

ORDINANCE NO. 07-2024

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BOROUGH OF ROSELAND
COUNTY OF ESSEX, STATE OF NEW JERSEY

AN ORDINANCE AMENDING SECTION 14-4 OF THE
REVISED GENERAL ORDINANCES OF THE BOROUGH OF
ROSELAND ENTITLED "USE OF OUTDOOR FACILITIES"

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NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Roseland that Section 14-4 of the Revised General Ordinances of the Borough of Roseland entitled "Use of Outdoor Facilities" shall be amended to read as follows:

SECTION I

That Subsection 14-4.1 entitled "Permit Required" shall be amended by adding the following **thus** and deleting the following **thus**:

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§ 14-4.1 **Permit Required.**

~~a. Whenever any person, group, association or organization desires to reserve any field, park, public land or other Borough facilities for a particular purpose, such as games, sports practices, picnics, parties or theatrical or entertainment performances, or any other activity that promotes recreational, educational or cultural opportunities for Roseland residents, a representative of said group, association or organization shall first obtain a permit, from the Recreation Director.~~

~~a.~~

~~b. The Recreation Director shall grant the permit if it appears that the person, group, association or organization meets all of the conditions contained herein and contained in an application form to be hereinafter provided by the Mayor and Council. The application may also contain a requirement for an indemnity bond or insurance policy to protect the Borough from any liability of any kind or character and to protect Borough property from damage. The Mayor and Council may accept or waive certain insurance requirements as they deem reasonable.~~

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SECTION II

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That Subsection 14-4.3 entitled "Application Requirements" shall be amended by renumbering as Section 14-4.2 and by adding the following **thus** and deleting the following **thus**:

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§ 14-4.2 **Application Requirements, Review, Permit Holder Responsibility.**

a. Application Requirements.

~~a.~~ **1.** Prior to the issuance of any outdoor facilities permit, the person, group, association or organization using the outdoor facility shall first file a written statement with the Borough Clerk, at least five days in advance of the proposed use of the facility. Mailed applications shall be postmarked at least seven days in advance of the use of the facility. All applications shall set forth the following information as approved by the Mayor and Council.

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- 1. (a). Full name, address, e-mail address and phone number of the applicant.
- 2. (b). The person, group, association or organization name.
- 3. (c). The name and location of facility requested.
- 4. (d). The date, or dates and time, the facility is being requested within the calendar year.
- 5. (e). An explanation for the request.

2. After review and approval by the appropriate staff, the Recreation Director shall grant the permit if it appears that the person, group, association or organization meets all of the conditions contained herein and contained in an application form to be hereinafter provided by the Mayor and Council. The application may also contain a requirement for an indemnity bond or insurance policy to protect the Borough from any liability of any kind or character and to protect Borough property from damage. The Mayor and Council may accept or waive certain insurance requirements as they deem reasonable.

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3. Permit holder responsibilities.

- 1. The permit holder must abide by all Borough Ordinances whether posted or not.
- 2. The permit holder is responsible for cleanup of facilities. Facilities include, but are not limited to, the grounds, equipment and parking areas.
- 3. The permit holder is responsible for the repair and damages resulting from use.
- 4. The permit holder shall accept and assume any and all risks resulting from the persons, groups, associations or organization use of the facility.
- 5. The permit holder shall indemnify, defend and hold harmless the Borough and all its officials, agents, representatives and employees from any and all claims which, in any way, arise out of or relate to the use of the facility, including the full amount of any settlement or judgment and all costs and counsel fees, whether or not such claims are meritorious.
- 6. The permit holder must provide and keep in effect a noncancelable insurance coverage as per the insurance requirements

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SECTION III

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That Subsection 14-4.2-3 entitled "Permit Fees" shall be deleted in its entirety and shall be replaced by the following fee schedule and renumbered as section 14-4.3:

| FIELD | Week | | Sunday | Saturday | |
|-------|--------|----------|--------|-------------------------------|-------------------------------|
| | Day | Saturday | | Weekday | Saturday |
| - | 1 Hour | 1 Hour | 1 Hour | Min 3 Hours Clinics/Camps | 3 Hour Block Clinics/Camps |
| - | 1 Hour | 1 Hour | 1 Hour | 3-Hour Block Clinics/Camps | 3-Hour Block Clinics/Camps |

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Harrison Ave Sports Complex

| | | | | | |
|-----------------------------|-----|-----|-----|-----|-----|
| O'Beirne Field-Baseball | 100 | 130 | 150 | 300 | 400 |
| Harrison Ave Softball Field | 80 | 130 | 145 | 225 | 325 |
| Harrison Ave Baseball Field | 80 | 130 | 145 | 225 | 325 |

O'Beirne Soccer Fields

| | | | | | |
|--------------------------------|--------------------|--------------------|--------------------|-----|-----|
| Soccer Field Full Size 11 X 11 | 100 125 | 130 150 | 150 175 | 300 | 400 |
| Soccer Field 9 X 9 | 100 | 130 | 150 | 300 | 400 |
| Soccer Field Full Size 7 X 7 | 100 | 130 | 150 | 300 | 400 |
| Harrison Soccer Field | | | | | |
| Soccer Field 9v9 Harrison | 100 | 130 | 150 | 300 | 400 |
| Pavilion/Picnic area | 75 | 75 | 75 | N/A | N/A |
| Colitti Court | 40 | 90 | 105 | 100 | 225 |
| Tennis Courts | N/A | N/A | N/A | 100 | 225 |
| Pickleball Courts | N/A | N/A | N/A | 100 | 225 |
| Community Room | 50 | 50 | 50 | N/A | N/A |

* An additional \$25.00 per hour for use of lights- in Spring and Summer Lights are required after 7:30 PM.

Fall Lights are required after 5:00 PM

* An additional \$25.00 per hour for use of the Borough's sound system

* An additional \$200.00/Day Clean Up Fee for Tournaments

Fields Only will be reserved – fields will be available for use for up to 12 hours per day

Tournament Fees for Harrison Complex: \$1,500.00 per day

| FIELD | Week Day | Saturday | Sunday | Clinics/Camps Week-day | Saturday |
|--------------------------|----------|----------|--------|------------------------|---------------|
| | 1 Hour | 1 Hour | 1 Hour | Min 3 Hours | 3 Hour Block |
| | 1 Hour | 1 Hour | 1 Hour | Clinics/Camps | Clinics/Camps |
| Fernwood Field | | | | | |
| Baseball size | 75 | 125 | N/A | 175 | 300 |
| Lynn DeBell Field | | | | | |
| Baseball size | 75 | 125 | N/A | 175 | 300 |
| Bond Force Park | | | | | |
| Basketball Court | 40 | 85 | N/A | 100 | 165 |
| Bond Force Building | 35 | 35 | N/A | N/A | N/A |
| Picnic Area | 50 | 50 | N/A | N/A | N/A |
| Small Field | 40 | 85 | N/A | 100 | 165 |
| Tedesco Park | | | | | |
| Basketball Court | 40 | 85 | N/A | 100 | 100 |
| Pickleball Court | N/A | N/A | N/A | 100 | 100 |

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~~set forth by the Borough.~~

SECTION IV

If any section or provision of this ordinance shall be invalid in any court the same shall not affect the other sections or provisions of this ordinance except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

SECTION V

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

SECTION VI

This ordinance shall take effect in accordance with applicable law.

DATE OF INTRODUCTION: April 4, 2024

Motion to Introduce by: Councilwoman Fishman

Motion Seconded by: Councilman Trillo

Introduction Approved: 6-0 Voice Vote

DATE OF ADOPTION: April 23, 2024

| COUNCIL | MOTION | SECOND | AYE | NAY | ABSTAIN | RECUSE | ABSENT |
|-------------------------------|--------|--------|-----|-----|---------|--------|--------|
| Council President Bardi | | X | X | | | | |
| Councilman Biront | | | X | | | | |
| Councilwoman Fishman | | | | | | | X |
| Councilman Goldstein | | | | | | | X |
| Councilwoman Perrotti | | | X | | | | |
| Councilman Trillo | X | | X | | | | |
| Mayor Spango (In case of tie) | | | | | | | |
| | | VOTE: | 4 | 0 | | | |

I hereby certify that the above Ordinance was duly adopted by the Mayor and Council of the Borough of Roseland at a meeting of Borough Council held on the 23rd day of April, 2024.

James R. Spango, Mayor

Jock H. Watkins, Borough Clerk

Date of Publication: May 2, 2024, The Progress