

**BOROUGH OF SPRING LAKE HEIGHTS
ORDINANCE NO. 2017-10**

**AN ORDINANCE OF THE BOROUGH OF SPRING LAKE HEIGHTS –
AMENDING CHAPTER IX RECREATIONAL FACILITIES , SECTION 9-1
PARKS AND COMMUNITY CENTER OF THE REVISED GENERAL
ORDINANCES OF THE BOROUGH OF SPRING LAKE HEIGHTS**

9-1 Parks and Community Center

9-1.1 Applicability.

The areas covered in this section are the Cornelius V. Kelly Community Center and surrounding play area and parking lot, Allaire Road Park Joseph E. Robertson Park and Little League complex, and Ocean Road Park Bicentennial Park, Veterans Tribute Park and any other areas designated as Borough parkland. (Ord. #17-1973; New)

9-1.2 Closing Times; Community Center Fee.

- a. The Community Center will be closed to all persons from 11:00 p.m. to 8:00 a.m. All parks will be closed from 9:00 p.m. to 8:00 a.m. except for those activities which are Borough sanctioned. (Ord. #17-1973; New)
- b. A deposit of \$250.00 is required to reserve the facility and is held against any violations of the Rules and Regulations and Fire Code Regulations and/or damages to the facility. Upon a favorable inspection after the rental, this fee will be returned.
- c. The fee for the Community Center shall be one hundred (\$100.00) dollars two hundred (\$200.00) for residents of Spring Lake Heights and three hundred (\$300.00) for non-residents plus proof of insurance with a minimum liability coverage in the amount of \$300,000.00 per occurrence. (Ord. No. 27-2010)

9-1.3 Parking.

Parking is restricted to those areas designated as parking Areas. (Ord. #17-1973)

~~9-1.4 Alcoholic Beverages.~~

~~The drinking or possession of alcoholic beverages is prohibited except when prior permission of the Mayor and Council is obtained. (Ord. #17-1973)~~

9-1.5 Dogs.

The walking of dogs is prohibited. (Ord. #17-1973)

9-1.6 Activities.

All activities are restricted to those areas designated for the particular activities.

(Ord. #17-1973)

9-1.7 Boats and Rowboats on Borough Ponds and Creeks.

- a. *Purpose of Subsection.* The purpose of this subsection is to regulate the proliferation of rowboats, canoes and other watercraft (hereinafter referred to as boats) attached to trees, benches or poles on Borough property while at the same time providing the owners of such objects with reasonable access to adjacent bodies of water. These boats with unknown owners take up park space and make it difficult to maintain the grass in the vicinity. In addition, unattended boats without identification pose a danger for misuse by juveniles and pose additional risk of harm in the water. Further the aesthetic qualities of Wreck Pond and Black Creek and the surrounding park areas are deemed to be unsightly without some regulations as to the number of said boats.
- b. *Boat Season.* Properly registered boats shall be allowed to be stored on Borough property from April 1st to October 31st subject to the regulations contained herein.
- c. *Regulations.* Prior to anyone storing a boat at any of the two (2) bodies of water mentioned herein, the owner shall comply with the following regulations:
 1. Applications shall be taken on a first come, first served basis, after January 1st of each year. An application for registration must be filled out with the Borough Clerk and a decal obtained which shall be placed on the boat.
 2. In the case of a rowboat, the decal shall be placed on the stern portion of the boat, and in the case of a canoe, the decal shall be placed on the starboard aft side of the canoe.
 3. No motorized boats shall be allowed in Black Creek, and jet skis are specifically excluded from all bodies of water.
 4. The fee for storing the boat per season shall be seventy-five (\$75.00) dollars to a resident of Spring Lake Heights and one hundred (\$100.00) dollars to a nonresident payable in advance to the Borough Clerk with the filing of the registration form.
 5. All boats shall be removed on or before October 31st of each year. Any boat remaining after said date shall be removed by the Borough employees and shall be stored at a charge to the registrant of one hundred (\$100.00) dollars, which sum must be paid prior to return of the boat to the registrant.
 6. Borough employees, whenever they remove the abandoned boats, shall provide the Borough Clerk with a list of the decal numbers of the boats removed. Notice of failure to remove the boat from the Borough ponds and creeks shall be sent by the Borough Clerk to the registrant by mail directed to the address of the registrant as it appears on the application. If the boat is not repossessed by the registrant in accordance with the requirements of paragraph c. for a period of three (3) months, then the boat will be deemed abandoned and sold at public sale. Any sums derived from such sale will, after deduction of storage charges and expenses of sale, be remitted to the registrant.
 7. Any boat stored at the ponds or creeks shall be attached to a fixed object such as, but not limited to, a tree at such location and shall be attached to such fixed object with cable or chain with padlock or combination lock.
 8. The Borough has the right to remove said chain, cable or lock in case of an emergency. If the Borough is required to remove said device, in the event of an emergency, it shall replace the cable chain or lock. If a chain, cable or lock is required to be cut in order to remove the boat by the Borough employees after October 31st of each year, there shall

be no obligation on the part of the Borough to replace the chain, cable or lock.

d. *Length of Boats.* Rowboats shall not exceed fourteen (14') feet in size, and canoes shall not exceed sixteen (16') feet in size. Any other watercraft shall not exceed sixteen (16') feet in size.

e. *Number of Boats.* To control the number of boats, both for safety and aesthetics and to allow proper maintenance by the Borough work force, the number of boats located at each location shall be as follows:

1. Wreck Pond - Twenty (20) boats
2. Black Creek - Five (5) boats

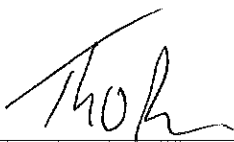
f. *Hold Harmless.* Anyone who desires to store a boat at any of the two (2) bodies of water stated herein agrees to indemnify and hold harmless the Borough of Spring Lake Heights against any and all loss and damages, including damage to person or property, arising from any act by, or negligence of the registrant or their friends, relatives or otherwise while engaged in the performance of this subsection, or while in or about the premises, or arising from accident or any injury not caused by an act of the Borough. The registrant further acknowledges that the use of the boats by themselves, friends, relative or otherwise is done at their own risk.

g. *Violations and Penalties.* In addition to any other penalty provided herein, any person who violates any of the provisions of this subsection shall be subject to a fine of not less than one hundred (\$100.00) dollars not more than five hundred (\$500.00) dollars for each separate offense. In the case of the continuing violation or violations, a fine of not less than one hundred (\$100.00) dollars not more than five hundred (\$500.00) dollars may be assessed for each day that said violation or violations continue unabated.

h. *Additional Provisions.* Nothing in this subsection shall be deemed to require anyone who is not intending to store their boat overnight from using the lakes or requiring a permit to do so. Nothing contained herein, concerning the boat season, shall be deemed to prohibit any person who does not wish to store their boat overnight from using their boat on said lakes at any time throughout the year.

i. *Location.* During the boat season, boats may be stored at the following locations:

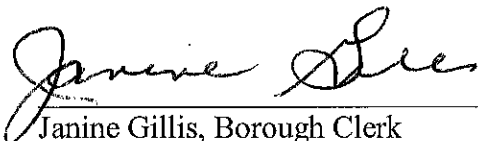
1. Wreck Pond - Along the northerly shoreline of Wreck Pond, from Highway 71 to the railroad tracks.
2. Black Creek - Along the shoreline of Black Creek in the park. (Ord. #6-2006)



Thomas O'Brien, Mayor

12-13-2017

Date



Janine Gillis, Borough Clerk

12-13-2017

Date