

CHAPTER XXIII

PARKS

**23-1 Establishment.**

The following described area is hereby designated to be a public park as the term is used hereafter in this chapter:

a. Lands owned by the Borough of Little Silver:

*Borough Hall Playground:*

Block 37, Lot 12

*Challenger Field:*

Block 58, Lot 20.03

*Green Belt:*

Block 30, Lots 49.01 and 50

Block 51, Lot 12

Block 54, Lot 24.11

Block 61, Lot 37

*Harding Park:*

Block 19.01, Lot 2

*Lippincott Tract:*

Block 59, Lot 8.01

*Little Silver Park:*

Block 51, Lot 28

*Lucas Tract:*

Block 30, Lots 22-40 and Lots 45-47

Block 31, Lots 7-9 and Lots 11-12

*Parker/Sickles Farm Park:*

Block 17, Lot 28

*Pinckney Park:*

Block 8, Lot 18

Block 10, Lot 1

*Riverview Avenue Park:*

Block 78, Lots 15-20

Block 80, Lot 10

23-2 BOROUGH OF LITTLE SILVER ORDINANCES

b. Lands owned by the Little Silver Board of Education:

*Markham Place School Grounds and Tennis Courts:*

Block 37, Lot 12A.

*Point Road School Grounds:*

Block 46, Lot 37.

c. Land owned by Little Silver Volunteer Fire Co. No. 1, Inc.:

*Firehouse Grounds:*

Block 40, Lot 34.

All of the aforesaid lot and block references are to the Official Tax Map of the Borough of Little Silver.

The term "governing body" as used hereafter in this chapter shall be:

1. With respect to lands owned by the Borough of Little Silver, the Mayor and Council of the Borough of Little Silver.
2. With respect to lands owned by the Little Silver Board of Education, the Little Silver Board of Education.
3. With respect to lands owned by the Little Silver Volunteer Fire Co. No. 1, Inc., the Little Silver Volunteer Fire Co. No. 1, Inc.

23-2 Prohibitions.

No person in a public park shall:

a. Willfully mark, deface, disfigure, injure, tamper with or displace or remove any buildings, bridges, tables, benches, fireplaces, railings, pavings or paving materials, water lines or other public utilities or parts or appurtenances thereof, signs, notices or placards, whether temporary or permanent, monuments, stakes, posts, or other boundary markers, or other structures or equipment, facilities or park property or appurtenances whatsoever, either real or personal.

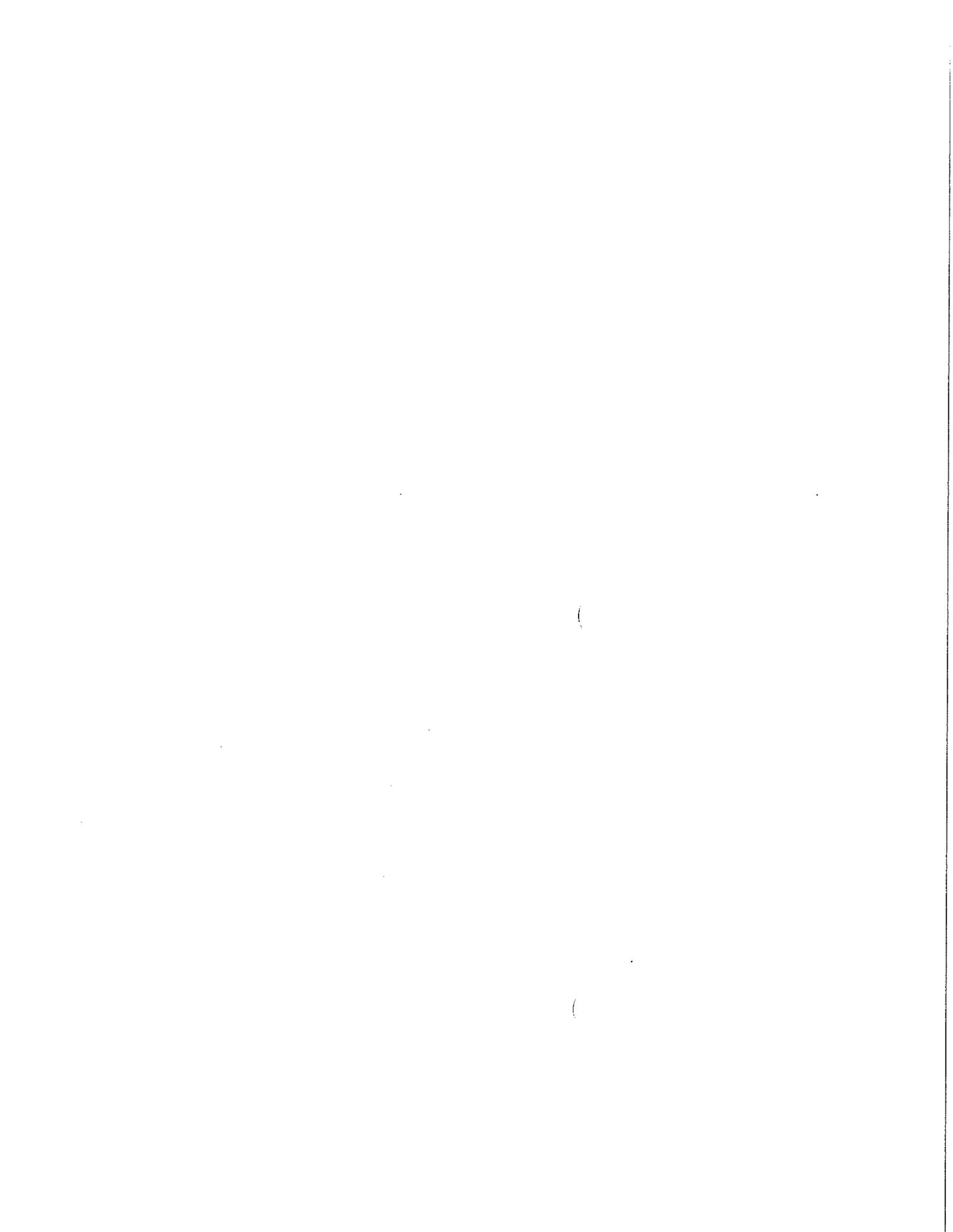
b. Dig or remove any soil, rock, sand, stones, trees, shrubs or plants or other wood or materials, or make any excavation by tool, equipment, blasting or other means or agency.

c. 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.

d. Damage, cut, carve, transplant or remove any tree or plant or injure the bark, or pick flowers or seed 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.

e. Hunt, molest, harm, frighten, kill, trap, pursue, chase, tease, shoot or throw missiles at any animal, wildlife, reptile or bird; nor shall he remove or have in his possession the young of any wild animal, or the eggs or nest, or young of any reptile or bird. Exception to the foregoing is made in that snakes, known to be deadly poisonous, or deadly reptiles, may be killed on sight.

f. 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 said waters.

g. 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 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.

h. Drive any vehicle on any area except the paved park roads or parking areas, or such areas as may on occasion by resolution be specifically designated as temporary areas by the mayor and council.

i. Park a vehicle in other than an established or designated parking area, and such shall be in accordance with posted directions there at and with the instruction of any attendant who may be present.

j. Leave a vehicle standing or parked at night in established parking areas or elsewhere in the park areas.

k. Swim, bathe, or wade in any waters or water-ways in or adjacent to any park, except in such waters and at such places as are provided therefor, and in compliance with such regulations as are herein set forth or may be hereafter adopted. Nor shall any person frequent any waters or places customarily designated for the purpose of swimming or bathing, or congregate thereat when such activities are prohibited by the mayor and council upon a finding that such use of the water would be dangerous or otherwise inadvisable.

l. No person shall carry or possess firearms of any description, or air-rifles, spring-guns, bow-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 fire blank cartridges, or any kind of trapping device. Shooting into park areas from beyond park boundaries is forbidden.

m. Picnic or lunch in a place other than those designated for that purpose. Attendants shall have the authority to regulate those activities 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.

n. Violate the regulation that use of individual fireplaces together with tables and benches follows the generally accepted rule of "First come, First served".

o. Set up tents, shacks, or any other temporary shelter for the purpose of overnight camping, nor shall any person leave in a park after closing hours any movable structure or special vehicle to be used or that could be used for such purpose, such as house-trailer, camp-trailer, camp-wagon, or the like except in those areas designated by the mayor and council for those purposes.

### 23-3 Additional Prohibitions.

While in a public park, all persons shall conduct themselves in a proper and orderly manner, and, except to the extent expressly permitted by the governing body, shall not:

a. Bring alcoholic beverages, drink same at any time nor shall any person be under the influence of intoxicating liquor in a park.

b. Have in his possession, or set or otherwise cause to explode or discharge or burn, any firecrackers, torpedo rockets, or other fireworks, firecrackers, or explosives of inflammable material, or throw them into such areas from lands or highways adjacent thereto. This prohibition includes any substance, compound, mixture, or article that in conjunction with any other substance or compound would be dangerous from any of the foregoing standpoints. At the discretion of the governing body, permits may be given for conducting properly supervised fireworks in designated park areas.

c. Build or attempt to build a fire except in such areas and under such regulations as may be designated by the governing body. No person shall drop, throw or otherwise scatter lighted matches, burning cigarettes or cigars, tobacco paper or other inflammable material within any park or on any highways, roads, or streets abutting or contiguous thereto.

d. Enter an area posted as "Closed to the Public", nor shall any person use, or abet in the use of any area in violation of posted notices.

e. Gamble, or participate in or abet any game of chance except in such areas and under such regulations as may be designated by the governing body.

f. Expose or offer for sale any article or thing, nor shall he station or place any stand, cart, or vehicle for the transportation, sale, or display of any such article or thing. Exception is hereby made as to any regularly licensed concessionaire acting by and under the authority and regulation of the governing body.

g. Paste, glue, tack, or otherwise post any unauthorized sign, placard, advertisement, or inscription whatever, nor shall any person erect or cause to be erected any sign whatever on any public lands or highways or roads adjacent to a park.

- h. Play or permit the playing of any radio, tape recorder, loud-speaker, musical instrument, or any other device designed to broadcast or reproduce sounds in such a manner that it may be audible a distance of 15 feet from the place where it is located, except during the course of special events under the auspices of, or with the specific approval of, the parks and recreation council.
- i. Play any ball games, including, but not limited to, baseball, basketball, soccer, softball or tennis, before 8:00 a.m., Monday through Saturday, or before 10:00 a.m. Sunday, or beyond one-half hour after sunset on any day.
- j. Utter any loud and offensively coarse or abusive language which is audible a distance of 15 feet from the place where it is spoken.
- k. Enter or remain on the grounds of Willow Park before 8:00 a.m. or after sunset without the approval of the parks and recreation council.
- l. Ride any motorcycle, motorbike, bicycle, skateboard, or other wheeled vehicle on the Willow Park footbridge, except vehicles for the handicapped or for transporting infants (such as baby carriages, strollers, etc.).
- m. Bring, cause to be brought, permit to run at large or to trespass on any park property any dog, cat or other pet.
- n. Enter or remain on the jogging/walking trail of Parker/Sickles Farm Park before sunrise or after sunset.
- o. Operate a bicycle, moped, motorcycle or other wheeled vehicle on the jogging/walking trail of the Parker/Sickles Farm Park or on the nature trail of the Little Silver Park.
- p. Operate any vehicle in excess of 20 miles per hour on the paved roadway from Rumson Road north to the entrance of the Parker/Sickles Farm Park nor in excess of ten miles per hour within the other portion of the said park and other parks of the borough where such travel may be expressly permitted.

23-3 BOROUGH OF LITTLE SILVER ORDINANCES

- q. Park or operate any vehicle within any park for any purpose other than recreational purposes without the express permission of the governing body.

2304.2

Rev. Ord. Supp. 6/01

**23-4 Power of Governing Body.**

Any section or part of any park may be declared closed to the public by the governing body by resolution at any time and for any interval of time for either a temporary period or at regular and stated intervals and either entirely or as to certain stated uses as the governing body shall find reasonable and necessary.

**23-5 Permits; Procedure; Standards; Liability; Revocation.**

Permits for special events in parks owned by the Borough of Little Silver shall be obtained by application to the mayor and council in accordance with the following procedure:

a. A person seeking issuance of a permit hereunder shall file an application with the governing body stating:

1. The name and address of the applicant.
2. The name and address of the person, persons, corporation, or association sponsoring the activity, if any.
3. The day and hours for which the permit is desired.
4. The park or portion thereof for which such permit is desired.
5. Any other information which the governing body shall find reasonably necessary to a fair determination as to whether a permit should be issued hereunder.

b. Standards for issuance of a use permit by the governing body shall include the following findings:

1. That the proposed activity or use of the park will not unreasonably interfere with or detract from the general public enjoyment of the park.
2. That the proposed activity and use will not unreasonably interfere with or detract from the promotion of public health, welfare, safety and recreation.
3. That the proposed activity or uses that are reasonably anticipated will not include violence, crime or disorderly conduct.
4. That the proposed activity will not entail extraordinary or burdensome expenses or police operation by the borough.
5. That the facilities desired have not been reserved for other use at the date and hour requested in the application.

23-6 BOROUGH OF LITTLE SILVER ORDINANCES

c. A permittee shall be bound by all park rules and regulations and all applicable ordinances fully as though the same were inserted in said permits.

d. The person or persons to whom the permit is issued shall be liable for all loss, damage, or injury sustained by any person whatever by reason of the negligence of the person or persons to whom such permit shall have been issued. The governing body shall have the right to require any permittee to submit evidence of liability insurance covering injuries to members of the general public arising out of such permitted activities in such amounts as may be determined by the governing body prior to the commencement of any activity or issuance of any permit.

e. Revocation. The governing body shall have the authority to revoke a permit upon a finding of violation of any rule or ordinance, or upon good cause shown.

Permits for special events in parks not owned by the Borough of Little Silver shall be obtained from the owner of the park lands upon such procedures as the owner may establish.

**23-6 Parking Regulations.**

No owner or driver shall cause or permit his vehicle to stand outside of a designated parking space, except for a reasonable time to take up or discharge passengers or equipment. No motor vehicle shall be parked in the park areas from one half hour after sunset until sunrise, except as otherwise permitted.

**23-7 Borough Reserves Rights.**

The borough reserves the right with respect to any or all of the public park and recreation areas, and any facilities located therein to enter into any agreement with the board of education of the borough concerning the control and use thereof.

**23-8 Penalties.**

Any person violating any of the provisions of this chapter or any rule or regulation promulgated pursuant hereto, shall upon conviction be subject to the replacement, repair or restoration of any damaged park property and shall be subject to a fine not exceeding two hundred (\$200.00) dollars and in default of payment thereof may be sentenced to imprisonment in the county jail in the discretion of the magistrate, for a term not exceeding 90 days.

**23-9 Intention Stated.**

This chapter is in addition to and not in derogation of any other ordinance involving or effecting any of the subject matters contained in the within chapter.

**23-10 Enforcement.**

This chapter shall also be enforced by the police department of the Borough of Little Silver.

**23-11 Borough Boat Launching Facilities.**

a. Persons 18 years of age and older, both residents and non-residents of the Borough of Little Silver, shall be eligible to use the Santelle Park boat launching facility.

b. No person, regardless of residency, who is engaged in a commercial enterprise, shall use the Santelle Park boat launching facility in connection with such commercial enterprise.

