

**BOROUGH OF NEW MILFORD
ORDINANCE NO. 2018:08**

**AN ORDINANCE TO AMEND THE REVISED GENERAL ORDINANCES OF THE
BOROUGH OF NEW MILFORD CHAPTER XIX ENTITLED “PARKS AND
RECREATION”**

WHEREAS, upon recommendation from the Recreation Director and the Borough Attorney, the Mayor and Council have determined that it is in the best interest of the municipality to modify the existing ordinance.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Borough of New Milford, Bergen County, New Jersey that Chapter XIX entitled “Parks and Recreation” be repealed and replaced as follows:

19-1 DEDICATION OF LANDS FOR PUBLIC AND RECREATIONAL USES.

- a. The publicly owned lands of the Borough known and described as follows:

Block 117 Lot 1	Williams Field
Block 202 Lot 30.01, 30.2, 30.3	Warren Park
Block 301 Lot 2.01	Tennis Courts/Basketball/ Fire Training Center
Block 302 Lot 1	Kennedy Memorial Field
Block 302 Lot 2	Borough Hall
Block 502 Lot 8	South Hardcastle Pond Area
Block 503 Lot 2	Babe Ruth/Pavone Field
Block 901 Lot 2	Train Station/Wetlands
Block 1109 Lot 1	West Park Drive
Block 1402 Lot 23	Sutton Place Park
Block 1528 Lot 4.02	Prospect Park

As shown on the current assessment map of the Borough, are hereby dedicated for public park and recreational purposes.

19-2 ENUMERATION OF RULES AND REGULATIONS.

Rules and regulations governing the use of parks and playgrounds in the Borough shall be as follows:

- a. No person shall cut, injure, deface, remove or disturb any tree, shrub, building, fence, bench or other structure, apparatus or property, or pick, cut, or remove any shrub, bush, or flower; or mark or write upon any building, fence, bench or other structure; or throw empty cans, bottles or other refuse or debris; or create a dangerous or hazardous condition.
- b. No animals shall be allowed in parks unless leashed, or be permitted to run at large.
- c. No person, unless authorized by law, shall carry firearms of any description or any other weapons set forth in N.J.S.A. 2C:39-4, or throw stones or other missiles.
- d. No person shall sell, offer or solicit for sale any goods or merchandise without permission from the Recreation Department.
- e. No person shall consume, use, carry or bring any alcoholic beverage in any form into any park without a permit.

- f. No person may use or remain in a public park between the hours of sunset and sunrise, except where posted. Borough parks located at Kennedy Memorial Park are to be closed to the public at 11:00 p.m. from April 15 to August 15; and from August 16 to April 14, the park is to be closed at 10:00 p.m., except where otherwise authorized by the Recreation Department.
 - 1. Kennedy Memorial Park complex shall consist of the John Connelly Field and other ball fields behind the Borough Hall, the tennis court area, La Barbara Field (Babe Ruth Field), Pavone Field, and the Hardcastle Pond area.
- g. No person without authorization of the Recreation Department shall distribute any circulars, cards or written matter or post, paste, or affix any placard, notice or sign within the parks.
- h. No entertainment or exhibition shall be given in any park except under the direction or by permission of the Recreation Department.
- i. It shall be unlawful for any person to enter upon any portion of parks and recreation facilities or grounds in disregard of signs or posted notices forbidding the same.
- j. Playing baseball, football or other sports is prohibited except in areas expressly set aside for these activities.
- k. Smoking in any public parks, recreation facilities or grounds is prohibited.

19-2A REGULATIONS FOR GROUPS REQUIRING PERMITS.

- a. No group of persons shall, on Borough recreational property, conduct an organized activity without first obtaining a permit in accordance with the provisions set forth in the chapter. An independent organization or person may exempt itself from this Section 19-2A if it enters into a separate agreement with the Borough of New Milford.
- b. Application for a recreational permit shall be made to the Director of the Recreation Department on forms prescribed and furnished by such official. Each application shall also be accompanied by a schedule of the proposed dates, times of day, and an estimate of the number of vehicles and persons participating. No fee will be charged for any activity that substantially benefits the Borough of New Milford or its residents (as determined by the Director of the Recreation Department and Borough Administrator). A fee of fifty (\$50.00) dollars will be charged for all activities that do not substantially benefit the Borough of New Milford or its residents. This permit fee is for permit processing and is the same for both single and multiple use licenses.
- c. All applications for a permit under this chapter shall be referred by the Director of the Recreation Department. After examination of the schedule, and the effect that it would have on Borough Programs, surrounding property, businesses and residents, the Director of the Recreation Department shall make a determination as to whether the permit should be granted or denied, and, if granted, on what terms and conditions it will be granted. Such conditions may require a change of date, change of time of day, or other specifics.
- d. No permit shall be issued under this chapter unless the organization requesting the permit furnishes the following level of insurance.
 - 1. Governmental Units Which Are Affiliated with the Member Town but Are Autonomous:

Requirements: The member town may apply to the Joint Insurance Fund (hereinafter "JIF") to include these entities into the member town's insurance program. Otherwise, these entities are treated as unaffiliated nonprofit organizations for purposes of indemnification and insurance requirements.
 - 2. Governmental Units Which Are Not Affiliated with the Member Town:

Requirements: These entities are treated as unaffiliated, nonprofit organizations provided, however, that a member town shall not require another member town to provide an insurance certificate. (Annually the JIF issues a blanket certificate and hold harmless to all member towns to avoid the need for one member town to request a certificate and hold harmless from another member town.)

3. Nonprofit Entities (Quasi Municipal):

Requirements: In order to be included in the member town's insurance program, the member town must adopt a resolution requesting coverage from the Joint Insurance Fund, which will be reviewed by the Coverage Committee prior to consideration by the Joint Insurance Fund's Executive Committee in accordance with the JIF's quasi municipal policy, described earlier. Otherwise, these organizations will be treated as unaffiliated, nonprofit entities for purposes of indemnification and insurance requirements.

4. Nonprofit Entities (Unaffiliated):

Requirements: One million (\$1,000,000.00) dollar limit of liability for general liability coverage, and full indemnification and hold harmless.

5. Nonprofit Entities (Unaffiliated Individuals):

Requirements: One million (\$1,000,000.00) dollar limit of liability for general liability coverage, and full indemnification and hold harmless.

6. For Profit:

Requirements: One million (\$1,000,000.00) dollar limit of liability for general liability coverage, and full indemnification and hold harmless.

- e. Any such policy of insurance shall be issued by companies authorized to do business in the State of New Jersey, and shall be approved as to form by the Borough's Risk Manager and attorney before issuance of the permit.

19-3 FEES FOR RECREATIONAL PROGRAMS.

- a. The following schedule of fees shall be charged for recreational programs as follows:

Softball	\$50 single, \$75 double, \$100 family
Summer Program	\$150 single, \$225 double, \$300 family
Soccer	\$50 single, \$75 double, \$100 family
Basketball	\$50 single, \$75 double, \$100 family
Wrestling	\$50 single, \$75 double, \$100 family
Aerobics	\$35 every 10 weeks
Arts & Crafts	\$25 every 10 weeks
Art	\$25 every 10 weeks
Quilting	\$25 every 10 weeks
Men's Basketball	\$10 every 10 weeks
Volleyball	\$10 every 10 weeks
Men's Softball	\$50 per person
Women's Softball	\$50. per person
Tennis Keys	\$10 per key
Travel Wrestling	\$50 - \$100
Travel Volleyball	\$175 - \$225
Indoor Soccer	\$75 - \$125
Travel Fall Soccer	\$200 - \$250
Travel Spring Soccer	\$75 - \$100
Travel Basketball	\$175 - \$225
Travel Summer Softball	\$150 - \$200
Travel Fall Softball	\$75 - 125

- b. The following schedule of fees shall be charged for the rental of Borough Fields as follows:
1. Organized Sport (Adult) Resident: \$50.00 per event (defined as one game or other use on one day, limited to a four hour period).
 2. Organized Sport (Adult) Non-Resident: \$100.00 per event (defined as one game or other use on one day, limited to a four hour period).
 3. Handicapped, Senior, Youth, Student (resident or Non-Resident): Exempt from fee (limited to one game or other use on one day, limited to a four hour period).
 4. Non-Organized Sport Activity (Adult) Resident: \$50.00 per event (defined as one game or other use on one day, limited to a four hour period).
 5. Non-Organized Sport Activity (Adult) Non-Resident: \$100.00 per event (defined as one game or other use on one day, limited to a four hour period).
- c. The recreational program fees shall be collected by an agent or representative of the Recreation Department.
- d. The Recreation Department shall collect ten (\$10.00) dollars additional for registration of Recreation Department sponsored activities after the period allowed and set for registration.

19-3.1 Recreation Fee Schedule for Referees/ Umpires.

- (a) Softball
All levels – carded umpires - \$53.00 per game
- (b) Basketball
One man game – carded officials \$53.00 per game

Two men game – carded officials \$43.00 per game

One man game clinic – carded officials \$38.00 per game

Lower level (3/4 grade) – 2 non-carded teenagers

1st year - \$12.00 per game

2nd year - \$15.00 per game

3rd year - \$18.00 per game

4th (+) years - \$20.00 per game

Clock Keeper - \$12.00 per game
- (c) Soccer
Lower divisions – non-carded teenagers

1st year - \$12.00 per game

2nd year - \$15.00 per game

3rd year - \$18.00 per game

4th (+) years - \$20.00 per game

Upper division – carded officials

\$53.00 per game

19-4 VIOLATIONS AND PENALTIES.

Any person violating any of the provisions of this chapter shall, upon conviction, be punished by the penalty stated in Chapter I, Section 1-5.

19-5 ADOPT-A-PARK PROGRAM.

19-5.1 Regulations.

Local landscape contractors and/or volunteer civic groups may, at their sole cost and expense, beautify and maintain any parcel of property owned by the Borough provided:

- a. Said contractor/civic group files plans with the Superintendent of Public Works; and
- b. The Superintendent of Public Works approves said plans; and
- c. Said contractor/civic group files a copy of said plans with the Building Inspector, certified as accurate by said contractor or civic group and certified as approved by the Superintendent of Public Works.

BE IT FURTHER ORDAINED that this amendment shall become effective upon passage and publication in accordance with law.