

**TOWNSHIP OF LUMBERTON, NEW JERSEY**

**ORDINANCE NO. 2017-001**

**AN ORDINANCE TO REPEAL AND REPLACE CHAPTER 213-8 OF THE GENERAL CODE OF THE TOWNSHIP OF LUMBERTON ENTITLED “PARKS AND RECREATION AREAS” WITH SECTION 8 ENTITLED “FEES; SECURITY DEPOSIT; ESCROW”**

**WHEREAS**, Lumberton Township has expanded its parks system and made significant facility improvements to parks and recreation areas; and

**WHEREAS**, a review of Chapter 213 of the Code confirms that the rules and regulations governing the permitting, use and maintenance of parkland is also in need of renovation with regards to the fees being charged due to an oversight in Ordinance 2016- 12 which modified this section in the prior year; and

**WHEREAS**, the Township determines to repeal and replace the existing ordinance to meet these needs.

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED**, by the Township Committee of the Township of Lumberton, County of Burlington, State of New Jersey as follows:

Section One. Repeal and Replacement of Chapter 213-8.

Chapter 213-8 of the Township Code be and is hereby repealed in its entirety and replaced with a new Chapter 213-8 entitled “Fees; Security Deposit; Escrow” to read as follows:

**§ 213-8 Fees; Security Deposit; Escrow**

A. Unless a permit is required or requested, facilities within Lumberton’s parks are available without charge to the user.

B. Application fees:

There shall be a non-refundable application fee due at the time of application for a permit for an individual use or season long permit. This fee is established to cover the municipal cost for processing the application and coordinating field use and has been calculated based on historical permitting in an effort to equal the cost to the municipality for the employee assigned to this task. The fees are as follows:

- |  |                         |
|--|-------------------------|
| 1. Single Use Permit                           | NO FEE                  |
| 2. Sports Camps Permit (per week charge)       | \$50                    |
| 3. Season Long, Recognized Sports Organization | \$25.00 per participant |
| 4. Season Long, all others                     | \$35.00 per participant |

C. The fees for single and sports camp use of parks and recreation improvements for a two hour permit are as follows:

Facility	Recognized Sports Organizations Fee	All Others Fee
UNLIT		
Grass Sports Field	\$30	\$60
Tennis Court	\$20	\$40
Basketball Court	\$20	\$40
Baseball Sports Field	\$25	\$50
LIGHTED		
Grass Sports Field	\$45	\$90

D. The fees for season long sports events shall be as follows:

LIGHTED FIELDS	Recognized Sports Organizations Fee	All Others Fee
1 field (per hour)	\$55	\$65

1. The fee for Recognized Sports Organizations may be waived by the Township Administrator upon the demonstration that the organization provides an equivalent amount of service time to the parks system through in-kind services and maintenance of the sports fields. On or before December 1<sup>st</sup> of each year, the recognized sports organization shall provide the Township Administrator with a notarized affidavit and IRS Form 990 demonstrating in-kind services and values to be used as consideration by the Township Administrator in determining whether to waive fees.
2. Regardless of the existence of a permit, the Township, in its sole discretion, may shut down a field or fields for a portion or an entire season where weather, maintenance or safety reasons are justified.

E. Fees for Special Events/Community Events shall be as follows:

Special Event permitting pricing will be considered on a case-by-case based upon the fees above and in Section F & G below.

F. Fees for Sports Tournaments (based on any given 3 day periods) shall be as follow:

Tournament fee permitting pricing are listed and shall also include the costs in Section F & G below.

1. Use of five or less fields - \$1,500
2. Use of more than five fields - \$2,500

G. Security Deposit: A minimum \$200 returnable security deposit is required with all applications. This deposit will be used to cover damage to Township property or cleaning required due to the use of the site. If damage is greater than \$200, the permit holder and/or organization, joint and severally, shall be responsible for all repair costs. Users will be notified in writing by the Township Administrator if any such charge will be assessed and if the cost is greater than the initial deposit required. The security deposit may be waived by the Township Administrator for any Recognized Sports Organizations.

H. Escrow for special events, community events and sports tournaments will be required to pay for additional public work employees and/or police officers at the following rates:

1. Public Works Employees                      \$45 per hour
2. Police Officers                                      \$65 per hour

**REPEALER, SEVERABILITY AND EFFECTIVE DATE.**

- A. Repealer. Any and all Ordinances inconsistent with the terms of this Ordinance are hereby repealed to the extent of any such inconsistencies.
- B. Severability. In the event that any clause, section, paragraph or sentence of this Ordinance is deemed to be invalid or unenforceable for any reason, then the Township Committee hereby declares its intent that the balance of the Ordinance not affected by said invalidity shall remain in full force and effect to the extent that it allows the Township to meet the goals of the Ordinance.
- C. Effective Date. This Ordinance shall take effect upon proper passage in accordance with the law.

**LUMBERTON TOWNSHIP COMMITTEE**

**ACTION ON INTRODUCTION**

Motion made by: Committeeman Jackson  
Motion seconded by: Deputy Mayor Conway

**VOTE:**

Committeeman Jackson:	<u>Yes</u>	No	Abstain	Not Present
Committeeman Januseski:	<u>Yes</u>	No	Abstain	Not Present
Committeeman Mansdoerfer:	<u>Yes</u>	No	Abstain	Not Present
Deputy Mayor Conway:	<u>Yes</u>	No	Abstain	Not Present
Mayor Earlen:	<u>Yes</u>	No	Abstain	Not Present

**ACTION ON ADOPTION (after public hearing)**

Motion made by: Committeeman Jackson  
Motion seconded by: Committeewoman Januseski

**VOTE:**

Committeeman Jackson:	<u>Yes</u>	No	Abstain	Not Present
Committeeman Januseski:	<u>Yes</u>	No	Abstain	Not Present
Committeeman Mansdoerfer:	<u>Yes</u>	No	Abstain	Not Present
Deputy Mayor Conway:	<u>Yes</u>	No	Abstain	Not Present
Mayor Earlen:	<u>Yes</u>	No	Abstain	Not Present

**CERTIFICATION**

I HEREBY CERTIFY that the foregoing is a true copy of the ordinance that was introduced after first reading at a meeting of the Lumberton Township Committee held on January 24, 2017 and adopted after a public hearing at a meeting of the Lumberton Township Committee held on February 14, 2017.

*Debra L. Shaw-Blemings*

Debra L. Shaw-Blemings, RMC  
Township Clerk

<b>Introduced:</b>	<b>January 24, 2017</b>
<b>Published:</b>	January 27, 2017
<b>Hearing:</b>	<b>February 14, 2017</b>
<b>Adopted:</b>	February 14, 2017
<b>Published:</b>	February 17, 2017