

ORDINANCE 2024 –27

**AN ORDINANCE OF THE BOROUGH OF SOUTH RIVER, COUNTY OF MIDDLESEX,
STATE OF NEW JERSEY, AMENDING THE BOROUGH CODE OF THE BOROUGH
OF SOUTH RIVER, SO AS TO AMEND CHAPTER 246 ENTITLED "PARKS AND
PLAYGROUNDS"**

BE IT ORDAINED by the Mayor and Borough Council of the Borough of South River, County of

Middlesex, and State of New Jersey, as follows:

SECTION 1. Chapter 246 of the Borough Code of the Borough of South River, entitled "Parks and Playgrounds," is hereby amended so as to amend the Chapter title to read as follows:

Chapter 246, Parks, Playgrounds and Public Buildings.

SECTION 2. Chapter 246 of the Borough Code of the Borough of South River, entitled "Parks and Playgrounds," is hereby amended so as to add Article I to be entitled "Parks and Playgrounds" and include Section 246-1-Section 246-7.

SECTION 3. Chapter 246 of the Borough Code of the Borough of South River, entitled "Parks and Playgrounds," is hereby amended so as to add Article II to be entitled "Municipal Buildings" to read entirely as follows:

Article II- Municipal Buildings.

§246-8 Municipal Building Use

- A. The Borough shall promulgate facilities use policy, which shall include rules and regulations regarding the use of the Municipal Building, procedures and costs for the use thereof, and which shall be consistent with this chapter.

- B. Notwithstanding the rules and regulations outlined within the facilities use policy as set forth in Subsection A above, the following general regulations shall apply use of the municipal buildings.
 - (1) Alcoholic beverages prohibited. No alcoholic beverages shall be consumed, sold, used or taken into any municipal building.

 - (2) Drugs prohibited. No controlled dangerous substance shall be permitted in any municipal building.

- (3) Dogs prohibited. No dogs shall be allowed in any municipal building, except dogs trained to provide assistance to persons with disabilities.
- (4) Horseplay prohibited. No games, conduct or activities known as "horseplay" shall be permitted in any municipal building at any time when such games, activities or conduct are likely to endanger or cause injuries to any person or to any property thereon.
- (5) Firearms prohibited. The use of firearms by any person not authorized to possess and use same is prohibited.
- (6) Business regulated. The conduct or operation of any business or commercial activity shall be prohibited unless a license has been obtained upon application.
- (7) Debris and refuse prohibited. No paper, debris, cans, refuse or any other material or property shall be left or deposited in or on any Borough property except in receptacles provided by the Borough for such purposes.
- (8) Property damage. No person shall willfully or negligently mark, deface, disfigure, injure, tamper with, displace or remove any buildings, tables, benches, railings, paving, paving material, public utilities, or parts or appurtenances thereof, signs, notices or placards, whether temporary or permanent, or monuments, or remove stake posts or other batter markers or other structures or equipment, either real or personal.
- (9) Closed to the Public. No person shall enter an area posted as "closed to the public use; nor shall any person use or abet the use of any area in violation of posted notices.
- (10) No open flame. There shall be no open flame permitted in any Municipal Building.

§246-9 Insurance Requirements.

All individuals, groups, and organizations authorized to use the Borough Municipal Buildings shall as a condition precedent to authorized use, provide a certificate of insurance for liability coverage (bodily injury and property damage) identifying the Borough as an additional named insured in an amount no less than \$1,000,000.00.

§246-10 Application Process.

- A. Municipal Building Application. The application shall be obtained from the Municipal Clerk. The Municipal Clerk shall have the authority to approve or deny the application with any reasonable conditions which, in his/her opinion, are necessary to ensure that the proposed activity will conform to the standards of this section and Borough Rules and Regulations for Use of the Municipal Building.

- B. Appeal of Denial. Within ten days after receipt of an application, the Municipal Clerk shall apprise the applicant in writing of his/her reason for refusing the application, and the aggrieved person shall have the right to appeal in writing, within ten days, to the Borough Council, who shall consider the application under the set forth in this Chapter and Borough Rules and Regulations for Use of the Municipal Building and sustain or overrule the Municipal Clerk's decision within fifteen days. The decision of the Borough Council shall be final.

§246-11 Violations and penalties.

Any person who violates or who fails or refuses to comply with this article shall be liable to a penalty as prescribed in Chapter 1, § **1-1**, General Penalty, of this Code, for each offense, to be recovered by and in the name of the municipality.

SECTION 4. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 5. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

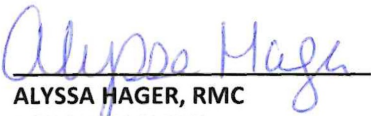
SECTION 6. This ordinance shall take effect after second reading and publication as required by law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed on first reading at a regular meeting of the Borough Council of the Borough of South River, in the County of Middlesex, State of New Jersey, held on May 13th, 2024, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the 10th day of June, 2024, at 7:00 p.m., or as soon thereafter as this matter can be reached, at the Council Chamber of the Criminal Justice Building located at 61 Main Street, South River, New Jersey, and/or virtually via Zoom meeting code 826 6082 9597: password: 000000 at which time all persons interested shall be given an opportunity to be heard concerning this ordinance.

Introduced 5-13-24

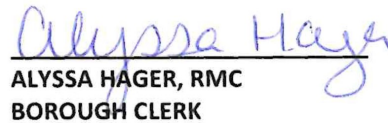
COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Balazs</i>		X	X			
<i>Councilman Ciulla</i>	X		X			
<i>Councilman Dziemian</i>			X			
<i>Councilman Frost</i>			X			
<i>Councilman Gurchensky</i>			X			
<i>Council President Krenzel</i>			X			



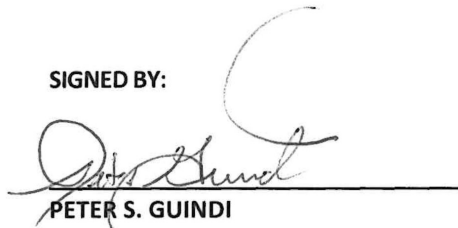
ALYSSA HAGER, RMC
BOROUGH CLERK

Adopted 6-10-24

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Balazs</i>			✓			
<i>Councilman Ciulla</i>		✓	✓			
<i>Councilman Dziemian</i>			✓			
<i>Councilman Frost</i>			✓			
<i>Councilman Gurchensky</i>	✓		✓			
<i>Council President Krenzel</i>			✓			


ALYSSA HAGER, RMC
BOROUGH CLERK

SIGNED BY:


PETER S. GUINDI

ATTESTED BY:


ALYSSA HAGER, RMC

