

**AN ORDINANCE OF THE TOWNSHIP OF WASHINGTON, COUNTY OF MORRIS, STATE OF NEW JERSEY, AMENDING CHAPTER 137 "PARKS AND RECREATION AREAS" OF THE CODE OF THE TOWNSHIP OF WASHINGTON**

**WHEREAS**, the Township Code contains regulations and permit fees associated with the use of Township parks and recreation areas; and

**WHEREAS**, one of the requirements for use of the Township recreation fields is that the group/organization/league be considered a "resident" group/organization/league, which means that at least 80% of the participants of a youth group/organization/league and at least 50% of an adult group/organization/league are residents of Washington Township; and

**WHEREAS**, over the course of the last several years, the Township Administration and Committee have been approached with regard to waiver of the composition requirements or groups to utilize the Township recreation fields due to increasingly changing composition of the group members; and

**WHEREAS**, the Township Committee has temporarily waived this requirement for the past two (2) years; and

**WHEREAS**, the Township Committee has determined that, at this time, a formal change to the requirement is appropriate and in the best interest of the residents of the Township.

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Washington, County of Morris, State of New Jersey, as follows:

**SECTION ONE.** Chapter 137 "Parks and Recreation Areas", Section 137-5 "Recreation Fees; exemptions" shall be amended to read as follows:

**§ 137-5 Recreation fees; exemptions.**

A. Fees for the use of Township recreation fields, other than Rock Spring Park and Palmer Park, shall be in accordance with the following:

(1) Township recreation fields with the exception of Rock Spring Park and Palmer Park, shall be available for use only by resident groups/organizations/leagues. For purposes of this section, "resident" shall mean that at least 80% of the participants of a youth group/organization/league and at least 50% of the participants of an adult group/organization/league are residents of the Township of Washington, Morris County. The percentage limitations set forth above shall not apply to nonresident visiting groups/organizations/leagues who are participating in a game with a resident group/organization/league.

(2) All resident not-for-profit sports groups/organizations/leagues or other resident not-for-profit sport entities desiring to use Township recreation fields shall pay a field usage fee of \$10 per participant per season per sport due two weeks prior to the first field usage. Refunds of any overpayment will be issued upon receipt of a certified

updated participant list. The field usage fees will be placed in a dedicated trust account to be used only for field maintenance or capital improvements to the recreation fields.

(3) If any group subject to Subsection A(2) above certifies to the Township that it has waived the registration fee that it charges to a participant based on a demonstrated hardship, the Township will waive the fee set forth in Subsection A(2) above for each such participant.

B. Fees for the use of Rock Spring Park and Palmer Park shall be in accordance with the following:

(1) Rock Spring Park and Palmer Park shall be available for use by all groups/organizations/leagues, with priority for use given to resident groups/organizations/leagues. All resident (as defined in Subsection A(1) above) sport groups/organizations/leagues or other sport entities desiring to use Township recreation fields at Rock Spring Park or Palmer Park shall pay a field usage fee of \$10 per participant per season per sport due two weeks prior to the first field usage. All nonresident sport groups/organizations/leagues or other sport entities desiring to use Township recreation fields at Rock Spring Park or Palmer Park shall pay a field usage fee of \$20 per participant per season per sport due two weeks prior to the first field usage. Refunds of any overpayment will be issued upon receipt of a certified updated participant list. The field usage fees will be placed in a dedicated trust account to be used only for field maintenance or capital improvements to the recreation fields.

(2) If any group subject to Subsection B(1) above certifies to the Township that it has waived the registration fee that it charges to a participant based on a demonstrated hardship, the Township will waive the fee set forth in Subsection B(1) above for each such participant.

All remaining provisions of this Section not addressed herein shall remain unchanged.

**SECTION TWO.      RENUMBERING.** This Ordinance may be renumbered for codification purposes.

**SECTION THREE.      SEVERABILITY.** The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder off this Ordinance shall not be affected thereby.

**SECTION FOUR.      REPEALER.** Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed as to their inconsistencies only.

### **NOTICE**

NOTICE is hereby given that the foregoing Ordinance was introduced to pass on first reading at a regular meeting of the Township Committee of Washington Township held on \_\_\_\_\_, 2023, and ordered published in accordance with the law. Said Ordinance will be considered for final reading and adoption at a regular meeting of the Washington Township Committee to be held on \_\_\_\_\_, 2023 **at 7:00 p.m.** or as soon thereafter as the Township Committee may hear this Ordinance at the Washington Township Municipal Building, 43 Schooley's Mountain Road, Long Valley, NJ 07853, at which time all persons interested may appear for or against the passage of said Ordinance.

\_\_\_\_\_  
Denean Probasco, RMC, Township Clerk

\_\_\_\_\_  
Matthew T. Murello, Mayor,

Adopted:

Attest:      I herein certify that the foregoing Ordinance was duly adopted by the Washington Township Committee at a regular meeting held by the Township Committee on \_\_\_\_\_, 2023.

\_\_\_\_\_  
Denean Probasco, RMC, Township Clerk