

**BOROUGH OF FRANKLIN LAKES
ORDINANCE NO. 1939**

**AN ORDINANCE AMENDING CHAPTER 356 “PARKS AND
PUBLIC LANDS” OF THE CODE OF THE BOROUGH OF
FRANKLIN LAKES TO AMEND RULES, REGULATIONS AND FEES**

BE IT ORDAINED by the Mayor and Council of the Borough of Franklin Lakes, in the County of Bergen and State of New Jersey as follows:

Section 1. Section 356-26 “Facility use rules and regulations” of Article III “Athletic Fields and Recreational Facilities Use Policy” of Chapter 356 “Parks and Public Lands” of the Code of the Borough of Franklin Lakes is hereby amended to read as follows:

§ 356-26 Facility use rules and regulations.

- A. Use of any active recreation area by a group of more than 6 participants is authorized by permit only. Applicants must submit a facilities use request.
- B. Alcoholic beverages or controlled substances of any kind are prohibited.
- C. Smoking is prohibited on any recreational field owned by the Borough. For purposes of this article, the smoking prohibition shall not apply to parking areas surrounding the recreational field.
- D. Profane, loud, threatening, insulting, indecent and abusive language is prohibited.
- E. Amplifiers for music, announcements or otherwise shall not be unreasonably loud.
- F. Athletic fields/facilities may not be used before 8:00 a.m. or after dusk, except where lights are utilized. Lights shall be turned off as soon as the pickup of players allows. Lights must be requested and applicants shall pay an additional fee as set forth in Section 356-28.
- G. All trash shall be placed in proper receptacles. Users shall leave the facility in the same condition in which it was found, or better.
- H. Concession sales are by separate permit only in compliance with all Borough ordinances.
- I. Warm-ups for the next scheduled event must be performed so as not to interfere with an existing event and so as not to endanger the welfare of all participants, spectators and facilities.
- J. All managers, coaches, or persons in charge of a group using the fields will be responsible for the conduct of all participants, spectators and others connected with the activity, including visiting teams and opponents.
- K. Any group that desires a "port-o-john" at a site must gain approval from the Recreation and Parks Director. The Department of Public Works shall be responsible for the site location. Complaints about the portable facility shall be made to the Recreation and Parks Director. Applicants shall pay an additional fee for cleaning port-o-johns as set forth in Section 356-

28.

- L. Clothes shall be changed in rest rooms only.
- M. All participants, including instructors, coaches, officials and players, shall provide evidence of insurance in such form and amounts as may be required by the Borough's Risk Manager.
- N. All team sport members shall adhere to the Borough's Code of Conduct.
- O. All coaches shall be in good standing in Franklin Lakes or any other municipality. Participants not in good standing shall be banned.
- P. Any substantial proposed changes to the fields or parks should be submitted to the Recreation and Parks Director to consider their impact upon facility use. This requirement shall include advertising and signs. The placement of all movable items (port-o-johns, portable stands, goals, batting cages, blocking sleds and dummies, temporary fencing, etc.) shall be the responsibility of the Recreation and Parks Director. The Recreation and Parks Director shall coordinate with the Department of Public Works. Signage and all banner placements with the purpose of advertisement shall be reviewed by the Recreation and Parks Committee, and presented to the Mayor and Council for approval.
- Q. Private training, group lessons, organized sports programs, or any for-profit activity on all Borough facilities, including, but not limited to, fields, tennis courts and basketball courts, is not permitted, unless permitted in accordance with a field/facility use permit.

Section 2. Section 356-28 "Fee schedule and security deposit" of Chapter 356 is hereby amended to read as follows:

§ 356-28 Fee schedule and security deposit.

The following fees shall be charged for use of the Borough fields/facilities:

- A. Group I: No fee.
- B. Group II:
 - (1) For-profit organizations: per field, \$100 per hour and \$500 per day; and
 - (2) Nonprofit organizations: per field, \$50 per hour and \$250 per day.
- C. Filming. In addition to the fees required by Chapter 250, the fee for filming in Borough parks, fields or facilities shall be \$3,000 per day.
- D. Group III:
 - (1) For-profit organizations: per field, \$150 per hour and \$750 per day; and
 - (2) Nonprofit organizations: per field, \$100 per hour and \$500 per day.
- E. Tournaments and camps: The Recreation Director shall obtain estimates of costs to be

incurred by the Borough as a result of the use of the Borough fields, including, but not limited to, costs to be incurred by the Police and Public Works Departments. The fee may be adjusted for services or equipment to be provided to the Borough, including, but not limited to, recreation equipment or instructional services. Such an adjustment shall be in the sole discretion of the Recreation and Parks Director.

- F. Security deposit: For Group II or III use, the applicant shall post a security deposit or bond in an amount not to exceed \$5,000, as determined by the Recreation and Parks Director in his or her sole discretion, based on intensity of use and likelihood of damage to Borough facilities. Said security deposit may be utilized by the Borough to repair any damage to Borough facilities resulting from applicant's use of the fields. Release of the security deposit shall be approved by the Recreation and Parks Director.
- G. Lights: \$25 per hour.
- H. Port-a-john cleaning fee: \$25
- I. Portable restroom trailer rental, includes one cleaning (facility rental only): \$500 per week and an additional \$200 per cleaning.

Section 2. Repealer.

All ordinances or parts of ordinances inconsistent or in conflict with this Ordinance are hereby repealed as to said inconsistencies and conflicts.

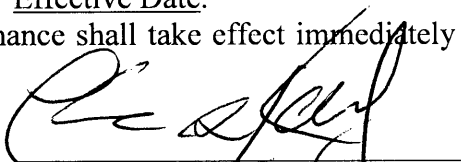
Section 3. Severability.

If any section, part of any section, or clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the remaining provisions of this ordinance. The governing body of the Borough of Franklin Lakes declares that it would have passed the ordinance and each section and subsection thereof, irrespective of the fact that any one or more of the subsections, sentences, clauses or phrases may be declared unconstitutional or invalid.

Section 4. Effective Date.

This ordinance shall take effect immediately upon passage and publication according to law.

APPROVED:



Charles J. X. Kanwaty, Mayor

ATTEST:



Gail M. Rulli, Borough Clerk

Introduced: 02-20-2024

Adopted: 03-19-2024