

**ORDINANCE #22-23**  
**AN ORDINANCE AMENDING AND SUPPLEMENTING**  
**CHAPTER XVII OF THE REVISED GENERAL ORDINANCES**  
**OF THE BOROUGH OF SAYREVILLE TO AMEND**  
**CHAPTER 17, SECTION 1.8 "PERMITS FOR SPECIAL EVENTS"**

**WHEREAS**, the Borough previously established Chapter 17, "Public Park Rules and Regulations", to establish, among other things, rules and regulations concerning the conduct of the public in the use and management of public parks and recreational facilities and areas within the Borough; and,

**WHEREAS**, the Mayor and the Borough Council desire to amend Chapter 17-1.8(b)(4), "Permit for Special Events", to update certain aspects of the process to rent certain picnic areas within the Borough; and,

**WHEREAS**, all additions are shown in ***bold italics with underlines***. The deletions are shown as ~~*strikeovers in italics*~~. Those sections of Section 17-1.8(b)(4) that will remain unchanged are shown in normal type.

**BE IT AND IT IS HEREBY ORDAINED** by the Mayor and Borough Council of the Borough of Sayreville, in the County of Middlesex, that the Revised General Ordinances of the Borough of Sayreville are hereby amended as follows and shall be added and/or amended to reflect said changes:

**SECTION ONE.** Section 17-1.8(b)(4), "Permits for Special Events" shall be amended as follows:

**17-1.8 Permits for Special Events.** All Borough permits for special events in parks and recreational areas shall be obtained by application to the Department of Recreation in accordance with the following procedure:

- a. *Application.* A person, association, corporation or partnership seeking issuance of a permit hereunder shall file an application with the Department of Recreation stating:
  1. The name and address of the applicant.
  2. The name and address of the person, corporation, associations or partnerships 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 Department of Recreation shall find reasonably necessary to a fair determination as to whether a permit should be issued hereunder.
- b. *Standards for Issuance.* Standards for issuance of a use permit by the Department of Recreation include the following findings:
  1. The proposed activity or use of the park will not unreasonably interfere with or detract from the general public enjoyment of the park.

2. The proposed activity and use will not unreasonably interfere or detract from the promotion of public health, welfare, safety and recreation.
3. The proposed activity or uses that are reasonably anticipated will not include violence, crime or disorderly conduct.
4. The proposed activity will not entail extraordinary or burdensome expense or policing by the Borough. Notwithstanding any other provisions of this section, all applications for use of playgrounds and recreational areas by private groups for picnics or similar activities shall be made on forms to be supplied by the Department of Recreation. ~~All applications shall be made at least seven (7) days in advance of the proposed use. Permits to use Burke's Park shall be accompanied by a deposit of two hundred (\$200.00) dollars which shall be held in trust by the Borough as security against any damages, vandalism or destruction to its playgrounds or recreation facility. Permit to use Jackson Avenue Park shall be accompanied by a one hundred eighty (\$180.00) dollar deposit. The superintendent shall individually or through his agent make an inspection of the park, playground or recreation area immediately after the actual use applied for and if the area is found to be in order shall authorize return of seventy (\$70.00) dollars of the security deposit. The Superintendent of Recreation may in the exercise of his discretion waive the deposit provisions for any church, civic, social and fraternal organizations having their registered agent or principal office or headquarters within the Borough.~~
5. The facilities desired have not been reserved for other use at the date and hour requested in the application.
  - c. *Permittee Subject to Park Rules and Regulations.* A permittee shall be bound by all park and recreation area rules and regulations and all applicable ordinances fully as though the same were inserted in the permits.
  - d. *Liability for Loss, Damage or Injury; Insurance.* The person 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 the permit shall have been issued. The Department of Recreation 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 amount as may be determined by the Department of Recreation prior to the commencement of any activity for which a permit has been issued, but in no event shall it be less than twenty-five thousand (\$25,000.00) dollars per person and fifty thousand (\$50,000.00) dollars per accident.
  - e. *Revocation of Permit.* The Department of Recreation shall have the absolute authority to revoke a permit upon finding of a violation of any rule, regulation or ordinance or upon good cause shown.

**SECTION 2. Severability Clause.**

If any article, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect, and to this end the provisions of this ordinance are hereby declared severable.

**SECTION 3. Repealer.**

All other ordinances in conflict or inconsistent with this ordinance are hereby repealed, to the extent of such conflict or inconsistency. In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Borough, the provisions are hereof shall be determined to govern. All other parts, portions and provisions of the Ordinances of the Borough are hereby ratified and confirmed, except where inconsistent with the terms hereof.

**SECTION 4. Effective Date.**

This Ordinance shall take effect immediately upon adoption and publication in accordance with the laws of the State of New Jersey.

**INTRODUCED/APPROVED ON FIRST READING**

DATED: July 17, 2023

\_\_\_\_\_  
Jessica Morelos, R.M.C.  
Clerk of the Borough of Sayreville

\_\_\_\_\_  
Mary J. Novak, Councilwoman  
(Recreation Committee)  
Borough of Sayreville

**ADOPTED ON SECOND READING**

DATED: August 21, 2023

\_\_\_\_\_  
Jessica Morelos, R.M.C.  
Clerk of the Borough of Sayreville

\_\_\_\_\_  
Mary J. Novak, Councilwoman  
(Recreation Committee)  
Borough of Sayreville

**APPROVAL BY THE MAYOR ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023.**

\_\_\_\_\_  
Victoria Kilpatrick, Mayor  
Borough of Sayreville

APPROVED AS TO FORM:

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SEAN KEAN, ESQ., Borough Attorney