

ORDINANCE NO. 2025-18

**AN ORDINANCE OF THE TOWNSHIP OF
BARNEGAT, COUNTY OF OCEAN AND STATE OF
NEW JERSEY ESTABLISHING CHAPTER 34 OF
THE TOWNSHIP CODE ENTITLED
“USE OF TOWNSHIP FACILITIES”**

WHEREAS, the Township Committee of the Township of Barnegat has determined that it is necessary and appropriate to create regulations for outside organizations exclusive reservation and use of Township land and/or facilities; and

WHEREAS, for events held within the boundaries of the Township and or the use of Township land and/or facilities by organizations whether nonprofit or otherwise, has been a cost borne by the taxpayers of the Township of Barnegat as a result of increased police presence and clean up time and costs associated with such events; and

WHEREAS, the Township finds it necessary and appropriate to adopt an ordinance regulating the organizations reservation of Township property and/or facility for use of facilities by an organization for such events.

NOW THEREFORE BE IT ORDAINED by the Mayor and Township Committee of the Township of Barnegat, County of Ocean, and State of New Jersey that Chapter 34 of the Township Code entitled “Use of Township Facilities” is hereby adopted and shall read as follows:

SECTION 1.

§ 34-1 Purpose.

The intent of this Chapter is to set forth fees and requirements for the use of public facilities of the Township which include but are not limited to, Township property, municipal fields, municipal recreation facilities, property within the boundaries of the Township for use by organizations or third parties that are not Township sponsored events.

§ 34-2 Use of Off-Duty Police Officers.

- A. Whenever, the Chief of Police and/or his designee determines that extra off-duty assignments shall be performed for a party utilizing use of public facilities whether on or off Township owned property for such an event contemplated by this Chapter, it shall be the determination by the Chief of Police and/or his designee after reviewing the application for the use of the public facility to determine how many off-duty police officers shall be utilized for the event.
- B. The vendor that is utilizing the public facilities for the event shall be required to enter into a contract with the Township of Barnegat in accordance with Chapter 15, section 18 of the Township Code. The number of Police officers required for an event shall be determined by the Chief of Police and/or his designee.
- C. If additional officers are required after the permit has been issued and/or additional hours are required, a final invoice shall be issued by the Township to the vendor after the conclusion of the event and the vendor shall make final payment to the Township within fifteen (15) days of receipt of same.

§ 34-3 Application for Use of Facilities.

- A. Any individual organization requesting use of a Township facility for an organized or scheduled event, shall submit an application and required documents and all fees as set forth in Chapter to the Township Clerk at least ninety (90) days prior to the proposed event. The Applicant shall provide a full detailed explanation of the proposed event including but not limited to, the number of participants and spectators, the amount of any fee charged to a participant or spectator, the activities anticipated, whether or not food or beverages will be consumed at the site, the time and duration of the event, a layout of the event, and any other information requested by the Township in order to ascertain the nature and scope of the proposed event. The Township Clerk, Township Administrator, Township Police Department, or any other typical Township Department shall request any additional information through the Township Clerk's office to the Applicant as may be necessary to ascertain the scope of the proposed event.
- B. The Applicant shall provide insurance coverage to the Township in the amount and type required by the Township's Risk Management Consultant and shall add the Township as an additional insured.
- C. Background checks. Any event which involves unsupervised, direct access to children shall be accompanied by a certification from the Applicant that those having unsupervised, direct contact with minor

children shall have undergone a successful criminal history record background check pursuant to N.J.S.A. 15A:3a-1, et seq.

- D. Maximum capacity. Depending upon the nature of the event and the facility requested, the Township may impose limitations with respect to the maximum capacity and the number of participants and spectators.
- E. Hold Harmless Agreement. All Applicant's shall execute a Hold Harmless Agreement as part of the facility use application.
- F. Use restrictions. No glass, radios, or pets shall be permitted within an enclosed park areas and the use of drugs and tobacco are strictly prohibited in or about Township facilities. All children under the age of twelve (12) must be accompanied by a reasonable adult at the time. The prohibition on the use of alcohol shall not apply to any person or persons attending a special event in which the sale and consumption of alcoholic beverages is authorized by resolution of the Township Committee.
- G. When it is determined by the Chief of Police and/or his designee that extra off-duty police assignments are required in accordance with §34-2, the Applicant, in addition to the deposit and payment for the utilization of police officers, shall deposit with the Township Clerk a nonrefundable application fee in the amount of \$500.
- H. Approval by the Township Committee. After the application has been reviewed, a recommendation by the Township's applicable department shall be forwarded to the Township Committee and the Township Committee shall either approve or deny use of the facility.

§ 34-4 Violations and Penalties.

Any person or entity violating the provisions of this Chapter or found to use the Township facilities without appropriate approval shall, upon conviction, be subject to the penalties set forth in this Chapter of the Township Code.

SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 4. This ordinance shall take effect after second reading and publication as required by law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed by the Township Committee on first reading at a meeting of the Township Committee of the Township of Barnegat on the **5th day of August, 2025**, and will be considered for second and final passage at a meeting of the Township Committee to be held on the **2nd day of September, 2025**, at **6:30 PM**. at the Municipal Building located at 900 West Bay Avenue, Barnegat, New Jersey, at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.

Donna M. Manno, RMC
Municipal Clerk