

BOROUGH OF GARWOOD
ORDINANCE NO. 23-22
 Adopted: _____

Introduced:	
Motion:	
Seconded:	

Public Hearing:	
Motion:	
Seconded:	

AN ORDINANCE AMENDING THE BOROUGH CODE OF THE BOROUGH OF GARWOOD BY AMENDING CHAPTER 126, ENTITLED “PARKS, FACILITIES, PLAYGROUNDS AND RECREATION”, ARTICLE I “USE OF PARKS, FACILITIES AND PLAYGROUNDS”, SUBSECTION 126-4 “PROHIBITED ACTIVITIES”.

WHEREAS, the Borough of Garwood (the “Borough”) has previously adopted Chapter 126 of the Code of the Borough of Garwood which established and governs the parks, facilities, playgrounds, and recreation; and

WHEREAS, the Borough is seeking to update the prohibited activities; and

WHEREAS, the Borough Council has determined it appropriate to amend said Borough Code; and

NOW, THEREFORE, BE IT ORDAINED by the governing body of the Borough of Garwood that Chapter 126 of the Borough Code of the Borough of Garwood entitled, “Parks, Facilities, Playgrounds and Recreation”, Article I “Use of Parks, Facilities and Playgrounds”, Section 126 - 4 “Prohibited Activities” is hereby amended as follows (additions underscored, deletions struck-through):

§ 126-4 Prohibited activities.

- A. Bicycles, skateboards, roller skates, roller blades and other similar wheeled recreational conveyances and the use of same are prohibited at Georgiana Gurrieri Memorial Park, Fourth Avenue. No person shall be in possession of or shall use any of the above in said park at any time.
- B. No person in a public park, facility and recreation area shall:
 - (1) Willfully mark, deface, disfigure, injure, tamper with or displace or remove any buildings, bridges, tables, benches, fireplaces, railings, pavings or paving materials, waterlines or other public utilities or parts or appurtenances thereof, signs, notices or placards, whether temporary or permanent, monuments, stake posts or other boundary markers or other structures or equipment, facilities or park property or appurtenances whatsoever, either real or personal;
 - (2) Fail to cooperate in maintaining restrooms and washrooms in a neat and sanitary condition;
 - (3) Dig or remove any soil, rock, sand, stones, trees, shrubs or plants or other wood or materials or make any excavation by tool, equipment, blasting or other means or agency;
 - (4) Construct or erect any building or structure of whatever kind, whether permanent or temporary, or run or string any public service utility into, upon or across such lands, except on special written permit issued hereunder;
 - (5) Damage, cut, carve, transplant or remove any tree or plant or injure the bark or pick the flowers or seeds of any tree or plant, dig in or otherwise disturb grass areas or in any other way injure the natural beauty or usefulness of any area;
 - (6) Climb any tree or walk or stand upon monuments, vases, planters, fountains, railings, fences or upon any other property not designated or customarily used for such purposes;

- (7) Tie or hitch an animal or person to any tree or plant;
- (8) Hunt, molest, harm, frighten, kill, trap, pursue, chase, tease, shoot, or throw missiles at any wild life, reptile or bird, nor shall he or she remove or have in his or her possession the young of any wild animal or the eggs or nest or young of any reptile or bird;
- (9) Throw, discharge or otherwise place or cause to be placed in the waters of any fountain, pond, lake, stream or other body of water in or adjacent to any park or any tributary stream, storm sewer or drain flowing into such water any substance, matter or thing, liquid or solid, which will or may result in the pollution of such waters;
- (10) Have brought in or shall dump in, deposit or leave any bottles, broken glass, ashes, paper, boxes, cans, dirt, rubbish, waste, garbage or refuse or other trash. No such refuse or trash shall be placed in any waters in or contiguous to any park, or shall be left anywhere on the grounds thereof, but 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 park by the person responsible for its presence and properly disposed of elsewhere;
- (11) Drive any vehicle on any area except the paved park roads or parking areas, or such areas as may on occasion be specifically designated as temporary areas by the Recreation Director;
- (12) Park a vehicle in other than an established or designated parking area, and such shall be in accordance with posted directions thereat and with the instruction of any attendant who may be present;
- (13) Leave a vehicle standing or parked at night in established parking areas or elsewhere in the park areas;
- (14) Leave a bicycle in a place other than a bicycle rack when such is provided and there is space available
- (15) Ride a bicycle without reasonable regard to the safety of others or ride a bicycle on any natural or synthetic turf field or athletic court;
- (16) Leave a bicycle lying on the ground or paving or set against trees or in any place or position where other persons may trip over or be injured by it;
- (17) Ride or bring a mini bike into any park or recreational area;
- (18) Carry or possess firearms of any description or air rifles, spring guns, bows and arrows, slings or any other forms of weapons potentially inimical to wildlife and dangerous to human safety or any instrument that can be loaded with and fire blank cartridges or any kind of trapping device. Shooting into park areas from beyond park boundaries is forbidden;
- (19) Picnic or lunch in a place other than those designated for that purpose. Attendants shall have the authority to regulate that activity in such areas when necessary to prevent congestion and to secure the maximum use for the comfort and convenience of all. Visitors shall comply with any directions given to achieve this end;
- (20) Set up tents, shacks or any other temporary shelter for the purpose of overnight camping, nor any movable structure or special vehicle to be used or that could be used for such purpose, such as a house trailer, camp trailer, camp wagon or the like, except in those areas designated by the Recreation Director for those purposes and with permission;
- (21) Take part in or abet the playing of any games involving thrown or otherwise propelled objects such as balls, stones, arrows, javelins, horseshoes, quoits or model airplanes except in those areas set apart for such forms of recreation. The playing of rough or comparatively dangerous games such as football, baseball, softball, hockey, soccer, basketball, lacrosse or other sport is prohibited except on the fields and courts or areas provided therefor. Roller skating is prohibited unless directed and permitted by the Recreation Director;
- (22) Horseback riding is prohibited;

(23) Vandalize a natural grass or turf sport field; and further, motor vehicles, snowmobiles, mini bikes, dirt bikes and all other motorized vehicles shall be considered to be unauthorized vehicles, and they are not permitted on athletic fields, park areas or recreation areas within the public parks and/or recreation areas in the Borough of Garwood.

BE IT FURTHER ORDAINED, that if any section, paragraph, subsection, clause, or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provisions so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective; and

BE IT FURTHER ORDAINED, that any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict; and

BE IT FURTHER ORDAINED, that this Ordinance shall take effect after final passage and publication in accordance with applicable law.

ATTEST:

APPROVED:

Catherine D. Cameron, R.M.C.
Borough Clerk

Jennifer Blumenstock, Mayor

RECORDED VOTE **INTRODUCTION:** **ADOPTION**

COUNCILWOMAN HERZ
COUNCILMAN KEARNEY
COUNCILMAN LAZAROW
COUNCILWOMAN NOLDE
COUNCILWOMAN SALMON
COUNCIL PRESIDENT GRAHAM