

**TOWNSHIP OF NEPTUNE  
ORDINANCE NO. 22-21**

**AN ORDINANCE OF THE TOWNSHIP OF NEPTUNE TO AMEND AND SUPPLEMENT  
CHAPTER 23 PARKS AND RECREATIONAL FACILITIES BY AMENDING SECTIONS 1.1  
“LOCATIONS DESIGNATED”, 1.2 “PERMITTING AND REGULATIONS”, 1.3 “POSTING OF  
RULES AND REGULATIONS”, 1.5 “USE OF SUNSHINE VILLAGE PARK, JUMPING BROOK  
FIELDS, BERT WILLIS FIELDS, SHARK RIVER HILLS FIELD AND ANTHONY C.  
LOFFREDO FIELDS.” 2.1 “CONDUCT”, 2.2 “PUBLIC USE AND AVAILABILITY OF PARK  
AND RECREATION AREAS” AND 2.4 “ENFORCEMENT”**

**BE IT ORDAINED**, by the Township Committee of the Township of Neptune that the Ordinance be and is hereby amended as follows: [Items removed have strikethroughs, additions are bold and underlined]

**SECTION 1.**

**§23-1 Parks and Recreational Facilities**

**§23-1.1 Locations Designated**

The following locations within the Township are designated as playfields and parks for recreational activities as hereinafter set forth:

|    | <b>Park Name</b>                               | <b>Location</b>                        |
|----|--|--|
| a. | Shark River Hills Field                        | Beverly Way                            |
| b. | Jumping Brook Field                            | Jumping Brook Road                     |
| c. | Anthony C. Loffredo Fields                     | West Bangs Avenue                      |
| d. | Bert Willis Fields                             | Old Corlies Avenue                     |
| e. | Sunshine Village Park                          | Monmouth Avenue                        |
| f. | Liberty Park Mini Park                         | Monroe Avenue                          |
| g. | Midtown Commons Park                           | West Lake Avenue                       |
| h. | West Grove Mini Park                           | Division Street                        |
| i. | Shark River Hills Memorial Park and Playground | South Riverside Dr.                    |
| j. | Pittenger Place Mini Park                      | Pittenger Place                        |
| k. | Mini Park at Trident                           | Hillview                               |
| l. | Hillview Mini Park                             | Hillview Drive and Hill Drive          |
| m. | Central Avenue Mini Playground                 | Ocean Grove                            |
| n. | Volunteer Park                                 | South Riverside Drive                  |
| o. | Bradley Park                                   | Ridge Avenue                           |
| p. | Veterans Memorial Park                         | Old Corlies Avenue                     |
| q. | Marina Park                                    | South Riverside Avenue and Beverly Way |
| r. | Gables Park                                    | Corlies Avenue                         |

In addition to the locations set forth herein, the provisions of this chapter shall apply to any and all open space owned by the Township including all areas identified in the Township's Roster of Open Space Inventory.

**§ 23-1.2 Permitting and Regulations**

The playfields and appropriate field permitting shall be under the supervision of the Recreation Director for the Township, hereinafter referred to as Director.

- a. Park hours: dawn to dusk; Township-controlled lighted fields permitted until 10pm. Neptune Township reserves the right to close the parks as necessary for health, safety or public welfare.
- b. **Neptune Township reserves the right to utilize park areas for Township programs which will limit access by the public for purposes other than the scheduled program.**

- c. Organized play on Playing Fields is approved by permit only through the Recreation Office.
  - d. Pick-up play; to not include organized teams, organizations, or similar institution, is allowed, however, access and preference will be given to permitted play.
  - e. No motorized or non-motorized vehicle of any description shall be permitted upon any portion of the playfields ~~unless authorized in writing by the Director.~~
  - f. No motor vehicle shall be parked in the area of the playfields except at those places designated for parking.
  - ~~g. No alcoholic beverages shall be permitted at any time within the perimeter of the Shark River Hills Field and Jumping Brook Field.~~
  - h. No food or beverage shall be sold at the parks without first obtaining a mercantile license from the Township.
- ~~No recreational activity shall be permitted on Sundays on fields 1, 2, and 3 located at the Jumping Brook Fields. No persons shall be allowed at playfields and parks after sunset until the sunrise following.~~
- i. **Facilities are to be used at the participant's sole and exclusive risk; parks are not supervised**

**§23-1.3 Posting of Rules and Regulations**

The rules and regulations set forth in subsection 23-1.2 and 23-2.1 shall be posted in summary and reference at each field.

**§23-1.5 Use of Sunshine Village Park, Jumping Brook Fields, Bert Willis Fields, Shark River Hills Field and Anthony C. Loffredo Fields.**

The scheduling and field use permitting of Sunshine Village Park, Jumping Brook Fields, Bert Willis Fields, Shark River Hills Field and Anthony C. Loffredo Fields shall be through the Recreation Department and shall be coordinated with the schedules of the appropriate youth sports organization under contract with the Township. These organizations include the Neptune Soccer Association, Neptune Little League and Neptune Fliers Youth Football & Cheer.

**§23-2 USE OF PUBLIC PARKS AND RECREATIONAL AREAS**

**§23-2.1 Conduct**

While in a public park or recreation area, all persons shall conduct themselves in a proper and orderly manner, and in particular, no person shall:

- a. Willfully mark, deface, disfigure, injure, tamper with, displace or remove any buildings, bridges, tables, benches, fireplaces, railings, paving materials, public utilities or 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.
- b. Fail to cooperate in maintaining restrooms ~~and washrooms~~ in a neat and sanitary condition.
- c. Dig or remove any soil, rock, sand, stones, trees, shrubs, plants or other wood or, materials, or make any excavation by tool, equipment, or other means.

- d. Construct or erect any building or structure of whatever kind (whether permanent or temporary) or run or string any public service utility into, upon or across such lands, except on special written permit issued hereunder.
- e. Damage, cut, carve, transplant or remove any tree or plant, or injure the bark, or pick flowers or seed of any tree or plant, dig in or otherwise disturb grassed areas, or in any other way injure the natural beauty or usefulness of any area.
- f. Climb any tree or walk, stand or sit upon monuments, vases, planters, fountains, railings, fences or upon any other property not designated or customarily used for such purposes.
- g. Tie or hitch an animal to any tree or plant **or any structure.**
- h. Hurt, molest, kill, wound, trap, abuse, shoot, pursue or throw objects at, or have in his/her possession any animal, reptile or bird found within any park, nor shall their habitats be disturbed, except where specifically designated and permitted. No person shall purchase, sell, accept or give away any such animal, reptile, bird or eggs except as may be specifically provided for and permitted.
- i. 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 any park or any tributary stream, storm sewer, or drain flowing into such water, any substance, matter or thing, liquid or solid, which may result in the pollution of said waters.
- j. Have brought in, dump in, deposit or leave any bottles, broken glass, ashes, paper, boxes, cans, dirt, garbage, refuse, or organic or inorganic solid liquid waste.
- k. Drive or park any vehicle on any area except the paved park roads or parking areas, or such areas as may on occasion be specifically designated as temporary parking areas by Township of Neptune.
- l. Leave a vehicle standing or parked at night in established parking areas or elsewhere in the park areas. No motor vehicle shall be parked in said park areas from one half hour after sunset until sunrise, except as otherwise permitted.
- m. Ride a bicycle **or any wheeled recreational device** without reasonable regard to the safety of others.
- n. Leave a bicycle **or any wheeled recreational device** lying on the ground or **pavement** or set against trees, or in any place or position where a person may trip over or be injured by it.
- o. Swim, bathe, or wade in any waters or waterways in any park, except in such waters and at such places as may be specifically designated for such activities.
- p. Bring into or operate any boat, raft, or other watercraft, whether motor powered or not, upon any waters, except at places designated for boating by Township of Neptune. Such activity shall be in accordance with applicable regulations as are now or will hereafter be adopted.
- q. Fish in any area **where** bathing is permitted.
- r. Shooting into **or within** park areas from beyond park boundaries is forbidden. No person shall carry or possess firearms of any description, spring-guns, bow and arrows, slings or any other forms of weapons or devices potentially inimical to wildlife or dangerous to human safety, or any instrument that can be loaded with and fire blank cartridges, or any kind of trapping device, except as may be specifically permitted.

- s. Violate the regulation that use of ~~individual fireplaces together with~~ tables and benches follows the generally accepted rule of "first come, first served."
- t. Use any portion of the picnic area or any of the buildings or structures therein for the purpose of holding picnics to the exclusion of other persons, nor shall any person use such areas and facilities for an unreasonable time if the facilities are crowded.
- u. Set up tents, shacks, or any other temporary shelter for the purpose of overnight camping, nor shall any person leave in a park after closing hours any movable structure or special vehicle to be used or that could be used for such purpose, such as a house-trailer, camp-trailer, camp-wagon, or the like except in those areas designated by Township of Neptune for those purposes.
- v. Ride a horse except on designated bridle trails, where permitted. Horses shall be thoroughly broken and properly restrained, and ridden with due care, and shall not be allowed to graze or go unattended, nor shall they be hitched to any rock, tree or shrub.
- w. Bring alcoholic beverages or drink same at any time except in such areas and under such regulations as may be designated and permitted by Township of Neptune.
- x. Have in his/her possession, set or otherwise cause to explode, discharge, or burn, any fireworks, firecrackers, or explosives or flammable material, or discharge them or throw them into any such areas from lands or highways adjacent thereto.
- y. Be responsible for the entry of a dog or other domestic animal into areas clearly marked by Township of Neptune signs bearing the words "Domestic Animals Prohibited in this Area". All domestic animals in those areas where such animals are permitted shall be adequately restrained at all times.
- z. Solicit alms or contributions for any purpose, whether public or private except in such areas and under such regulations as may be designated and permitted by Township of Neptune.
- aa. Build, or attempt to build, a fire except in such areas and under such regulations as may be designated by Township of Neptune. No person shall drop, throw or otherwise scatter lighted matches, burning cigarettes, cigars, tobacco, paper or other flammable material within any park or on any highways, roads, or streets abutting or contiguous thereto.
- bb. Gamble, participate in, or abet any game of chance except in such areas and under such regulations as may be designated by Township of Neptune.
- cc. Go onto the ice on any waters except such areas as are designated as skating **areas** and provided a safety signal is displayed.
- dd. Disturb or interfere unreasonably with any person or party occupying any area or participating in any activity under the authority of a permit.
- ee. Expose, or offer for sale, any article or thing, nor place any stand, cart, or vehicle for the transportation, sale, or display of any such article or thing. Exception is made for any permitted or licensed concessionaire acting by and under the authority and regulation of Township of Neptune.
- ff. Paste, glue, tack, or otherwise post any sign, placard, advertisement, or inscription whatever, nor shall any person erect, or cause to be erected, any sign on any park lands or roads in any park.
- gg. Golf or engage in any activity that creates divots or damage to the surface of any ball field, park or recreational area.

- hh. Smoke, chew, or possess lighted cigarettes, pipes, cigars, electronic cigarettes, or any other type of tobacco and/or cannabis product.
- ii. Use or operate any grill including, but not limited to charcoal, propane, or electric grills.
- jj. Be in possession of any container made of glass.
- kk. Be in possession of or bring any type of balloon.
- ll. Be in possession of or bring any type of confetti, or material that will disperse on use or be thrown.
- mm. All refuse must be disposed of in receptacles provided by the Township for such purposes. If those receptacles are filled, refuse must be carried out of the park and disposed of appropriately.
- nn. While in the Skatepark and Pumptrack, all persons shall conduct themselves in a proper and orderly manner. The following rules of conduct must be followed in addition to all other park conduct regulations:
  - i. Park hours: dawn to dusk
  - ii. Facilities are to be used at the participant's sole and exclusive risk; parks are not supervised
  - iii. Use only un-motorized, wheeled, recreational devices with wheel base less than 20"
  - iv. Proper safety equipment, including but not limited to, helmets, knee pads and elbow pads are required.
  - v. Always inspect the area before use.
  - vi. Do not use if surface is wet, icy or snow covered.
  - vii. Food, beverages, and gum is prohibited.
  - viii. Possession of any container made of glass is prohibited.
  - ix. Be responsible; exercise common sense
  - x. Be respectful and courteous of others. Fighting and foul language is strictly prohibited.
  - xi. Personal Ramps, boxes, rails or other similar items are not permitted.
  - xii. All refuse must be disposed of in receptacles provided by the Township for such purposes. If those receptacles are filled, refuse must be carried out of the park and disposed of appropriately.
  - xiii. Do not willfully mark, deface, disfigure, injure, tamper with, displace or remove any buildings, bridges, tables, benches, fireplaces, railings, paving materials, public utilities or 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.

**§23-2.2 Public Use and Availability of Park and Recreation Areas.**

- a. Except for unusual and unforeseen emergencies, parks shall be open to the public every day of the year **dawn to dusk; Township-controlled lighted fields permitted until 10pm.** The opening and closing hours for each individual park shall be posted therein for public information and shall be determined from time to time by resolution of Township of Neptune.
- b. No person shall, on the grounds of race, color, national origin, religion, age, sex, or handicap **or other protected** class be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination in, any park facility, program, or activity.
- c. Discrimination on the basis of residence, including preferential reservation, membership, or annual permit systems is prohibited except to the extent that reasonable differences in admission and other fees may be maintained on the basis of residence. ~~in any park.~~

**§23-2.4 Enforcement**

- a. The Township of Neptune or its designated agents shall, in connection with their duties imposed by law, diligently enforce the provisions of this section.
- b. The Township of Neptune or its designated agents shall have the authority to eject from the park area any person(s) acting in violation of this section.
- c. The Township of Neptune or the designated agents shall have the authority to seize and confiscate any property, thing, or device in the park, or used, in violation of this section.
- d. This section shall also be enforced by the Police Department of the municipality.
- e. **Any person, firm or corporation charged with violating any provision of this chapter, upon conviction in the Municipal Court, shall be liable to the penalty stated in Chapter 1, Section 1-5. Each violation of any provision of this chapter and each day that this chapter is violated, shall be deemed and taken to be a separate and distinct offense.**

**SECTION 2.**

The remainder of all other sections and subsections of the aforementioned ordinance not specifically amended by this Ordinance shall remain in full force and effect.

**SECTION 3.**

All other Ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed as to such inconsistency.

**SECTION 4.**

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 so adjudged and the remainder of this Ordinance shall be deemed valid and effective.

**SECTION 5.**

This Ordinance shall take effect upon its passage and publication according to law.

| Motion/ | Roll Call To Adopt On First Reading | YAY | NAY | ABSTAIN | ABSENT | Adopted on First Reading                      |
|---------|-------------------------------------|-----|-----|---------|--------|---|
| Second  |                                     |     |     |         |        | Dated: June 13, 2022                          |
|         | Dr. Michael Brantley                |     |     |         | X      |   |
| Motion  | Keith Cafferty                      | X   |     |         |        |   |
| Second  | Robert Lane, Jr.                    | X   |     |         |        |   |
|         | Tassie D. York                      | X   |     |         |        |   |
|         | Nicholas Williams                   | X   |     |         |        |   |
|         |                                     |     |     |         |        | <hr/> Gabriella Siboni, RMC<br>Township Clerk |

| Motion/ | Roll Call To Adopt On Second and Final Reading | YAY | NAY | ABSTAIN | ABSENT | Adopted on Second Reading                     |
|---------|--|-----|-----|---------|--------|---|
| Second  |  |     |     |         |        | Dated: June 27, 2022                          |
| Motion  | Dr. Michael Brantley                           | X   |     |         |        |   |
|         | Keith Cafferty                                 | X   |     |         |        |   |
|         | Robert Lane, Jr.                               | X   |     |         |        |   |
| Second  | Tassie D. York                                 | X   |     |         |        |   |
|         | Nicholas Williams                              |     |     |         | X      |   |
|         |  |     |     |         |        | <hr/> Gabriella Siboni, RMC<br>Township Clerk |

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Gabriella Siboni  
Township Clerk

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Nicholas Williams  
Mayor