

CRANBURY TOWNSHIP ORDINANCE 07-12-13

**AN ORDINANCE AMENDING AND SUPPLEMENTING
THE CODE OF THE TOWNSHIP OF CRANBURY BY AUTHORIZING
THE CRANBURY TOWNSHIP COMMITTEE TO ESTABLISH
RECREATION FEES BY RESOLUTION**

WHEREAS, Cranbury Township must determine adequate fees for the public use of parks and athletic fields; and

WHEREAS Cranbury Township must also determine adequate fees for public participation in Township recreation programs, lessons, trips, camps, leagues, games and other Township-sponsored activities; and

WHEREAS, the Cranbury Township Recreation Commission and the Cranbury Township Parks Commission can provide useful information and advice about the fees to be charged; and

WHEREAS, any such fees should be set forth in a Resolution of the governing body and maintained for public inspection in the office of the Township Clerk.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Cranbury as follows:

SECTION 1.

Chapter 108, Parks and Recreation, of the Code of the Township of Cranbury is hereby amended and supplemented as follows (additions underlined, deletions ~~struck through~~):

§ 108-1. Hours of operation.

Municipally owned parks shall be open to the public every day of the year from dawn to dusk, except as set forth herein or as said hours may be amended from time to time by the Recreation Department or Township Committee for a specific activity, event or use.

§ 108-2. Reservation of facilities; issuance of permits; activities requiring special permit.

A. Generally.

(1) Certain park areas and facilities may be reserved through the Recreation Department as provided for herein. When a reservation application is approved, the Recreation Department shall issue a permit granting the individual, organization or group exclusive use of the park area and/or facility.

(2) Activities designated as requiring a special permit may only take place in the Township's parks if the interested individual, group or organization applies for and receives from the Recreation Department a special permit therefor.

(3) The Recreation and Police Departments and office of the Township Clerk shall maintain copies of the reservations schedule and all park permits.

(4) All conditions of a permit must be adhered to and any violation of the terms and conditions, rules or regulations, or any falsifications shall constitute grounds for its revocation by the Recreation Department.

B. Reservation of park areas and facilities and athletic fields.

(1) Generally.

(a) Reservation of park areas and facilities must be made in advance through the Recreation Department and in accordance with the requirements set forth hereinbelow.

(b) All individuals and groups are permitted to use reserved facilities until those who have reservations arrive.

(c) No one individual, group or organization other than the Township may reserve any Township park in its entirety.

(2) Park facilities that may be reserved.

(a) Picnic grove. Up to three tables may be reserved in the picnic grove by a group of 10 or more persons.

(b) Tennis courts. Tennis courts may be reserved only as set forth in § 108-3 below.

(c) Gazebo(s). A gazebo may be reserved by any individual, organization or group.

(3) Park facilities that must be reserved.

(a) Athletic fields. No individual, organization or group may use the Township's athletic fields without first securing a permit and paying the applicable fee, ~~as set forth in §§ 108-3.1 and 108-6 below.~~

(b) Pavilion. Groups of 10 or more persons may not use the pavilion without first securing a permit and paying the applicable fee.

C. Designated activities requiring special permit. Individuals, organizations and groups must obtain special permits in advance through the Recreation Department to:

(1) Camp and/or build campfires.

(2) (Reserved)

§ 108-3. Tennis courts.

A. The use of the Township's tennis courts for any activity other than the playing of tennis is prohibited. Prohibited activities shall be deemed to include, without limitation, rollerblading, rollerskating, riding bicycles, playing hockey and skateboarding.

B. Any person using the tennis courts shall wear tennis shoes or rubber-soled athletic shoes only. No other footwear shall be permitted.

C. No more than one hour of playing time is permitted if there are other persons waiting to use the tennis court, except as otherwise provided below.

D. Tennis courts are not available for reservation except:

(1) During tournament play or lessons sponsored by the Cranbury Recreation Department or Cranbury School District; and

(2) To allow groups of 10 or more persons to reserve one tennis court up to two times per thirty-day period.

§ 108-3.1. Athletic fields.

A. No individual, organization or group may use the Township's athletic fields for any purpose, including games and practices, without first obtaining a permit in accordance with the provisions hereof and of § 108-6 below and paying the applicable fee.

B. For the purposes of this chapter, the term "athletic field" shall refer to the following:

(1) Small-sided game field, Millstone Park.

(2) Small-sided practice fields, Millstone Park.

(3) Large-sided soccer/lacrosse/field hockey fields, West property.

(4) Little League field: C1, Village Park.

(5) Baseball field: C2, Village Park.

(6) Baseball field, Millstone Park.

(7) Softball field, Village Park.

(8) Such other playing fields, including baseball fields, softball fields, soccer fields, lacrosse fields and/or field hockey fields, as may be hereafter owned or controlled by the Township.

C. The specific usage regulations ~~and fee structure~~ applicable to each of the Township's athletic fields shall be as adopted from time to time by resolution of the Township Committee acting in consultation with the Cranbury Township Recreation Commission and/or Parks Commission.

D. In addition to the penalties set forth in § 108-7 below, any person, organization or group who violates or fails to comply with the provisions of this section or the usage rules promulgated hereunder shall be subject to the following:

(1) First offense: written or verbal warning.

(2) Second offense: loss of use of practice and game fields for one week.

(3) Third offense: loss of use of all practice and game fields for the remainder of the season, based upon a majority vote by the Cranbury Township Board of Recreation Commission.

E. All field usage fees collected shall be used exclusively for the improvement, maintenance and operation of the Township's athletic fields and other recreational facilities.

§ 108-4. Regulations applicable to parks and other public lands.

A. As used in this section, the word "person" shall be deemed to mean any individual(s), group(s) or organization(s).

B. The following activities and conduct shall be prohibited within any park belonging to or leased or operated by the Township:

(1) Unless authorized by law or for municipal, law enforcement or other government purposes, no person shall cause or permit any animal owned by him or in his custody or control to go or be at large. Editor's Note: See Ch. 162, Animals.

(a) All persons bringing animals, including but not limited to dogs, to open space and recreation areas shall be responsible for removal and disposal of all feces or droppings deposited by said animal.

(b) All animals shall be restrained by a leash, except that horses shall be restrained by reins.

(c) No person shall permit a horse to be unbridled or left unattended in any unenclosed area without being securely fastened.

(d) Horseback riding is prohibited on playing fields, on playgrounds and in picnic areas.

(2) No person shall hunt, molest, harm, frighten, kill, trap, pursue, chase, shoot or throw objects at any animal, wildlife, reptile or bird nor shall any person remove or have in his possession any animal, reptile or bird. No person shall engage in target practice of any kind using any weapon, including but not limited to a rifle, shotgun, handgun or bow and arrow.

(3) No person shall consume or possess any alcoholic beverage(s). Editor's Note: See Ch. 48, Alcoholic Beverages.

(4) No person shall engage in loud, boisterous, threatening, abusive, insulting or indecent language, or engage in any disorderly conduct or behavior tending to cause a breach of the public peace. No person shall use amplified sound equipment, or make any other noise, that annoys,

disturbs, injures or endangers the comfort, repose, health, peace or safety of others. Editor's Note: See Ch. 110, Peace and Good Order.

(5) No person shall engage in any littering. Trash, refuse, recyclables and litter must be placed in containers provided for that use. Groups of 10 or more are responsible for removing from the park their own trash, refuse, recyclables and litter. Editor's Note: See Ch. 100, Littering.

(6) No person shall drop, throw or otherwise scatter lighted matches, burning cigarettes or cigars, tobacco paper or other flammable material within any park.

(7) Camping.

(a) No person shall engage in any camping except:

[1] In those areas specifically designated for camping; and

[2] When specifically authorized to do so by special permit obtained as set forth in § 108-2 above.

(b) Use of camping vehicles is strictly prohibited.

(8) No person shall grill or otherwise cook any food items except in those areas specifically designated for same. Editor's Note: Please refer to Cranbury Township Board of Health Ordinance No. HO 2004-1, regulating food preparation in Township parks (Ch. 166, Food Preparation in Township Parks).

(9) Fire.

(a) No person shall kindle, build, maintain or use a fire except:

[1] In those areas specifically designated for grilling; or

[2] When specifically authorized to do so by special permit obtained as set forth in section 108-2 above.

(b) All fires permitted herein shall be continuously under the care and direction of a competent adult and shall be completely extinguished before persons responsible therefor leave the park area.

(10) No person shall use any park or area therein other than for recreation and conservation purposes, as set forth in the Green Acres Program regulations, N.J.A.C. 7:36-1.1 et seq.

(11) No person shall chip, drive or hit a golf ball(s).

(12) No person shall discard or cause to be discarded in the waters or streams any substance, matter or thing.

(13) No person shall affix, glue, tack or otherwise post any sign, placard, advertisement or inscription.

(14) No person shall throw stones or other missiles so as to annoy other persons.

(15) No person shall climb or stand upon tables, seats, fences surrounding tennis courts and playing fields, tennis and basketball equipment, gazebos, pavilions and/or building(s).

(16) No person shall have in his possession or bring into any park, or set or otherwise cause to explode or discharge or burn any firecrackers, torpedo rockets or other fireworks, firecrackers or explosives or flammable material or discharge them or throw them into such area from lands or highways adjacent thereto. This prohibition includes any substance, compound, mixture or article that in conjunction with any other substance or compounds may decompose suddenly and generate sufficient heat, gas or pressure or any or all of them to produce rapid flaming, combustion, or administer a destructive blow to surrounding objects.

(17) No person shall operate any motorized vehicle other than on roadways or parking areas specifically provided for such purpose, except that no person shall operate a minibike, moped, snowmobile or all-terrain vehicle anywhere within the boundaries of any park.

(18) No person shall park or cause to be parked any motorized vehicle except in those areas specifically established or designated by signs for such purposes. No motorized vehicle shall be parked, whether or not the operator is in attendance, after the closing hours of any park.

(19) No person shall injure any trees, shrubs or grass, or destroy, cut, break, deface, mutilate, disturb, sever or remove from the ground any plant, flower, growing thing, stem, branch or leaf thereof. In addition, no person shall pile debris of any kind against such vegetation, attach any rope or cable or other conveyance thereto, or set fire or assist in setting a fire to any of the same. This prohibition shall not preclude persons from pitching tents during camping authorized by special permit.

(20) No person shall dig or remove any soil, rock, sand, clay or earth or make any excavation of any kind by any means or agency.

(21) No person shall use metal detectors or similar devices.

(22) No person shall enter any area designated as "restricted."

(23) No person shall ride or walk a bicycle on any ballfield, tennis or basketball court or ice rink.

(24) No person shall engage in skateboarding or in-line skating except in those areas specifically designated for such activities.

C. Members of the Police Department shall have the authority to eject from parks any person acting in violation of this chapter.

D. Any person who violates any park rule or regulation may be denied the future use of these facilities.

§ 108-5. Speed limits.

The following speed limit is hereby established for all vehicles within all open space and recreational area of the Township: 15 mph.

§ 108-6. Permits.

Permit applications may be obtained at the Cranbury Township Office, 23-A North Main Street, Cranbury, New Jersey 08512. For any organized group or organization to reserve a recreational area, facility or field, a Certificate of Insurance as proof of current liability coverage must be provided as set forth hereinafter. Individual users shall not be required to provide a Certificate of Insurance, provided they execute a "Waiver of Liability to the Township" in lieu of such certificate. Certificates of Insurance shall include the following:

- A. Liability limits of \$1,000,000 for each occurrence for personal injury and bodily injury/property damage.
- B. The Certificate must indicate that athletic participation liability coverage is included for use of the Township facilities.
- C. Cranbury Township must be specifically named as an additional insured.
- D. The Certificate must indicate that the user's policies will be primary for the additional insured.

§ 108-7. Fees.

- A. The Township Committee shall determine the fees charged for the use of any Township park or athletic field, and the fees charged for participation in any Township recreation program, lesson, trip, camp, league, game or other Township-sponsored recreation activity.
- B. Any fee charged under subparagraph (a) must be set forth in a recreation fee resolution adopted by the Township Committee.
- C. The Township Committee may consult the Cranbury Township Recreation Commission and/or the Cranbury Township Parks Commission before adopting a recreation fee resolution.
- D. The recreation fee resolution shall be maintained in the office of the Township Clerk.

§ 108-78. Violations and penalties; liability for property damage.

- A. Any person, organization or group who violates or neglects to comply with any provision of this chapter or any regulation promulgated hereunder shall, upon conviction thereof, be punished by a fine of at least \$50 but not to exceed the maximum permitted by § 1-14 of this Code and such other penalties as may be imposed under § 1-14. Each and every day that such a violation continues shall be considered a separate violation of this chapter.

B. Parents and guardians shall be liable for any property damage that is caused by any minor in their charge. Groups and organizations reserving park facilities or other recreational facilities shall be liable for the fines of any of their members using the facilities and shall also be responsible for reimbursing the Township for any property damage caused by any of their members.

SECTION 2. Repealer. All ordinances and resolutions, or parts thereof, inconsistent with this Ordinance, are hereby repealed.

SECTION 3. Severability. If any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudged and the remainder of this Ordinance shall be deemed valid and effective.

SECTION 4. Effective Date. This Ordinance shall take effect immediately upon its passage and publication, as required by law.

The Ordinance published herewith was introduced and passed upon first reading at a meeting of the Township Committee of the Township of Cranbury, in the County of Middlesex, State of New Jersey, held on July 9, 2012. It will be further considered for final passage, after public hearing thereon, at a meeting of the Township Committee to be held on Monday, August 13, 2012 at 7:00 p.m. in the Town Hall Meeting Room, 23-A North Main Street, Cranbury, New Jersey. Copies are available at Town Hall prior to the meeting as well as on the Township's web site: www.cranburytownship.org.

Kathleen R. Cunningham, RMC

Municipal Clerk