

**TOWNSHIP OF EVESHAM  
ORDINANCE NO. 4-2-2024**

**ORDINANCE OF THE TOWNSHIP OF EVESHAM  
AMENDING CHAPTER 110 OF THE TOWNSHIP CODE  
OF THE TOWNSHIP OF EVESHAM  
ENTITLED: "PARKS"  
TO AMMEND THE FACILITIES USE POLICY AND CHAPTER §72-1 TO  
AMEND FEES ASSOCIATED WITH USE OF FACILITIES**

**WHEREAS**, Evesham Township has significant parks, municipal facilities, and recreation areas which are public property and, as such, should be made available for public use, when it is determined that such use would not subject facilities or participants to any harm or injury; and

**WHEREAS**, use of municipal facilities should be programmed and regulated for the convenience of their users in order to ensure availability and safety; and

**WHEREAS**, proper maintenance and care is required in order to maintain these facilities and keep them in proper condition for their users; and

**WHEREAS**, a review of Chapter 110 of the Code entitled "Parks" confirms that the rules and regulations governing the permitting, use and maintenance of municipal facilities is also in need of revisions as the code is outdated and will not lend itself to the proper care and maintenance necessary to sustain the improvements offered to Township residents and visitors; and

**WHEREAS**, the Township determines to amend certain parts and repeal and replace certain parts of the existing ordinances with the new Facility Use Policy to provide for municipal facilities' safe, constructive and prolonged use.

**NOW THEREFORE BE IT ORDAINED** by the Council of the Township of Evesham, in the County of Burlington and State of New Jersey that the Township Code be amended as follows:

**SECTION ONE: §110-2. PROHIBITED ACTIVITIES.**

§110-2 of Chapter 110 of the Township Code is hereby repealed and replaced to read as follows:

**A. General Regulations and Prohibited Activities**

1. It shall be unlawful for any person, firm, corporation or any other entity to perform or permit to be performed any of the following acts within any park, playground, open space, building or property owned by Township of Evesham.
  - i. Mark, deface, disfigure, injure, tamper with, or displace or remove any Township Property.
  - ii. 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 open space area, or any tributary, stream, storm sewer, or drain flowing into such waters; any substance, matter, liquid or solid likely to result in pollution of said water.

- iii. Dump, deposit or leave any bottles, broken glass, ashes, paper, boxes, cans, dirt, rubbish, waste, garbage, or refuse or other trash in any waters in or contiguous to any park, playground or open space area, or anywhere on the grounds thereof, but shall be placed in the proper receptacles, where these are provided: and where receptacles are not so provided, all such rubbish or waste shall be carried away from the park or open space area by the person(s) responsible for its presence and properly disposed of elsewhere.
- iv. Endanger the safety of any person by any conduct or act, including disturbing the peace or committing any assault, battery or fighting.
- v. Carry, possess, or consume any alcoholic beverage or cannabis (unless specifically permitted by the Township), narcotics or drugs in any park, playground, open space, building or property of the Township.
- vi. Smoke in any Township building or any municipal property.
- vii. Prevent any person from using any Township facilities, or interfere with such use in compliance with these regulations.
- viii. Operate, drive or park any automobile or motorcycle, or other motorized vehicle, except on a street, driveway or parking lot in any park, playground or open space area, or park or leave any such vehicle in any place other than the areas designated for public parking. No motorized vehicles shall be permitted in any park, playground or open space area except in specific locations provided for said use, if any.
- ix. Solicit funds for any purpose or sell, vend, peddle or offer for sale any commodity, article, or services within any park, playground, open space, building or property of the Township where such activity is purely for pecuniary profit, or solicit funds for any purpose, other than employees and officials of the Department of Recreation and Open Space or persons having prior written permission from the Township.
- x. Paste, glue, tack or otherwise post or hang any sign, placard, advertisement, or inscription whatsoever in any park, playground, open space area, building or property in any public lands, highways or roads adjacent to said area. (The provisions of this subsection shall not apply to any authorized official of the Township in pursuit of any official duty, or persons having prior written permission from the Township)
- xi. Use or cause to be used any loudspeakers, public address systems or amplifiers without having first having obtained written permission from the Township.
- xii. Hold, possess or use any firearms or weapon in or within three hundred yards of any playground or Township structure or property.
- xiii. Molest, trap, capture or hunt, injure or kill any animal, fish or other wildlife or disturb its habitat, except in portions of any park or open space area so designated.
- xiv. Hunt with any type of weapon on any Township park, playground, open space area, or Township owned land, buildings or property, unless

specifically authorized by the Township and in conformance with fees, regulations and other parameters.

- xv. Swim in any pond, lake, stream or any other body of water except areas designated and posted as approved for swimming.
  - xvi. Run a gas operated water craft in any pond, lake, stream, or any other body of water, except where designated.
  - xvii. Allow any pet to roam unleashed in any park or playground, except where designated. Any and all fecal matter emitted from pets must be removed and carried away by the owner, except in designated areas.
2. Evesham Township reserves the right to prohibit, rescind or change the use of facilities, regardless of prior approval for use. Whenever practicable, reasonable notice will be provided.
  3. All indoor activities must terminate by midnight, unless prior written approval is obtained. All unlighted outdoor activities must terminate by sunset. Activities at lighted facilities, designated for evening use, must terminate by 10:00pm, unless otherwise approved by the Township.
  4. Municipal facilities cannot be used for any purpose prohibited by law.
  5. Open fires are prohibited, except when approved by the Township and any and all government agencies having jurisdiction therein. However, charcoal grills are permitted in designated picnic areas.
  6. Applications for the use of any municipal facility can be denied at the discretion of the Township.

#### B. Supervision

1. Applicants granted uses of facilities are responsible for the proper supervision of all participants and spectators. Those participants under the age of 18 years are not to be left unattended at any time.
2. Applicants granted use of facilities will be held responsible for any personal injury or property damage resulting from the lack of supervision or poor supervision of participants or spectators.

#### C. Maintenance and Use of Facilities

1. The person or group obtaining the permit must report any problems encountered with the facility to the Department of Recreation and Open Space within 24 hours of the conclusion of the activity.
2. Proper use of facilities is of the utmost importance. Organizations or groups failing to abide by the provisions of this policy will be asked to curtail their event(s) and may be denied further use of Township facilities.
3. Facilities must be left clean and orderly. Chairs and tables shall be returned to their original positions and lights and air conditioning/heating should be turned off or adjusted as directed as posted at the facility.

D. Damage to Municipal Property

1. Users of facilities automatically assume responsibility and liability for all damages and loss to Township property that occurs while using said facilities.

E. Parking

1. Parking is limited to designated parking areas.
2. No vehicles are permitted on any park, playground or open space, except for emergency situations only.
3. Violation of the parking policy will result in revocation of the applicant's privilege to continue utilizing the facility.
4. Violators will be towed at the owner's expense and may be fined.

**SECTION TWO: §110-3. Facilities Use Policy** is hereby amended as follows (~~strikethroughs~~ represent deletions, underlines represent additions):

A. The Township Council of the Township of Evesham has adopted the ~~Evesham Township Department of Open Space and Recreation's Use Policy~~ Evesham Township Facility Use Policy as a means to reserve use of Evesham's municipal facilities, thereby improving the accessibility and scheduling facilities and, at the same time, provide for their safe, constructive and prolonged use. Said policy may be amended, from time to time, by resolution duly adopted by a majority of the governing body, at a meeting conducted and held in accordance with the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq.

B. No team, group, company, organization, or association of individuals, whether for profit or not for profit, shall use any municipal fields and/or parks, without having first:

1. Filed the appropriate application(s) for permission to use said fields and/or parks. All multi-day athletic related applications must be submitted to the Department of Recreation and Open Space in writing no more than six (6) months prior to the start of a specific sporting event, nor less than ninety (90) business days prior to said event. All other events must submit completed applications ninety (90) days prior to the event. Events are subject to Council approval;
2. Posted the required proof(s) of insurance;
3. Paid the requisite fee(s) pursuant to § 72-1(I);
4. Obtained the required licenses and/or permits;
5. Followed all other procedures required under the Township's Facilities Use Policies; and
6. Received permission from the Township Manager's office, or the Department of Recreation and Open Space ~~Open Space and Recreation~~.

C. Remedies/violations/penalties.

(1) Violations of the Evesham Township Facilities Use Policy may result in the cancellation of the permit and/or the denial of future requests. The Township or its designated personnel has the right to deny or revoke the use of the facilities or any permit upon finding a violation of any rule or ordinance, for good cause or if it is not in the best interest of the public.

(2) (1) Any team, group, company, organization, or association of individuals, whether for profit or not for profit, which violates the foregoing provisions, or who/which permits, allows, facilitates or contributes to a violation or violations of this chapter, shall be

liable to the Township of Evesham for payment of the permit fees that would have been due had the policy not been ignored, circumvented, or violated, and shall also be subject to a fine not to exceed \$2,000; or to a term of community service not exceeding 90 days; or to a term of imprisonment not exceeding 90 days.

(3) (2) Each and every separate event conducted in violation of this section shall be deemed a separate violation giving rise to separate violations and penalties, and separate claims for recovery of fees.

(4) (3) In the event that the Township is required to institute litigation to recover the fees that should have been paid by the offending party, and should the Township be successful in recovering those fees, the offending party shall also be liable for all reasonable attorneys' fees and costs incurred by the municipality in pursuing said recovery.

**SECTION THREE.** §72-1(I) of Chapter 210 of the Township Code is hereby amended as follows (~~strikethroughs~~ represent deletions, underlines represent additions):

I. Department of Recreation and Open Space

(1) Rental fees

(a) Outdoor grass fields, no lighting

[1] Residents

[a] Individuals/groups \$~~26~~ 41 per hour

[b] Nonprofit groups \$~~25~~ 39 per hour

[c] Commercial \$~~53~~ 61 per hour

[2] Nonresidents

[a] Individuals/groups \$~~32~~ 47 per hour

[b] Nonprofit groups \$~~26~~ 40 per hour

[c] Commercial \$~~58~~ 66 per hour

(b) Outdoor synthetic turf fields (M1 and M2).

[1] Residents

[a] Individuals/groups \$~~95~~ 115 per hour

[b] Nonprofit groups \$~~95~~ 115 per hour

[c] Commercial \$~~126~~ 155 per hour

[2] Nonresidents

[a] Individuals/groups \$~~105~~ 125 per hour

[b] Nonprofit groups \$~~95~~ 115 per hour

[c] Commercial \$~~137~~ 170 per hour

(c) Blue Barn (indoor courts and rooms).

[1] Residents.

[a] Individuals/groups \$~~37~~ 45 per hour

[b] Nonprofit groups \$37 45 per hour

[c] Commercial \$42 50 per hour

[2] Nonresidents.

[a] Individuals/groups \$47 55 per hour

[b] Nonprofit groups \$37 50 per hour

[c] Commercial \$53 65 per hour

(d) Outdoor basketball and tennis courts.

[1] Residents.

[a] Individuals/groups \$21 32 per hour

[b] Nonprofit groups \$21 32 per hour

[c] Commercial \$26 37 per hour

[2] Nonresidents.

[a] Individuals/groups \$26 38 per hour

[b] Nonprofit groups \$26 38 per hour

[c] Commercial \$37 47 per hour

(e) Bocce courts.

No changes.

(f) Hockey rinks.

[1] Residents.

[a] Individuals/groups \$32 55 per hour

[b] Nonprofit groups \$32 55 per hour

[c] Commercial \$37 65 per hour

[2] Nonresidents.

[a] Individuals/groups \$37 65 per hour

[b] Nonprofit groups \$32 65 per hour

[c] Commercial \$42 75 per hour

(g) Field Parking.

No changes.

(h) Diamonds at Arrowhead.

[1] Residents.

[a] One field \$95 105 per hour

[b] Four fields \$285 290 per hour

[c] One-day tournament \$1,680 1720 per day

[2] Nonresidents.

- [a] One field \$126 ~~136~~ per hour
- [b] Four fields \$382 ~~390~~ per hour
- [c] One-day tournament \$2,205 ~~2250~~ per day

[3] Commercial Event Residents.

- [a] One field \$115 per hour
- [b] Four fields \$299 per hour
- [c] One-day tournament \$1764 per day

[4] Commercial Event Nonresidents.

- [a] One field \$132 per hour
- [b] Four fields \$401 per hour
- [c] One-day tournament \$2315 per hour

~~[3]~~ [5] Other rates.

- [a] Infield grooming \$525 ~~545~~ per day

(3) Facilities Use Fee Schedule Event Setup

- [1] Fence installed perimeter \$600.00 installation  
\$600.00 removal
- [2] Trash/Recycling Cart \$10.00 per cart
- [3] Public Works Department Up to \$60.00 per hour/per employee
- Overtime Rate for setup/breakdown
- [4] Police Overtime Rate \$77.00 per hour/per officer
- [5] Fire Department Permit Propane cooking - \$100 per event  
Open Tents – over 30ft in one direction - \$54.00 per event

**SECTION FOUR. REPEALER**

All Ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

**SECTION FIVE. INVALIDITY**

If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision and the remainder of this ordinance shall be deemed valid and effective.

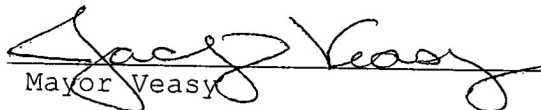
**SECTION SIX, EFFECTIVE DATE**

This Ordinance shall take effect 20 days after its proper publication after final passage as required by law.

ROLL CALL VOTE - Upon Introduction 01/24/2024						
COUNCIL MEMBER	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
COOPER	✓		✓			
ESPINOZA			✓			
FREEMAN			✓			
HANSEN		✓	✓			
MAYOR VEASY			✓			

ROLL CALL VOTE - Upon Adoption 2/14/2024						
COUNCIL MEMBER	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
COOPER			✓			
ESPINOZA			✓			
FREEMAN	✓		✓			
HANSEN		✓	✓			
MAYOR VEASY			✓			

Adopted on second and final reading on 2/14/24

  
Mayor Veasy

ATTEST

  
Rebecca Andrews, Acting Township Clerk

