

Chapter 12.48

OPEN SPACE AND RECREATION AREAS

Sections:

12.48.010	Definitions.
12.48.020	Hours of operation.
12.48.030	Rules and regulations.
12.48.040	Reservation fees.
12.48.050	Speed limit.
12.48.060	Removal of violators and confiscation of prohibited items.
12.48.070	Violations—Penalties.

12.48.010 Definitions.

As used in this chapter:

"Open space and recreation areas" means any property which is located in Raritan Township and dedicated to or owned by the township and which is dedicated, used or held-out for open space and active or passive recreation purposes and which is open to the public either without charge or on a fee-basis. The term includes, but is not limited to, playgrounds, parks, ballfields, nature education facilities, and any paths, roadways, sidewalks and parking areas therein or adjacent thereto.

"Township" refers to the township of Raritan, county of Hunterdon, state of New Jersey. (Ord. 94-15 § 3)

12.48.020 Hours of operation.

Except as otherwise posted, all open space and recreation areas shall open at seven a.m. in the forenoon and shall close in the evening. Closing times will vary with the seasons and will be posted in the particular open space/recreation area, but in no event shall closing be later than ten p.m. No person shall enter upon or remain within an open space or recreation area except during its hours of operation. (Ord. 94-15 § 3)

12.48.030 Rules and regulations.

The following rules and regulations are established and shall apply to all open space and recreation areas in the township:

1. No person shall damage, deface, cut, carve, transplant or remove any tree or plant or injure the bark, or pick the flowers, fruits, berries or seeds, of any tree or plant. Nor shall any person attach any rope, wire or other contrivance to any tree or plant. No person shall dig in or otherwise disturb grass areas or in any other way injure or impair the natural beauty or usefulness of any area. No person shall excavate, remove, add to or alter in any way, any rock soil, stone or sand.

2. No person shall mark, deface, disfigure, injure, tamper with, or displace or remove any building, bridge, table, bench, fireplace, railing, paving or paving material, water line or other public utilities or parts or appurtenances thereof, sign, notice or placard, whether temporary or permanent, monument, stake, post or other boundary marker, or other structure or equipment, facilities or property or appurtenances whatsoever.

3. No person shall throw, discharge, or otherwise place or caused to be placed in the waters or streams any substance, matter or thing, liquid or solid, which will or may result in the pollution of said waters.

4. No person shall bring in or shall dump, deposit or leave any bottles, broken glass, ashes, paper, boxes, cans, dirt, rubbish, waste, garbage or refuse or other trash. All such items shall be placed in the proper receptacles where these are provided; where receptacles are not provided, all

such rubbish or waste shall be carried away from the open space and recreation area by the person responsible for its presence, and properly disposed of elsewhere.

5. No person shall possess, use or consume any alcoholic beverage or controlled dangerous substance or related paraphernalia, as such terms are defined in New Jersey Statutes.

6. No person shall allow a dog, cat or other animal to run at large. All such animals shall be restrained at all times on adequate leashes not greater than six feet in length. All persons bringing such animals to the open space and recreation areas shall have in their possession at all times, appropriate sanitary means, including but not limited to shovels or other implements and containers, or disposal bags, and such person shall immediately remove and dispose of all feces or droppings deposited by the dog or other animal. Horses shall be allowed only on trails or other areas specifically designated for horseback riding. No animals are permitted on any designated playing field at any time.

7. No person shall bring into, carry or have in his or her possession, use or discharge, a paintball gun or any firearm or weapon, as defined in N.J.S.2C:39-1(r), or as may be amended.

8. No person shall bring into, carry or have in his or her possession, use, set off or otherwise cause to explode or discharge or burn, any firecracker, torpedo, rocket or other fireworks or explosives or inflammable material, except as previously authorized by resolution of the township committee.

9. No person shall ignite or attempt to ignite a fire except in such areas and under such regulations as may be designated. No such fires shall be ignited or attempted to be ignited except in a camp stove or fireplace provided for that purpose at that time.

10. No person shall engage in loud, boisterous, threatening, abusive, insulting or indecent language, or engage in any disorderly conduct or behavior tending to cause a breach of the public peace.

11. No person shall ride a bicycle or roller blades without reasonable regard for the safety of others, nor shall any person ride a bicycle or roller blades on any playing field or playing surface.

12. No owner or driver of a motor vehicle shall cause the vehicle to stand or park anywhere outside designated parking spaces.

13. No person shall operate or use within the open space or recreational areas, any all-terrain vehicles (ATVs), four-wheelers/three-wheelers, skateboards, mini-bikes, dirt-bikes, snowmobiles or other such type vehicles, except for township authorized vehicles.

14. No person shall enter or leave any open space or recreational area except through established entrance and exit ways.

15. No person shall interfere with or fail to obey any police officer, park ranger, animal control officer or open space and recreational area personnel in the proper performance of their duties.

16. Persons and organizations may reserve a facility within an open space or recreation area for limited specific use on forms available through the township. Such reservation and permission to use the facility shall be in the sole discretion and continuing jurisdiction of the township, and subject to the rules and regulations imposed herein and such other conditions related to public health, safety and well-being imposed by the township. Fees paid to reserve an area are nonrefundable unless the township deems the cancellation of activities on any field or facility is necessary due to weather conditions or otherwise, or to protect the public health, safety and welfare, and to prevent harm to life or property.

The reserving party assumes all risk arising from inclement weather or cancellations of any kind. If the township does not cancel a reservation, the reserving party shall use its best judgment concerning cancellations due to inclement weather.

Under no circumstances may any person or persons operate a business from an open space or recreational facility without the express, written approval of the Township Committee.

17. All groups using fields shall remove their personal property, including but not limited to, bases and other equipment. The township shall not be responsible for personal property left unattended.

18. Any trash left by members of a group must be removed and/or deposited in the trash receptacles at the site.

19. Proper use of fields and/or facilities is required. Any damage or alteration of the same, other

than from normal use, shall be considered a violation of these rules and regulations and shall be prosecuted as such, in addition to reimbursing the township for repairs of all damage and related costs. Any type of golf activity, such as but not limited to driving golf balls, is prohibited.

20. Parking of motor vehicles shall only be in parking lots at each facility specifically designated for such use. No vehicles are to be parked or driven on any turf area or areas designated for other specific activities, except for township authorized vehicles.

21. Facility reservation and permitting:

a. A permit issued by the Township is required for all organized use and reservation of facilities as defined below. All groups and organizations must obtain a permit prior to using the facility. The permit must be on hand and available for inspection by appropriate Township personnel while the facility is in use. Failure to follow these procedures will be cause for removal from the facility.

1. Organized use includes, but is not limited to, facilities that will be used by teams or organizations for practices, games, social gatherings and other passive or active recreational use.

b. Parties interested in a permit for the use of the pavilion at Minebrook Park are to contact the Flemington-Raritan Joint Recreation Committee. The use of all other facilities shall fall under the jurisdiction of the Township Public Works Department.

c. Any and all use of facilities for events intended to entertain persons, including but not limited to, carnivals, races, festivals, concerts and the like which are open to the general public and where the attendance will exceed the number of persons normally permitted at the recreational facility will be required to apply for a Public Assembly License in accordance with Code Section 8.28.

d. A certificate of insurance as proof of current liability coverage must be provided, except in the case of individuals or family users who shall execute a waiver of liability to the township in lieu of providing a certificate. Said insurance certificate must include:

1. Liability limits of one million dollars (\$1,000,000.00) for each occurrence for personal injury and bodily injury/property damage.

2. It must indicate that athletic participation liability coverage is included for use of the township facilities.

3. Raritan Township must be specifically named as an "additional insured."

4. It must indicate that the user's policies will be primary for the "additional insured."

22. Failure to comply with these rules and regulations, in addition to any other penalties provided herein, will deny the person or group the right to reserve or use facilities in the future.

23. No person making use of any open space or recreational area shall do, perform or engage in or encourage others to do, perform or engage in any act or activity that is prohibited by the laws of the state of New Jersey or ordinance of the township. (Ord. 96-34 § 1; Ord. 94-15 § 3)

24. No person or persons shall at any time engage in ice hockey, roller hockey, or operate remote controlled model airplanes in any open space or municipal parks in the Township.

25. Smoking or the use of tobacco products is prohibited in all recreation areas and municipal parks in the Township. (Ord. 00-31)(Ord. 06-37 § 7, 15, 16, 18, 21 & 24)

12.48.040 Reservation fees.

In order to qualify for the residency fee teams or leagues, as the case may be, must provide a certified roster that is comprised of at least a minimum of 75% residents from Raritan Township and/or Flemington Borough. Organized teams from Hunterdon Central Regional High School and the Flemington-Raritan School District are considered Township organizations when determining fees for field use.

A. Baseball/Softball and Soccer Fields. The following fees are on a seasonal or per field/per game or use basis with a 2.5 hour maximum time limit per game.

	<u>Resident</u>	<u>Non-Resident</u>
Lenape Park	\$15 per game/\$300 per season	\$100 per game/\$2,000 per season

Minebrook Park \$15 per game/\$300 per season \$30 per game/\$600 per season

B. Basketball.

1. Township residents or organizations: \$5.00 per court-per game two-hour maximum at designated times or

\$100.00 maximum per court-per season with a two-hour maximum at designated times.

2. Non- resident teams or organizations cannot reserve the courts at any time. (Ord. 06-37 § A, B)

C. Baseball, Basketball, Softball and Soccer Fields - Use by For-Profit Entities, both resident and non-resident, is established at \$50.00 per hour, per field, per Township Facility. (Ord. 07-5 § C)

12.48.050 Speed limit.

The following speed limit is established for all vehicles within all open space and recreational areas of the township: fifteen (15) miles per hour. (Ord. 94-15 § 6)

12.48.060 Removal of violators and confiscation of prohibited items.

The township police department, park ranger and/or any open space or recreational area personnel shall have the authority to eject from the open space or recreational area, any person acting in violation of this chapter and shall have the authority to seize or confiscate and impound any item or device prohibited under this chapter. (Ord. 06-37 § 7)

12.48.070 Violations--Penalties.

Any person or group, who violates or neglects to comply with any provision of this chapter or any regulation promulgated hereunder, shall, upon conviction thereof, be subject to the provisions of Chapter 1.08.010. Each and every day that such a violation continues shall be considered a separate and specific violation of this chapter. (Ord. 06-37 § 1; Ord. 94-15 § 8)