

**AN ORDINANCE OF THE TOWNSHIP OF SOUTH HARRISON
AMENDING CHAPTER 113 OF THE TOWNSHIP OF SOUTH
HARRISON CODE ENTITLED "PARKS AND RECREATION AREAS"
CONCERNING THE REGULATION OF ACTIVITY AT STEWART PARK**

WHEREAS, the Township Committee of the Township of South Harrison have determined that certain activities at Stewart Park can jeopardize the health and welfare of the citizens of South Harrison Township and the general public who utilize Stewart Park; and

WHEREAS, the South Harrison Township Recreation Commission has made certain recommendations to the Township Committee concerning the regulation of activities at Stewart Park; and

WHEREAS, the Township Committee has further determined that there is a need to regulate such activity at Stewart Park;

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of South Harrison, County of Gloucester, and State of New Jersey, that the Township Code shall hereby be amended by the inclusion of revisions to Chapter 113, as follows:

- Rules and Regulations Enumerated. (NEW SECTION)

A. No Person at Stewart Park and Recreational area shall:

- 1. Willfully mark, deface, disfigure, injure, tamper with or displace or remove any buildings, bridges, tables, benches, fireplaces, railings, pavings, or paving materials, water lines, or other public utilities or parts of 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.**
- 2. 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.**
- 3. Tie or hitch any animal to any tree, plant, or structure at the Park.**
- 4. 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, waste or trash shall be placed in any waters or**

contiguous to any Park, or left anywhere on the grounds thereof, but shall be placed in the proper receptacles where 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. Additionally, all vendors at approved functions shall be responsible for the proper disposal of their own trash, waste, and refuse.

5. Drive any vehicle on any area except the Park roads or parking areas, or such other areas as may on occasion be specifically designated as temporary parking areas by the appropriate Township Officials.
 6. Park a vehicle in other than an established or designated parking area, and such shall be in accordance with posted directions and with the instruction of any attendant who may be present.
 7. Leave a vehicle standing or parked at night in established parking areas, or elsewhere in the Park.
 8. Discharge, ignite, or utilize fireworks, unless approved and sanctioned by the South Harrison Township Committee and Recreation Commission.
 9. Ride a bicycle or skateboard on the walking paths.
 10. Engage in horseback riding anywhere within the Park.
 11. No person shall carry or possess firearms of any description, or air rifles, spring guns, bows and arrows, slings, or any other form of weapons potentially inimical to wild life 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 boundaries is expressly forbidden.
 12. Ignite or maintain fires, except in designated areas established by the Township, conditions permitting.
 13. Engage in hunting, which conduct is expressly forbidden.
- B. While in Stewart Park and Recreation Area, all Persons shall conduct themselves in a proper and orderly manner, and in particular no Person shall:
1. Bring or consume alcoholic beverages, nor drink same at

any time, nor shall any person be under the influence of intoxicating liquor at the Park.

2. **Bring, ingest, or consume any illegal drugs, nor be under the influence of illegal drugs in the Park.**
3. **Act in a disorderly manner, which disorderly conduct is expressly forbidden.**
4. **Build or attempt to build a fire, except in such areas and under such regulations as may be designated. No person shall drop, throw or otherwise scatter lighted matches, burning cigarettes or cigars, tobacco paper, or other flammable material within the Park, or on any highways, roads or streets abutting or contiguous thereto.**
5. **Smoking of any kind, including electronic cigarettes, is expressly forbidden within the Park.**
6. **Loiter after the Park hours established herein.**
7. **Walk any dog that is not properly leashed and secured by the Owner. Additionally, all dog waste shall be picked up and be properly disposed of within a receptacle provided by the Township.**
8. **No children under the age of six (6) are permitted on any playground equipment and appurtenances, unless accompanied by a parent or guardian.**

- **Hours of Opening and Closing. (NEW SECTION)**

- A. **Except for unusual and unforeseen emergencies, Stewart Park shall be open to the public every day of the year during the designated hours, which may be amended by the Township from time to time. The opening and closing hours for the Park shall be posted therein for public information, however, unless posted otherwise, the Park is open daily from dawn to one (1) hour after sunset, except during events approved or sponsored by the South Harrison Township Recreation Commission.**
- B. **Any section or part of the Park may be declared closed to the public at any time and for any interval of time, either temporary or at regular and stated intervals (daily or otherwise), and either entirely or merely for certain uses approved by the Township Committee and the South Harrison Township Recreation Commission.**

- **Permits; Stipulations; Appeals; Liability for Damages; Revocation.
(NEW SECTION)**

Permits for special and social events at the Park shall be obtained by Application to the South Harrison Township Recreation Commission in accordance with the following procedure:

- A. A person or organization seeking issuance of a Permit hereunder shall file an Application with the South Harrison Township Recreation Commission at least thirty (30) days prior to the scheduled event stating the following:**
 - 1. The name and address of the applicant.**
 - 2. The name and address of the person, corporation or association sponsoring the activity, if any.**
 - 3. The day and hours for which the Permit is desired.**
 - 4. Any other information which the Recreation Commission shall find reasonably necessary to issue a fair determination as to whether a Permit should be issued hereunder.**
- B. Standards for issuance of a Use Permit by the Recreation Commission shall include the following findings:**
 - 1. That the proposed activity or use of the Park will not unreasonably interfere with or detract from the general public enjoyment of the Park.**
 - 2. That the proposed activity and use will not unreasonably Interfere or detract from the promotion of public health, welfare, safety and recreation.**
 - 3. That the proposed activity or uses that are reasonably anticipated will not include violence, crime, or disorderly conduct.**
 - 4. That the proposed activity will not entail extraordinary or burdensome expense or police operation by the Township of South Harrison.**
 - 5. That the facilities desired have not been reserved for other use at the date and hour requested in the Application.**
- C. Appeal. Within ten (10) days after the receipt of an Application, the Recreation Commission shall appraise an Applicant, in writing, of its reasons for refusing a Permit, and any aggrieved person shall have the**

right to appeal to the Township Committee by serving written notice thereof on the Township Clerk within five (5) days of said refusal.

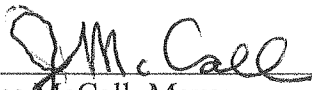
- D. A copy of said Notice shall also be served on the Recreation Commission within the same time, and said Department shall immediately forward the Application and the reasons for its refusal to the Township Committee, who shall consider the Application under the standards set forth in Subsection B above, and sustain or overrule the Recreation Commission's decision within ten (10) days from the receipt of the Appeal. The decision of the Township Committee shall be final.
- E. A Permittee shall be bound by all Park Rules and Regulations and all applicable Ordinances fully as though the same were inserted in said Permits.
- F. The Person or Persons to whom the Permit is issued shall be liable for all loss, damage, or injury sustained by any person(s) whether by reason of the negligence of the person or persons to whom such Permit shall have been issued. The Recreation Commission 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 amounts as may be from time to time determined by the Township prior to the commencement of any activity or issuance of any Permit.
- G. Revocation. The Recreation Commission shall have the authority to revoke a Permit upon finding or violation of any Rule or Ordinance, or upon good cause shown.
- Enforcement. (NEW SECTION)
 - A. The South Harrison Township Recreation Commission shall in connection with their duties imposed by law diligently enforce the provisions of this Chapter.
 - B. The Township shall have the authority to eject from the Park any Person or Persons acting in violation of this Chapter.
 - C. The Township shall have the authority to seize and confiscate any property, thing, or device in the Park, or used in violation of this Chapter.
 - D. This Chapter shall also be enforced by the South Harrison Township Police Department.

All Ordinances or parts of Ordinances inconsistent herewith are repealed to the extent of such inconsistency.

If any word, phrase, clause, section or provision of this Ordinance shall be found by any Court of competent jurisdiction to be unenforceable, illegal, or unconstitutional, such word, phrase, clause, section or provision shall be severable from the balance of the Ordinance and the remainder of the Ordinance shall remain in full force and effect.

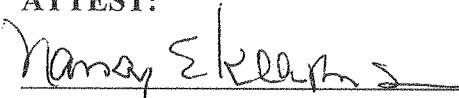
BE IT FURTHER ORDAINED, that this Ordinance shall take effect immediately upon its final passage, adoption and publication as provided by law.

TOWNSHIP OF SOUTH HARRISON

By: 
James McCall, Mayor

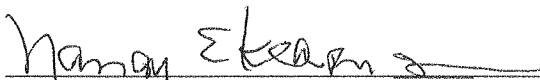
Dated: April 8, 2015

ATTEST:


Nancy E. Kearns, RMC, Township Clerk

CERTIFICATION

The foregoing Ordinance was introduced and passed on First Reading at a Regular Meeting of the Mayor and Township Committee of the Township of South Harrison held on the 8th day of April, 2015. The Second Reading and Public Hearing shall be on the 13th day of May, 2015, at 7:30 p.m., to be conducted at the South Harrison Township Municipal Building, 664 Harrisonville Road, Harrisonville, New Jersey.


Nancy E. Kearns, RMC, Township Clerk

NOTICE

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NOTICE is hereby given that the foregoing Ordinance O-15-03 was finally adopted at a Regular Meeting of the South Harrison Township Committee held on the 13th day of May, 2015, at 7:30 p.m., in the South Harrison Township Municipal Building, 664 Harrisonville Road, Harrisonville, New Jersey.


Celeste Keen, RMC, Deputy Clerk