be held at the court for ten (10) minutes beyond the scheduled time and thereafter the courts will be issued to waiting resident players on a first come basis. Reservations shall be made by calling the Recreation Department office at 390-7092 on weekdays and at the tennis courts on weekends, the telephone number to be posted. An attendant will be on duty during peak hours including weekends and during the peak season use.
- e. Playing Time. Singles play will be limited to reservations for one (1) hour per court in the event that others are waiting to play or the court time is reserved. Doubles play will be limited to reservations for two (2) hours per court in the event others are waiting to play or the court time is reserved. Reservations for doubles must be made in the name of two (2) registered resident players. The appearance of more than four (4) different players during any two (2) hour period will not extend the playing time beyond the two (2) hours.
- f. Food and Drink. No cans, bottles, or any other disposable container will be permitted inside the tennis court area. No alcoholic beverages shall be permitted in the park. Personal thermos bottles, and/or picnic jugs, and the like will be permitted inside the court area. No food is to be taken inside the playing area.
- g. Dress Code. Shoes with heels of any kind will not be permitted. Players must wear shirts at all times as well as sneakers or rubber soled shoes. Players waiting to play and spectators, players with reservations and others waiting for playing time should not enter the tennis playing area beforehand. All spectators are requested to remain outside the playing area. Registered residents who are playing



and have children are requested to keep them seated and quiet. No persons will be permitted on the courts with bare feet.

- h. Recreation Classes. The recreation sponsored tennis classes, tournaments, clinics and the like shall take priority over individual play. Supervisors of such special events will have appropriate I.D. to show, when requested and these type of recreation classes shall be scheduled and posted in advance.
- i. Demeanor. Most important in the spirit of good sportsmanship, all persons whether registered residents or guests using the Borough-owned premises are required to conduct themselves at all times with regard for their fellow tennis players in deportment, speech, attire and the like.

(Ord. #1015, § 6-7; Ord. #1179, § 1; New)

17-4 - MUNICIPAL BOAT LAUNCHING FACILITIES.

- a. Eligibility. Persons eighteen (18) years of age or older, both residents and nonresidents of the Borough of Sayreville, shall be eligible to use the Buchanan Waterfront Park subsequent to complying with the requirements set forth hereunder.
- b. Registration. Applicants for permits to use the Buchanan Waterfront Park shall furnish the Office of Recreation with the following information: their name, address, description of their boat(s) or other watercraft, license number thereof and license number for any trailer to be used in connection with launching and hauling out. All required licenses and registrations must be current. Other information may be required by order of the Mayor and Council or other authorized agency.
- c. Permits.
  - 1. All required permits shall be serially numbered for identification purposes. The serial number of each such permit shall be entered in a book for registration thereof opposite the name and address of the permit holder. Permit holders engaged in launching or retrieving their boat or other watercraft shall at all times have their permits visible. One (1) permit shall be placed on the trailer and one (1) permit on the boat or watercraft.
  - 2. Permit Fees—Registration. Permit holders eighteen (18) years of age or older must present current license and registrations, which clearly state the permit holder's name and address, for each of the following: driver's license, boat or watercraft registration and trailer registration.
    - (a) Permit Fees.

|  | 1st Watercraft | 2nd Watercraft |
|--|----------------|----------------|
| Annual                                   |                |                |
| Sayreville resident                      | \$ 75.00       | \$25.00        |
| Sayreville resident senior citizen (65+) | 50.00          | 20.00          |
| Nonresident                              | 150.00         | 50.00          |
| Nonresident senior citizen (65+)         | 100.00         | 40.00          |
| Jet ski* resident                        | 100.00         | 35.00          |

|                                |        |       |
|--------------------------------|--------|-------|
| Jet ski* nonresident           | 200.00 | 70.00 |
| Commercial                     | 300.00 |       |
| Daily                          |        |       |
| Resident                       | 10.00  |       |
| Nonresident                    | 20.00  |       |
| Jet ski resident               | 15.00  |       |
| Jet ski nonresident            | 30.00  |       |
| Commercial                     | 40.00  |       |
| Additional fees:               |        |       |
| Duplicate tow vehicle stickers | 3.00   |       |
| Duplicate trailer stickers*    | 3.00   |       |
| Duplicate photo ID             | 5.00   |       |
| Replacement Sticker            | 5.00   |       |
| Secondary user ID              | 5.00   |       |

\* Trailer transporting two (2) jet skis must have permit affixed and displayed for each jet ski.

- (b) Parking of Trailers for Daily Permit Holders. The attendant on duty will issue daily permits which must be displayed as required in Section 17-4 A2 of this Chapter. Any vehicle with trailer in tow which does not display the property decal or daily permit or any vehicle not parked in the correct designated area will be ticketed and towed at the owner's expense.
- d. Facility Rules and Regulations. The Borough Recreation Advisory Board shall promulgate rules and regulations governing the use of the boat launch facility and same shall be posted on-site and shall also be distributed to all permit applicants and daily applicants at the time of registration. Failure to comply with these rules and regulations, especially as impacts safety, shall be cause for the possible forfeiture of the offender's permit to use the facility. Daily users may be barred from future use of the facility and tickets issued under violation and penalties.

- (1) Facility Use. Shall be on a first-come basis with no reservations accepted. Parking shall be limited to designated areas or as directed by the park attendant. Use of docks and boat ramps shall be at the permit holder's own risk.
  - (2) Facility Schedule. Boat launching facilities at the River Road facility shall be open for permit holders from January 1 through December 31. Park hours shall be from sunrise to 11:00 p.m. and boat ramp shall be open twenty-four (24) hours.
- e. Park Attendant. The Park Attendant shall be vested with the authority to carry out all applicable rules and regulations regarding the use of the facility and the conduct of permit holders and their guests. This authority shall include but not be limited to the following:
    1. Collection and certification of daily launching fees;
    2. Direct permit holders and other as to parking;
    3. Cause to remove any person not complying with these published rules and regulations;
    4. Close facility in the event of storms and/or any unsafe boat launching conditions.
  - f. Conduct. Persons using this facility shall conform to sportsmanlike conduct and civility. Persons violating rules and regulations either oral or written shall be subject to removal from the site and/or have their permits suspended. This decision shall be rendered by the Borough Council.
  - g. Food and Drink. Food and nonalcoholic beverages shall be restricted to the picnic area. No alcoholic beverages of any kind shall be permitted or consumed at this facility. Food and drink may be stored on the boat for consumption away from the facility. Only vendors authorized by the Mayor and Council shall be permitted at the facility to dispense food and nonalcoholic beverages or other saleable products.
  - h. Signs. There shall be signs posted at the Borough's boat launching facilities stating:
    1. BOAT LAUNCHING FACILITIES SHALL BE OPEN FROM JANUARY 1 TO DECEMBER 31.
      - (a) Daily permits issued during normal operating hours from Memorial Day to Labor Day at Buchanan Waterfront Park. From Labor Day to Memorial day at the Recreation Office 8am to 4pm Mondays to Fridays only. Weekend users from Labor Day to Memorial Day must get their permits during the week at the Recreation Office. All daily permits must be displayed on drivers side dashboard.
    2. USE OF DOCKS AREA SHALL BE AT YOUR OWN RISK.
    3. PENALTIES WILL BE IMPOSED FOR ALL VEHICLES, BOATS AND TRAILERS NOT HAVING PROPER PERMITS.
  - i. Violations and Penalties. Any violation of this section shall, upon conviction thereof, be punishable by a fine of not less than one hundred (\$100.00) dollars and not more than one thousand two hundred fifty (\$1,250.00) dollars, by imprisonment not to exceed ninety (90) days or by community service of not more than ninety (90) days, or any combination of fine, imprisonment or community service, as determined in the discretion of the Municipal Court. Repeat violators (three (3) or more violations) shall also be subject to revocation of permits.
  - j. Enforcement. The Borough Recreation Advisory Board shall be authorized to enforce the requirements set forth hereunder for use of the municipal launch facilities solely by permit holders who shall have paid the appropriate fees and affixed and displayed such permits as required hereunder.

(Ord. #1015, § 6-7.5; Ord. #1248, § 1; Ord. #1269, § 6-7.5; Ord. #1349, § 1; Ord. #1424, § 1; Ord. #320-93, § 1; Ord. #745-01, § 1; Ord. #816-03, §§ 1—4; Ord. #893-05, § 1; Ord. #904-05, § 1; Ord. #943-06, §§ 1, 2; Ord. #56-08, § 1)

(Ord. No. 238-13, 12-16-2013)

#### 17-4A - BOROUGH RECREATION ADVISORY BOARD.

##### 17-4A.1 Rights, Duties and Responsibilities.

- a. All of the rights, duties and responsibilities formerly of the Boat Launch Commission, as set forth in this section and Section 17-4, are transferred to the Borough Recreation Advisory Board.
- b. Two (2) seats have been added to the Borough Recreation Advisory Board to be filled by persons who shall be Borough of Sayreville boat owners and whose appointment shall be made in the same manner as the other member of the Recreation Advisory Board.

(Ord. #893-05, § 2; Ord. #943-06, § 3, Ord. #56-08, §§ 1, 2)

17-4A.2 Purpose. The Borough Recreation Advisory Board shall monitor the use of the Borough's boat launching facilities and recommend to the Mayor and Council, through the Recreation Department, such rules and regulations as the Borough Recreation Advisory Board deems reasonably necessary for the protection of the health, safety and welfare of the public and for the proper use of the boat launch facilities. The Borough Recreation Advisory Board shall also enforce the Borough's Municipal Boat Launch Facilities Ordinance (Section 17-4) as it relates to the requirement of permits for use of such facilities.

(Ord. #893-05, § 2; Ord. #943-06, § 3; Ord. #56-08, § 1)

#### 17-5 - MOTOR BOATS.

17-5.1 Operation Restricted. No person shall operate or permit to be operated or ride in or on any motor boat or power boat, whether driven by motor or engine built into the boat or by what is commonly known as an outboard or detachable motor, in or on any lakes, ponds or other bodies of water within the Borough, except on the conditions, restrictions and limitations expressly set forth in this section.

(Ord. #1080, § 6-9.1; Ord. #1086, § 6-9.1; Ord. #943-06, § 4)

17-5.2 Certain Boats Prohibited. No motor boat or power boat shall be operated on any lake, pond or other body of water within the Borough, which is owned, operated or leased by the Borough.

(Ord. #1086, § 6-9.2; Ord. #943-06, § 4)

17-5.3 Horsepower Restricted. No boats shall be operated or permitted to be operated in or on the waters having an inboard motor of a horsepower greater than either eight (8) horsepower S.A.E. rating, or having an outboard or detachable motor of a horsepower greater than ten (10) manufacturer's advertised horsepower.

(Ord. #1086, § 6-9.3; Ord. #943-06, § 4)

17-5.4 Regulations. The following speeds and regulations shall be observed on the waters at all times by the owners, operators and occupants of boats:

- a. All boats shall be operated at a minimum of seventy-five (75') feet from the shore lines except when entering or leaving their berths.
- b. No boat shall be operated at any time in such a careless, reckless or negligent manner as to endanger the lives or property of any persons.

(Ord. #1086, § 6-9.4; Ord. #943-06, § 4)

17-5.5 Hours of Operation. The operation of boats on the waters shall be limited to weekdays from 2:00 p.m. to 8:30 p.m.; Saturdays, Sundays and holidays from 1:00 p.m. to 8:00 p.m.

(Ord. #1086, § 6-9.5)

#### 17-6 - PUBLIC ATHLETIC FIELDS.

17-6.1 Membership. Subject to the requirements set forth herein, Borough residents and Borough athletic organizations having at least a fifty-one (51%) percent membership of Borough residents shall have priority regarding the use of all Borough athletic fields not funded by the Green Acres Program pursuant to N.J.A.C. 7:36-1 et seq., as amended, provided that such Borough residents and Borough athletic organizations have complied with the notification and other requirements set forth in subsection 17-6.2 of this section. However, all Borough residents and athletic organizations as well as all other applicants shall at all relevant times observe the rules, regulations and requirements set forth herein.

(Ord. #950-06, § 1)

17-6.2 Permit—Application. In order to reserve the use of any of the Borough's athletic fields a permit must be obtained by providing written notice to the Borough's Recreation Department at least four (4) weeks in advance of the event when practical. Once issued, no permit may be revoked or rescinded based solely upon a request for use of such athletic field by another applicant that would otherwise have priority to use such athletic field. The applicant shall fill in all information on a facility use request form furnished by the Borough Recreation Department and provide the Recreation Department with any other information requested concerning the anticipated event that are, or will be, routinely requested of all applicants. The Recreation Department shall provide the applicant with any other information including the cost of all permits, licenses and fees and/or otherwise direct the applicant to such other Borough departments, including the Borough Police Department and/or other Borough officials and employees that may aid the applicant in fulfilling all Borough requirements in this matter as set forth herein. No party may request the use of more than one (1) facility at any one time unless a review of the applicant's schedule requires same in which case the decision of the Borough shall be final. Permits issued to an applicant by the Borough for use of an athletic field may not be transferred by such applicant. In order to allow the Borough to issue a permit to another applicant, if possible, in the event that an applicant determines that such applicant will not be using the field for which it has received a permit, applicant will advise the Borough Recreation Department (prior to the date of the event for which the permit was issued) that the applicant will not be using the field. The Borough may revoke existing permits issued to an applicant or deny future permits to such applicant should the Borough Recreation Department determine that such applicant has routinely failed to advise the Borough Recreation Department that it would not be using a field for which it has received a permit.

(Ord. #950-06, § 2)

17-6.3 League Applicants. League applicants or applicants affiliated with a league shall comply with the requirements of Section 2-15.6, "Criminal History Background Checks for All Youth Programs," of the Revised General Ordinances of the Borough of Sayreville.

(Ord. #950-06, § 3)

(Ord. No. 135-10, § 2, 6-14-2010)

17-6.4 Approval Requirement. All applicants that wish to use the Borough's athletic fields must be prepared to provide information to the Borough that is, or will be, routinely requested of all applicants, including but not limited to the need for traffic control, proposed food and beverage sales, along with the identity of vendors and the need for security should the Borough deem any of these matters to be of concern

in connection with the applicant's particular event. Applicants, as per the facility request form shall be responsible for obtaining all necessary approvals from other Borough departments.

(Ord. #950-06, § 4)

17-6.5 Notification. Within ten (10) days of the Borough Recreation Department receiving a completed facility use request form for an event pursuant to subsection 17-6.2 of this section, the Borough Recreation Department shall notify the applicant of the Borough's decision on whether or not to issue the permit for the particular date and event and any and all conditions that the Borough may require for the event in question. The Borough Recreation Department shall keep a schedule for use of facilities and post same in Borough Hall and on the official Borough website.

(Ord. #950-06, § 5)

17-6.6 Liability Insurance Required. All applicants shall be responsible for providing proof of liability insurance in the form of an occurrence policy and an endorsement to the liability policy naming the Borough of Sayreville, its agents, employees and professionals as additional insureds and waiving any and all rights of subrogation against the Borough of Sayreville. The liability insurance required hereunder shall cover bodily injury and property damage in amounts set by the Borough and/or its Risk Manager and shall be in a form approved by the Borough's Risk Manager and/or the Borough Attorney. In the sole discretion of the Borough, the applicant may be required to furnish a bond underwritten by a surety licensed to do business in New Jersey in a form and in an amount acceptable to the Borough Risk Manager and/or Borough Attorney.

(Ord. #950-06, § 6)

17-6.7 Indemnification. In addition to any other requirements, the applicant shall sign an agreement to defend, indemnify and hold harmless the Borough of Sayreville from any and all claims not arising from the sole negligence of the Borough of Sayreville.

(Ord. #950-06, § 7)

17-6.8 Waiver—Fee, License, Other Requirements. At its sole discretion, the Borough Council reserves the sole right to waive any fee, license, or other requirement in connection herewith for senior citizen groups, military veterans and handicapped groups. Such waivers, if exercised by the Borough shall not include waivers relieving any group of the requirement to provide insurance, bond(s) or indemnification.

(Ord. #950-06, § 8)

17-6.9 Duty of Applicant. It shall be the sole responsibility of the applicant to be aware of and comply with all applicable Borough ordinances at all times before, during and after the event that may affect same.

(Ord. #950-06, § 9)

17-6.10 Enforcement. The Mayor and the Borough Council and such other officials, consultants, agents and employees of the Borough as may be necessary and appropriate shall be and are hereby authorized to perform those acts and execute those documents that are necessary in order to affect the purposes of this section.

(Ord. #950-06, § 10)

## 17-7 - SAYREVILLE SKATE PARK AT KENNEDY PARK; RULES AND REGULATIONS GOVERNING USE.

- (1) Annual Use Permits Required. The Sayreville Skate Park in Kennedy Park shall be open for use by persons possessing a picture ID use permit issued by the Sayreville Recreation Department. Such permits shall be issued on an annual basis, commencing on January 1 of each year and shall expire on December 31 of each year. picture ID use permits will be issued upon the completion of an application form, including a notarized waiver and released of liability executed by all participants over eighteen (18) years of age and by a parent or legal guardian of all participants under eighteen (18) years of age. Use of the skate park without a valid picture ID use permit shall be a violation of this ordinance and will subject such violator to ejection from the skate park. A second and subsequent violation for use without a valid picture ID use permit may subject the violator to disqualification from obtaining a valid picture ID use permit, in addition to any other penalties provided by law.
- (2) Rules and Regulations Governing Use. The following rules shall govern use of the skate park and shall be posted in and around the skate park:
  - (a) Helmets, knee and elbow pads shall be worn at all times by all persons using the skate park;
  - (b) Only skateboards, BMX bikes and in-line skates are permitted for use in the skate park; motorized skateboards, bikes, scooters and cycles are not permitted;
  - (c) No personal ramps, rails, boxes or other apparatus shall be used in the skate park;
  - (d) No person shall use or be under the influence of alcohol or drugs;
  - (e) No glass bottles are allowed inside the fence and no food, chewing gum or drinks are allowed on skate surface;
  - (f) Bike pegs must be synthetic only; end cops not allowed;
  - (g) Children under twelve (12) must be accompanied by an adult;
  - (h) No spectators are permitted on skate surface; and
  - (i) The skate park is reserved for use by children under twelve (12) and novice skateboarders on Saturdays from 8:00 a.m. to 10:00 a.m.; all others are not permitted to use the skate park during that time.
- (3) Hours of Operation. The skate park shall be open during Kennedy Park hours or as otherwise posted by the Borough of Sayreville. The skate park may be used during open hours only; all other use is prohibited.
- (4) Reporting Emergencies, Injuries and Violations. All emergencies occurring at the skate park shall be reported to the Sayreville Police Department at 732-727-4444 or by dialing 911. All injuries and rule violations shall be reported to the Sayreville Recreation Department at 732-390-7092.
- (5) Penalties. In addition to any other penalties as may be provided by law, a violation of the rules and regulations governing use of the skate park may subject the violator to a suspension or termination of use permit rights.

(Ord. No. 845-03, §§ 1—5, 12-22-2003)

**Editor's note**— Ord. No. 845-03, §§ 1—5, adopted December 22, 2003, did not specifically amend the Code; hence, inclusion herein as § 17-7 was at the discretion of the editor. See also the Code Comparative Table and Disposition List.

## 17-8 - MUNICIPALLY SPONSORED ATHLETIC ORGANIZATIONS

17-8.1 Membership. Subject to the requirements set forth herein, applications to become a Municipally Sponsored Borough Athletic Organization require having at least a fifty-one (51%) percent membership of

Borough residents and demonstrate a need for such an organization. Copy of non-profit status or documentation proving organization is in the process of acquiring. All municipally sponsored borough athletic organizations need to comply with the notification and other requirements set forth in subsection 17-6.2. However, all athletic organizations shall at all relevant times observe the rules, regulations and requirements set forth herein.

The fees set forth in Chapter 2-15.5 shall not be applicable to those municipally sponsored athletic organizations subsidized by the Borough of Sayreville and as may be set forth in Section 8 of Ordinance 950-06; current municipally sponsored athletic organizations are Sayreville Little League, Sayreville Athletic Association, Sayreville Soccer Associations, Sayreville Leprechauns, Morgan-Parlin Panthers and the Sayreville Softball Association.

(Ord. No. 252-14, 3-13-2014)

17-8.2 Information Required for Membership. Any municipally sponsored athletic organization subsidized from by the Borough of Sayreville shall adhere to registration time period rules and provide the following information:

- a. A full league roster with all team members, executive board members, coaches, full time volunteers, names and addresses on excel program file to Recreation Office within thirty (30) days after the scheduled start of the season. Any new registrants after the thirty (30) days start of the scheduled season will be sent to the Recreation Office as needed.
- b. A league financial statement prepared by a recognized accountant or accounting firm, independent of the organization, for the prior year will be given to the Recreation Department by May 31 of the current year.
- c. A copy of the pertinent organization's current By-Laws is to be maintained at the Recreation Dept at all times. Any changes to current by laws need to be sent to the Recreation Dept within one (1) month of the changes.
- d. Within two (2) weeks of the start of each season the pertinent organization must provide proof of background checks for all Coaches, Executive Board Members and Full-time Volunteers to the Recreation Department in the form of an excel document. Coaches may be added to the league roster as season progresses but they can't coach until background check is completed and the Recreation Dept is notified.
- e. A Certificate of Insurance for the pertinent organization with the Borough of Sayreville and its employs are named as second insured. Each policy must have sexual harassment and molestation coverage.
- f. A new Contract between the Borough of Sayreville and each organization will be executed in February, that will establish, total yearly reimbursement for the pertinent organization and the pertinent organization's obligation to adhere to all current registration rules.
- g. All signs for registration must be removed within seven (7) days after the conclusion of the registration period.

(Ord. No. 252-14, 3-13-2014)

17-8.3 Rules Governing Registration Time Periods.

- a. Spring/Summer Sports Season registration time period will be from December 1<sup>st</sup> through April 30<sup>th</sup> of the following year.
- b. Fall Sports Season registration time period will be from April 1<sup>st</sup> through September 15<sup>th</sup> of the current year.
- c. Winter Sports Season registration time period will be from September 16<sup>th</sup> through November 30<sup>th</sup> of the current year.



- d. Variation from this schedule requested by an organization must be submitted in writing to the Recreation Department for review with the Recreation Advisory Board

(Ord. No. 252-14, 3-13-2014)

17-8.4 Rate for Reimbursement to Each Municipally Sponsored Athletic Organization. The prior two (2) year's rosters of each league along with the last two (2) years reimbursements will be used to determine the present annual reimbursement for each league. Total reimbursement amount will be determined by the Business Administrator, Chief Financial Officer and the Director of Recreation pursuant to municipal budget allocations.

(Ord. No. 252-14, 3-13-2014)

17-8.5 Requirements for Reimbursement. To receive reimbursement for an organization, the organization must meet the following requirements:

- a. Supply invoices to the Borough of Sayreville for equipment, fees to officials, uniforms and operating expenses paid for the current season.
- b. All costs for background checks performed by the Recreation Dept. will be deducted from each organization's total support payments for the year. If a league does not receive reimbursement from the borough a ten (\$10.00) dollars charge for each background check must be paid prior to the start of the current season.
- c. All teams requesting the use of fields and before any use of the field shall also provide a facility use form, an indemnification / hold harmless agreement and a certificate of insurance and an attached endorsement signed by an authorized agent of the insurance company making the Borough of Sayreville, its agents, employees and professionals additional insured and making the insured's policy primary with waivers of contribution and subrogation as to the Borough
- d. Municipally Sponsored Athletic Organizations and applicants affiliated with a league shall comply with the requirements of Section 2-15.6, "Criminal History Background Checks for All Youth Programs," of the Revised General Ordinances of the Borough of Sayreville.
- e. It shall be the sole responsibility of the applicant to be aware of and comply with all applicable Borough of Sayreville ordinances at all times before, during and after the event that may affect same. Failure to comply with all applicable Borough of Sayreville ordinances could result in the revocation of a sponsored organization subsidy. Falsification of any information provided to the borough will be grounds for immediate revocation of a sponsored organization's subsidy. The organization will then have thirty (30) days of revocation to file an appeal with the clerk's office and a hearing date will be set to come before the council to hear the appeal.

(Ord. No. 252-14, 3-13-2014)

17-8.6 Enforcement. The Mayor and the Borough Council and such other officials, consultants, agents and employees of the Borough as may be necessary and appropriate shall be and are hereby authorized to perform those acts and execute those documents that are necessary in order to affect the purposes of this Section.

(Ord. No. 252-14, 3-13-2014)