

BOROUGH OF UPPER SADDLE RIVER

ORDINANCE #11-23

AN ORDINANCE TO AMEND CHAPTER 98 OF THE CODE OF THE BOROUGH OF UPPER SADDLE RIVER ENTITLED, "PARKS AND PLAYGROUNDS".

BE IT ORDAINED by the Mayor and Council of the Borough of Upper Saddle River, in the County of Bergen, and State of New Jersey as follows:

Section 1.

Chapter 98 of the Code of the Borough of Upper Saddle River, Parks and Playgrounds, be and is hereby amended to add a new Article entitled "Article V, Upper Saddle River Sports Complex At One Lake Street, Block 601, Lot 1.02" and the following Sections pertaining to this facility:

§98-23 Pickleball Courts; Permit Required.

- A. No person shall be permitted the use of the pickleball courts without a permit, tag or badge being issued by the Recreation Director.
- B. To obtain a permit, tag or badge, a person shall make application on a form provided by the Recreation Director and provide his or her address within the State of New Jersey. The application shall be accompanied by a New Jersey driver's license issued to the person requesting the permit.
- C. Permits shall be valid for the year in which the permit is issued. For permits issued in 2023, same shall remain in effect through December 31, 2024. The fee for a Borough family shall be \$75.00. The individual fee for a non-resident residing in the State of New Jersey shall be \$150.00.

- D. A permit issued for a family shall provide the number and age of the family members on the application.
- E. Players must make a reservation to use the pickleball courts. Each household membership is limited to a ninety (90) minute reservation of play per day. At the end of the designated ninety (90) minutes of play, players may continue to play only if no players are waiting, or no other reservation has been made. The court must be occupied by a minimum of two (2) registered players.
- F. Posted playing hours for pickleball courts are from 8:00 a.m. to 8:00 p.m., seven (7) days per week, provided however that the permitted hours and days of the week for pickleball play may be changed from time to time by resolution of the Mayor and Council.
- G. Courts shall be used for pickleball only; no other use is permitted on the courts. A player is required to wear tennis shoes, sneakers or soft soled shoes while on the court.
- H. Privately instructed lessons are prohibited on the pickleball courts at all times.
- I. All players must display the permit, tag or badge issued to the player. Permits are non-transferrable, and the Borough reserves the right to check permits at its discretion.
- J. Skateboards, scooters, bicycles, roller blades, skates, glass bottles and smoking/vaping are prohibited on the pickleball courts.
- K. Violation of these rules may result in the revocation of an issued permit and denial of court usage.

§98-24 Multi-Purpose Fields.

- A. Permit for use of multi-purpose fields shall be

determined by the category in which the organization or event is placed. Group 1 shall have priority over Group 2 and Group 2 over Group 3. Generally, games shall have priority over practice. In-season sports shall have priority over out-of-season sports. In reviewing a permit application, the Recreation Director may consider whether a demonstrated need for providing the activity is evidenced or whether a program duplicates a similar activity offered within the community.

B. Groups are categorized as follows:

- (1) Group 1 – All Borough recreation and travel programs (including Americans soccer, Upper Saddle River elementary school events or teams, and Northern Highlands events or teams).
- (2) Group 2 – Upper Saddle River residents or businesses requesting the use of the facilities on an occasional basis when space is available. The Borough reserves the right to charge a permit fee based upon the size of the activity, portion of the complex for which approval to use is sought, and length of time requested.
- (3) Group 3 – Any other group or individual who resides in New Jersey requesting the use of the facilities on an occasional basis when space is available. The Borough reserves the right to charge a permit fee based upon the size of the activity, portion of the complex for which approval to use is sought, and length of time requested.

C. All permits for field use by Group 1 users shall be approved and issued by the Recreation Director. All permits for field use by Group 2 or Group 3 users shall be submitted to the Recreation Director and shall be required to be approved by resolution of the Mayor and Council and thereafter issued by the Recreation Director. The Mayor and Council in reviewing an application for

use by Group 2 or Group 3 users shall take into consideration certain factors, including but not limited to, wear and tear on the field, scheduling conflicts with other events, adequacy of parking, whether a demonstrated need for providing the activity has been shown, or whether the program duplicates a similar activity offered within the Borough and whether the event benefits the Borough community. The Recreation Director shall provide a recommendation to the Mayor and Council, which shall include an assessment of these factors.

- D. Applications for all field usage shall be on a form approved by the Borough and submitted to the Recreation Director at least thirty (30) days prior to field use. Applications pertaining to tournaments and similar uses shall be submitted at least ninety (90) days prior to field use. No permits shall be issued unless these requirements are met.

Section 2. Fines and Penalties.

Any person convicted of violating the provisions of this Ordinance shall be subject to such fines and penalties as set forth in §1-15 of the Borough Code.

Section 3. Severability.

If any section, sentence or any other part of this Ordinance is adjudged unconstitutional or invalid, such judgment shall not effect, impair or invalidate the remainder of this Ordinance but shall be confined in its effect to the section, sentence or other part of this Ordinance directly involved in the controversy which such judgment shall be rendered.

Section 4. Inconsistent Ordinances Repealed.

All ordinances or parts or ordinances which are inconsistent with the provisions of this ordinance are hereby repealed, but only to the extent of such

inconsistencies.

Section 5. Effective Date.

This Ordinance shall take effect after publication thereof and final passage as required by law.

ARMAN FARDANESH, Mayor

JOY C. CONVERTINI, Borough Clerk

Introduced: September 7, 2023

Adopted: October 5, 2023

Approved: October 5, 2023