

Ordinance 2022-001

Amendment of Chapter 17 Recreation of the Borough of South Bound Brook's Municipal Ordinance

Chapter 17

PARKS AND RECREATION AREAS

17-1 USE OF PARKS AND RECREATION AREAS

17-1.1 Advertising. {Ord. No. 2000-03}

No person shall without a permit issued by the **Borough Clerk or his/her designee**:

- a. Post, paint, affix, distribute or hand out any bill, billboard, circular or advertisement or any of the following without written permission of the **Mayor and Council**.
- b. Display any flag, banner, transparency, target, sign placard or any other matter for advertising purposes.
- c. Operate any musical instrument, soundtrack or drum for advertising purpose or for the purpose of attracting attention to any exhibition, show performance or other display.

17-1.2. Soliciting. {Ord. No. 2000-03}

No person shall solicit for any purpose

17-1.3. Animals {Ord. No. 2000-03}

No person shall cause or permit any animal owned by him, in his custody or under his control, to go or be at large.

- a. Dogs shall be restrained by a leash not exceeding six feet in length.

17-1.4. Disorderly Conduct. {Ord. No. 2000-03}

No person shall engage in any acts prohibited under N.J.S.A. 2C:1-1, et seq., including but not limited to disorderly persons offenses and petty disorderly persons offenses and, in addition, those prohibited by local municipal ordinance. Not by way of limitation but by way of example, the following are prohibited:

- a. Littering/dumping.
- b. Hunting.
- c. Open burning without a permit.
- d. Possession of glass containers.
- e. Possession of fireworks/explosive devices.
- f. Destruction/removal of plant/animal life.
- g. Remaining, loitering after hours.
- h. Possession/use of alcoholic beverage.

17-1.5. Fires {Ord. No. 2000-03}

No person shall kindle, build, maintain or use a fire, except in places provided for such purposes or where a permit has been issued.

- a. All fires shall be continuously under the care and direction of a competent person from the time is kindled until it is extinguished.
- b. No fire shall be built within 10 feet of any tree or building or beneath the branches of any tree or in any underbrush.
- c. No cigar, cigarette or lighted match shall be discarded carelessly or in a manner which may start a fire.

#### 17-1.6. Vending {Ord. No. 2000-03}

No person shall sell or offer for sale any object or merchandise or any other thing within the parks except by special permit from the **Borough Clerk or his/her designee**.

#### 17-1.7. Motor Vehicle Operations. {Ord. No. 2000-03}

No person shall drive or operate any vehicle except on roadways or parking areas provided, unless permitted by signs or directed by South Bound Brook Police or other designated employees.

### 17-2. PROTECTION OF PROPERTY

#### 17-2.1. Littering {Ord. No. 2000-03}

- a. No person shall throw or deposit litter or waste substance in any fountain, drain, pond, lake, stream, or any other body of water in any park.
- b. No person shall throw or deposit litter in any park except in public receptacles and in such a manner that the litter will be prevent from being carried or deposited by the elements upon any part of the park by the person(s) responsible for its presence and property disposed of elsewhere.

#### 17-2.2 Plants and Trees. {Ord. No. 2000-03}

No person shall injure, cut, remove from the ground or otherwise disturb any plant, tree or shrub in any park, nor shall any person:

- a. Pile debris of any kind against the same.
- b. Attach a rope, cable or other contrivance thereto.
- c. Set fire or assist in setting fire to the same.

#### 17-2.3. Walkways. {Ord. No. 2000-03}

No person shall damage, deface, or tamper with any drive or walkway nor make any excavation of any kind in any park.

#### 17-2.4 Damage to Borough's Property. {Ord. No. 2000-03}

No person shall damage, deface, remove or destroy any structure, building, sign, utility or any other property or equipment, owned by or under the control or jurisdiction of the Borough.

### 17-3 PRIORITY USE WHEN AUTHORIZED

#### 17-3.1. Reserved Times; Priority for Use. {Ord. No. 2005-09}

It is the intention of the Borough of South Bound Brook that its parks and playgrounds are available for use by all persons regardless of their residency, as prescribed in this section. It is the further intention of this section to provide for the orderly use of the parks, playgrounds and other recreational areas in an orderly manner. Therefor, where a group has previously reserved time as per this section, at a particular recreational area, then that group shall have priority.

#### 17-4. HOURS

##### 17-4.1. Hours of Use Established. {Ord. No. 2005-09}

All public parks and playgrounds owned and operated by the Borough of South Bound Brook shall be formally opened to the public at dawn and closed at dusk daily, provided, however, that when any supervised program duly authorized by the **Borough Clerk or his/her designee** shall extend beyond the regular closing hour, the particular section or part of the public park or playground in which such program is being conducted shall not be closed until 15 minutes after such program shall have been concluded. All such public parks and playgrounds shall be closed to the public at all other times.

#### 17-5. PERMITS

##### 17-5.1. Permit Required. {Ord. No. 2005-009}

A permit shall be required for the use of field, playground and **pavilion** or for use under any of the following circumstances:

- a. Except as otherwise determined by the **Borough Clerk or his/her designee** when there are more than 25 participants and/or spectators in attendance. The **Borough Clerk or his/her designee** shall evaluate each park and playground to determine the appropriate maximum number of participants and/or spectators for purposes of requiring a recreational field or playground permit.
- b. Any equipment is needed to be installed temporarily on the field playground or court, including but not limited to soccer goals, volleyball nets and the lining of any field. No permanent installation of equipment may be installed.
- c. Any field, playground or court will be used for any sport purpose other than for which it was specifically created.
- d. The field, playground or court will be used for "organized" games. Games will be considered organized if (a) there is a referee, umpire or other official; (b) teams are part of a league; (c) teams have uniforms; (d) there is a charge to any team or player for participating; (e) there are trophies, medals or other prizes offered to individuals or teams; (f) spectators are invited; or (g) a group of ten or more of the same players or essentially the same players regularly gather to play at the same time and place.
- e. The game or event is sponsored by a business or organization
- f. A person or group elects to reserve the field for exclusive use for a period of time.

##### 17-5.2. Application for Permit. {Ord. No. 2000-03; Ord. No. 2005-09}

**Permits for use of the field, playground, basketball court and pavilion shall be made with the Borough Clerk or his/her designee.**

- a. **The application for permit use will be compiled by the Borough Clerk.**

- b. The permittee shall provide a certificate of liability insurance in an amount not less than a \$1 million, combined single limit, naming the Borough of South Bound Brook as an additional insured.
- c. All permit holders shall be responsible for:
  - 1. Ensuring that all participants and spectators adhere to park rules and for summoning the police if individuals fail to do so;
  - 2. Ensuring that the field or court is in a safe condition prior to allowing players to proceed and for reporting unsafe conditions to the Borough Clerk not later than one business day after its use;
  - 3. Insuring that upon conclusion of the use, the field, playground, court or pavilion is left in the same condition in which it was found, including removal of any equipment, and cleanup and proper disposal of any litter;
  - 4. Compliance with any special conditions imposed on the permit by the **Borough Clerk or his/her designee.**

#### 17-5.2. Denial or Rescinding of Permit. {Ord. No. 2005-09}

The **Borough Clerk** may refuse to issue a permit where the applicant has violated the conditions of a permit issued on a previous occasion, and may also, rescind a permit which has been issued for a material misrepresentation of fact on the application.

#### 17-6. FEES

##### 17-6.1 Established by Mayor and Council {Ord. No. 2005-09}

Fees for use of the Borough parks, playgrounds and **pavilion** shall be set by resolution of the Mayor and Council.

#### 17-7. VIOLATIONS

##### 17-7.1. Violations and Penalties. {Ord. No. 2005-09}

Any person violating any provision of this section shall be subject to a fine not to exceed \$1,250 or imprisonment in the County Jail for a term not exceeding 30 days, or both.

BOROUGH OF SOUTH BOUND BROOK

Ordinance No. 2022-001

NOTICE IS HEREBY GIVEN, that and Ordinance 2022-001 entitled:

“AN ORDINANCE OF THE BOROUGH OF SOUTH BOUND BROOK, NEW JERSEY AMENDING MAYOR,  
COUNCIL AND RECREATION DIRECTOR TO BOROUGH CLERK OR HIS/HER DESIGNEE AND THE ADDITION  
OF THE BOROUGH’S PAVILION”

Introduced at a regular meeting of the Mayor and Council of the Borough of South Bound Brook, in the County of Somerset, held on April 12, 2022 was adopted at a regular council meeting held on May 10, 2022.

Approved

Caryl “Chris” Shoffner

Attest:

Christina K. Fischer

Municipal Clerk

BOROUGH OF SOUTH BOUND BROOK  
IN THE COUNTY OF SOMERSET, NEW JERSEY  
Ordinance 2022-001  
Notice of Pending Ordinance and Summary

The borough ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the Borough Council of the Borough of South Bound Brook in the County of Somerset, State of New Jersey, held on April 12, 2022. It will be further considered for final passage, after public hearing thereon, at a meeting of the Borough Council of the Borough of South Bound Brook, to be held at Borough Hall (Trailer) 12 Main Street, South Bound Brook, NJ 08880 on May 10, 2022 at 7:00 p.m. During the week prior to and up to and including the date of such meeting copies of the full ordinance will be available at no cost and during regular business hours, at the Borough Clerk's office for the members of the general public who shall request the same. The title and summary of the terms of such ordinance follows:

Title:

"AN ORDINANCE AMENDING MAYOR, COUNCIL AND RECREATION DIRECTOR TO BOROUGH CLERK OR HIS/HER DESIGNEE AND THE ADDITION OF THE BOROUGH'S PAVILION".

Christina Fischer, Borough Clerk-Administrator  
Borough of South Bound Brook, in the County of Somerset, New Jersey