

# Chapter 94. Open Space and Recreation Areas

## § 94-3. Rules and regulations.

The following rules and regulations are hereby established and shall apply to all open space and recreation areas in the Township of Kingwood:

- A. No person shall damage, deface, cut, carve, transplant or remove any tree or plant or injure the bark or pick the flowers, fruits, berries or seeds of any tree or plant; nor shall any person attach any rope, wire or other contrivance to any tree or plant. No person shall dig in or otherwise disturb grass areas or in any other way injure or impair the natural beauty or usefulness of any area. No person shall excavate, remove, add to or alter in any way any rock, soil, stone or sand.
- B. No person shall mark, deface, disfigure, injure, tamper with or displace or remove any building, bridge, table, bench, fireplace, railing, paving or paving material, water line or other public utilities or parts or appurtenances thereof, sign, notice or placard, whether temporary or permanent, monument, stake, post or other boundary marker, or other structure or equipment, facilities or property or appurtenances whatsoever.
- C. No person shall throw, discharge or otherwise place or caused to be placed in the waters or streams any substance, matter or thing, liquid or solid, which will or may result in the pollution of said waters.
- D. No person shall bring in or shall dump, deposit or leave any bottles, broken glass, ashes, paper, boxes, cans, dirt, rubbish, waste, garbage or refuse or other trash. All such items 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 open space and recreation area by the person responsible for its presence and properly disposed of elsewhere.
- E. No person shall possess, use or consume any alcoholic beverage or controlled dangerous substance or related paraphernalia, as such terms are defined in the New Jersey statutes: alcoholic beverages (N.J.S.A. 33:1-1 et seq.); Controlled Dangerous Substances (N.J.S.A. 24:21-1 et seq.) or as these statutes may be amended.
- F. No person shall allow a dog, cat or other animal to run at large, except in the designated "Leash Free" area of Horseshoe Bend Park. Except in the designated "Leash Free" area of Horseshoe Bend Park, all such animals shall be restrained at all times on adequate leashes not greater than six feet in length. All persons bringing such animals to any open space and recreation areas shall have in their possession at all times appropriate sanitary means, including but not limited to shovels or other implements and containers, or disposal bags, and such person shall immediately remove and dispose of all feces or droppings deposited by the dog or other animal. No horseback riding shall be permitted and all horses are prohibited, except in Horseshoe Bend Park. All horseback riding is done with the caution that, "Horseback riding can be dangerous. Ride at your own risk."

[Amended 7-5-2012 by Ord. No. 17-10-2012]

- G. No person shall bring into, carry or have in his possession, use or discharge any firearm or weapon, as defined in N.J.S.A. 2C:39-1r, or as may be amended, unless he/she has received a hunting permit from Kingwood Township for a specified area and he/she is in that area during the dates specified by the type of permit.

[Amended 12-30-2013 by Ord. No. 17-21-2013]

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H. No person shall bring into, carry or have in his possession, use, set off or otherwise cause to explode or discharge or burn any firecracker, torpedo, rocket or other fireworks or explosives or inflammable material, except as previously authorized by resolution of the Township Committee.

I. No person shall ignite or attempt to ignite a fire except in such areas and under such regulations as may be designated. No such fires shall be ignited or attempted to be ignited except in a camp stove or fireplace provided for that purpose at that time in designated areas.

J. No person shall engage in loud, boisterous, threatening, abusive, insulting or indecent language or engage in any disorderly conduct or behavior tending to cause a breach of the public peace.

K. No person shall ride a bicycle without reasonable regard for the safety of others, nor shall any person ride a bicycle on any playing field.

[Amended 7-19-1999 by Ord. No. 10-11-99]

L. No owner or driver of a motor vehicle shall cause the vehicle to stand or park anywhere outside of designated parking areas. Parking of motor vehicles shall only be in parking lots at each facility specifically designated for such use. No vehicles are to be parked or driven on any turf area or areas designated for other specific activities, except for Township-authorized vehicles, except that, at Horseshoe Bend Park, vehicles can be parked on the grass as long as they are no farther than six feet from a paved surface and do not obstruct access to any gate or trail. Unauthorized overnight parking at all Kingwood Township owned properties is prohibited. If overnight parking is needed, requests can be made to any Kingwood Township Recreation Commissioner or to the Kingwood Township Committee, who may grant authorization where the need for overnight parking is sufficiently documented.

[Amended 7-5-2012 by Ord. No. 17-10-2012; 8-7-2014 by Ord. No. 18-11-2014]

M. No person shall operate or use within the open space or recreational areas any all-terrain vehicles (ATVs), four-wheelers/three-wheelers, skateboards, minibikes, dirt bikes, snowmobiles or other such type vehicles, except for Township-authorized vehicles.

N. No person shall enter or leave any open space or recreational area except through established entrance and exit ways.

O. No person shall interfere with or fail to obey any police officer or open space and recreational area personnel in the proper performance of their duties.

P. Reservation of facilities and areas.

- (1) Although persons/organizations may reserve a facility, on forms available through the Township, or area within an open space or recreation area for limited specific use, such reservation and permission to use the facility shall be in the sole discretion and continuing jurisdiction of the Township and subject to the rules and regulations imposed herein and such other conditions related to public health, safety and well-being imposed by the Township. Fees paid to reserve an area shall be subject to the Township's cancellation policy found at § 34-8D.

[Amended 5-4-2017 by Ord. No. 19-05-2017]

- (2) The reserving party assumes all risk arising from inclement weather or cancellations of any kind. If the Township does not cancel a reservation, the reserving party shall use its best judgment concerning cancellations due to inclement weather.

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- Q. All groups using fields shall remove their personal property, including but not limited to bases and other equipment. The Township shall not be responsible for personal property left unattended.
- R. Any trash left by members of a group must be removed and/or deposited in the trash receptacles at the site. Any unnecessary debris will be charged to the responsible party. An advanced security deposit may be required at the discretion of the Recreation Commission or its designee.
- S. Proper use of fields and/or facilities is required. Any damage or alteration of the same, other than from normal use, shall be considered a violation of these rules and regulations and shall be prosecuted as such, in addition to reimbursing the Township for repairs of all damage and related costs. Any type of golf activity, such as but not limited to driving golf balls, is prohibited.
- T. To reserve a recreation area, facility or field, a certificate of insurance as proof of current liability coverage must be provided (except for individual users who shall execute a waiver of liability to the Township in lieu of providing a certificate), and such certificate must include:
- (1) Liability limits of \$1,000,000 for each occurrence for personal injury and bodily injury/property damage for the term of the reservation period.
  - (2) It must indicate that athletic participation liability coverage is included for use of the Township facilities.
  - (3) Kingwood Township must be specifically named as an additional insured.
  - (4) It must indicate that the user's policies will be primary for the additional insured.
- U. Failure to comply with these rules and regulations, in addition to any other penalties provided herein, will deny the person or group the right to reserve or use facilities in the future.
- V. No person making use of any open space or recreational area shall do, perform or engage in or encourage others to do, perform or engage in any act or activity that is prohibited by the laws of the State of New Jersey or ordinance of the Township of Kingwood.
- W. No gangs or group of persons with any affiliation to a gang shall be permitted to display gang colors on their person on open space and recreation areas.
- X. <sup>(1)</sup> No person shall collect, abuse, mutilate, injure, destroy, move or remove any plant, animal or natural resource without having first obtained the permission of the Parks and Recreation Commission or designee. Authorized fish, game and wildlife activities are excepted.

[Added 12-5-2013 by Ord. No. 17-20-2013]

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*Editor's Note: Former Subsection X, pertaining to the changing of rules and regulations by resolution, added 7-19-1999 by Ord. No. 10-11-99, was repealed 7-5-2012 by Ord. No. 17-10-2012.*