

**TOWNSHIP OF MOORESTOWN**

**ORDINANCE NO. 33-2007**

**AN ORDINANCE AMENDING CHAPTER 125 OF THE CODE OF THE TOWNSHIP OF MOORESTOWN AUTHORIZING THE ESTABLISHMENT OF FEES FOR THE USE PARKS AND RECREATIONAL FACILITIES**

**WHEREAS**, the Township of Moorestown has an active recreational program which is under the direction of the Director of Parks and Recreation; and

**WHEREAS**, the Director is assisted by the Recreation Advisory Committee, which has recommended that certain activities be fee based to ensure that the Township receives adequate revenue for the utilization of its facilities to offset rising costs and to enable it to continue to make further improvements to the facilities; and

**WHEREAS**, there is also a need to regulate the use of municipally-owned facilities to ensure that they are available at all times for preferential use by residents.

**NOW THEREFORE, BE IT ORDAINED** by the Township Council of the Township of Moorestown, County of Burlington, State of New Jersey, as follows:

**Section 1: FACILITIES SUBJECT TO FEE SCHEDULE.**

All municipal parks and recreational facilities shall be subject to the fee schedule and regulations governing their use. The fee schedule resolution shall be adopted annually by the Township Council.

**Section 2: DEFINITIONS.**

- A. **MOORESTOWN YOUTH ATHLETIC CLUBS AND GROUPS.** A not for profit entity or group organized for the purpose of facilitating youth sports activities which utilizes Township-owned property and has eighty percent (80%) of the participants who reside or attend school in the Township.
- B. **MOORESTOWN ADULT ATHLETIC CLUBS AND GROUPS.** A not for profit entity or group organized for the purpose of facilitating adult participation in sports activities which utilizes Township-owned property and has eighty percent (80%) of the participants who reside in the Township.
- C. **ALL OTHER ATHLETIC CLUBS AND GROUPS.** An athletic club, group or person who is not a Moorestown Youth or Adult Athletic Club or group who seeks to utilize Township-owned property for a recreational purpose.

**Section 3:**     **CODE OF CONDUCT; REGULATIONS.**

The Director of Parks and Recreation (“Director”) shall approve a code of conduct and regulations governing conduct at athletic events. Any person who shall be permitted to utilize a Township-owned facility and/or to participate in an event as a member of a club and/or group shall be required to adhere to the code of conduct and regulations.

**Section 4:**     **APPLICATION.**

Prior to any athletic club or group being authorized to use any Township facility, it shall have submitted an application to the Director on the form approved by the Township Manager along with a non-refundable administrative fee of \$100.00 for Moorestown Youth Athletic Clubs and Groups and \$200.00 for Moorestown Adult Athletic Clubs and Groups and All Other Clubs and Groups. Upon receipt of a completed application form, the Director may grant approval for the requested use.

Each application shall be accompanied by a certificate of insurance naming the Township as an additional insured, with coverage in amounts as determined by the Chief Financial Officer, and an agreement to indemnify and hold the Township harmless.

**Section 5:**     **SCHEDULING OF FACILITIES.**

The Director shall be required to approve, in advance, the scheduling for use of any municipal park or recreational facility. Preference shall be given first to Moorestown Youth and Adult Athletic Clubs and Groups and then to all other Athletic clubs and groups.

**Section 6:**     In all other respects, Chapter 125 shall remain in full force and effect.

**Section 7:**     Repealer. Any and all other ordinances inconsistent with any of the terms and provisions of this ordinance are hereby repealed to the extent of such inconsistencies

**Section 8:**     Severability. In the event that any section paragraph, clause phrase, term, provision or part of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid or unenforceable for any reason, such judgment shall not effect, impair or invalidate the remainder thereof, but shall be confined in its operation to the section, paragraph, clause, term, provision or part thereof directly involved in the controversy in such judgment shall be rendered.

**Section 9:**     Effective Date. This ordinance shall take effect on January 1, 2008, upon proper publication in accordance with law.

**Section 10:**    Short Title.     This Ordinance shall be known as Ordinance 33-2007.

## NOTICE

The ordinance published herewith was introduced and passed upon first reading at a meeting of the Township Council of the Township of Moorestown, County of Burlington, State of New Jersey, held on September 24, 2007. This ordinance will be further considered for final passage by the Township Council at a meeting to be held at the William Allen Middle School, Auditorium, 801 North Stanwick Road, Moorestown, NJ on October 15, 2007 at 7:30pm or at any time and place to which such meeting may be adjourned. All persons interested will be given the opportunity to be heard concerning such ordinance. During the week prior to and including the date of such further consideration, copies will be made available at the Municipal Clerk's Office to any member of the general public who shall request such copies.

Patricia L. Hunt, RMC  
Township Clerk