

“AN ORDINANCE OF THE BOROUGH OF LAKEHURST, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE BOROUGH, CHAPTER X, TITLED “PARKS, LAKES, AND RECREATION AREAS”

#2023-05

WHEREAS, the Borough of Lakehurst has adopted an Ordinance to enhance the quality of life for residents, making their municipality a better, safer, and cleaner home; and

WHEREAS, the Borough of Lakehurst seeks to modify the Parks, Lakes, and Recreation area Ordinance by Supplementing Chapter X of its General Ordinances; and

NOW, THEREFORE, BE IT ORDAINED, by the Lakehurst Borough Council, County of Ocean, and State of New Jersey, that Chapter X of the of the Parks, Lakes and Recreation areas be amended and supplemented as follows:

SECTION 10-1 USE OF ALL PUBLIC PARK, LAKE, BALL FIELDS AND RECREATIONAL AREAS

10-1.1 Purpose: The Borough’s public parks, Lake Horicon, ball fields and recreational areas are used by the public for their enjoyment, health and entertainment, and in the interests of the public health, safety and general welfare, certain restrictions, prohibitions and safeguards must be made and enforced with reference to the use and enjoyment thereof.

SECTION 1.2 is hereby amended to state:

10-1.2 Prohibitions at Lake Horicon. It shall be unlawful for any person to use the waters of Lake Horicon for the following purposes:

- a. The washing of any automobile or vehicle of any kind.
- b. The bathing or washing of any dog, cat, or other animal.
- c. No person shall disrobe or dress or undress or robe in any public place in, near or around the lake.
- d. Children under the age of twelve (12) are required to be accompanied by an adult.
- e. No tents, cabanas or any other temporary structures are permitted on the beach.
- f. Swimming or bathing are strictly prohibited when a lifeguard is not on duty.
- g. Any persons who have been issued a summons in violation of any provision under Ordinance 3-11 or have been charged with a misdemeanor offense or criminal charge shall be immediately required to leave the Lake Horicon area and shall not be permitted to return for a period of twenty-four (24) hours from the date the summons was issued. If an Officer observes an individual return to the Lake Horicon area within twenty-four (24) hours, the officer may arrest the individual for trespassing. The discretion to make a physical arrest lies with the officer, and if there is any question, the officer should discuss the matter with his or her supervisor.

SECTION 1.3 Alcoholic Beverages. No personal shall be permitted to consume or have in their possession for consumption any alcoholic beverage of any kind whatsoever at a public park, ball fields, recreational areas or while on the waters of Lake Horicon or on the adjacent lands used in connection therewith. (1973 Code § 3-5.3)

SECTION 1.4 Cooking. It is unlawful for any person to use or operate any cooking grill or other cooking device or apparatus except on grills owned by the municipality. (1973 Code § 3-5.4)

SECTION 1.5 Littering and Smoking.

- a. It shall be unlawful to litter at a public park, ball fields, recreational areas or any of the bathing beaches or the lands adjoining the lake with paper, refuse, bottles, cans or debris of any kind or to throw any of such objects into the waters of the lake. (1973 Code §3-5.5).
- b. No person shall smoke tobacco products including but not limited to a cigarette, cigar, pipe, or otherwise use tobacco products in the public park, lake, ball fields and recreational areas.
- c. No person shall smoke cannabis in any places that smoking tobacco is prohibited.
- d. A person, after being so ordered, who smokes in violation of this act is subject to a fine of not less than \$250 for the first offense, \$500 for the second offense and \$1,000 for each subsequent offense.

SECTION 1.6 is hereby amended to state:

10-1.6. Boating. In connection with the operation of boats upon the waters of Lake Horicon, the following acts are prohibited and shall be deemed unlawful:

- a. To use or operate any motorboat which is fueled by gasoline. Additionally, to use or operate any electric motorboat having an electric motor in excess of five (5) horsepower.
- b. It shall be unlawful to operate any boat or canoe in the bathing beach areas.
- c. For any person to use the lifeboat provided for any purpose other than an emergency, or as shall be directed and authorized by the Council.

SECTION 1.7 is hereby amended to state:

10-1.7. Parking. With respect to the operation, parking and control of automobiles and motor vehicles in the lake area, the followings acts are prohibited and shall be deemed unlawful:

- a. Parking for Lake Street is permitted in designated areas only.
- b. To park or stop any truck, bus or commercial vehicle in the bathing areas or approaches to the lake area for a period of time in excess of ten minutes.

SECTION 1.8 is repealed in its entirety.

SECTION 1.9. Fishing

- a. No person shall bait, fish, or cast from the shores within any protected bathing beach located in the Borough.
- b. No person fishing in the waters within the Borough shall leave any dead fish, crabs, or other waste material along the shore. (1973 Code §3-1.6)

SECTION 1.10 is hereby amended to state:

10-1.10. Dogs. No person shall take any dog or other animal on any protected bathing beach located in the Borough from Memorial Day to Labor Day. (1973 Code §3-1.18)

SECTION 1.11 is hereby amended to state:

10-1.11. Fires.

- a. All ground or bonfires, personal grills, and use of Borough grills are prohibited unless authorized by permit.
- b. No person shall drop, throw, or otherwise deposit lighted matches or otherwise flammable material within any park property.

WHEREAS all ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

WHEREAS if any section, subsection, paragraph, sentence, or any part of this ordinance is adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance not directly involved in the controversy in which such judgment shall have been rendered.

BE IT ORDAINED this ordinance shall take effect immediately upon final passage and publication as required by law.

Harry Robbins
Mayor

NOTICE

NOTICE IS HEREBY GIVEN that an ordinance #2023-05 entitled “AN ORDINANCE OF THE BOROUGH OF LAKEHURST, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE BOROUGH, CHAPTER X, TITLED “PARKS, LAKES, AND RECREATION AREAS” was finally adopted after a public hearing and Council approval at a meeting of the governing body held on the sixteenth day of March 2023.

Maryanne Capasso, RMC
Municipal Clerk