

BOROUGH OF PALMYRA  
ORDINANCE NO. 2021-15

AN ORDINANCE AMENDING CHAPTER 190, ARTICLE III OF THE CODE OF THE  
BOROUGH OF PALMYRA ENTITLED PARKS AND RECREATION AREAS  
“LEGION FIELD COMPLEX”

**WHEREAS**, the governing body of the Borough of Palmyra previously enacted Ordinance No. 2008-18 entitled An Ordinance Establishing Rules and Regulations for the Borough Parks and Recreation Areas Legion Field Complex; and

**WHEREAS**, the governing body of the Borough of Palmyra previously enacted Ordinance No. 2009-17 entitled An Ordinance Supplementing the Existing Rules and Regulations for the Legion Field Complex and

**WHEREAS**, the governing body of the Borough of Palmyra needs to further supplement and amend these previously enacted Ordinances; and

**WHEREAS**, the above Ordinances are codified in Chapter 190 of the Code of the Borough of Palmyra entitled “Parks and Recreation Areas”

**BE IT ORDAINED BY THE GOVERNING BODY OF THE BOROUGH OF PALMYRA, IN THE COUNTY OF BURLINGTON, AND STATE OF NEW JERSEY** as follows:

**Subsection 190-2 shall be deleted in its entirety and replaced as follows:**

**Subsection 190-2 Titled: Use of Concession Stand**

- A. The Concession Stand may not be used without written permission. Normal requests should be made 7 days in advance of the date to the Scheduling Coordinator.
- B. The Borough Council shall have the authority to revoke a permit upon a finding of violation of any rule or ordinance or upon good cause shown.
- C. Groups using the Concession Stand are expected to use trash receptacles and leave the premises

clean and orderly.

D. When leaving the Concession Stand, supervisors of activities shall:

1. Check that thermostat is turned down.
2. Ensure that lavatories are flushed and clean.
3. Check that all lights are turned off. Only authorized adults shall actuate the main electrical control box.
4. Check that all doors are locked.

E. Keys issued to coaches and supervisors are to be returned at end of season.

Adding: F. Fees/Terms for Usage

1. Required Security Deposit, per season \$500.00; per short-term \$50.00 (With a 5-day notice the Borough reserves the right to share any daily use during a seasonal rental)
2. Fees; per season \$100.00, per day \$25.00
3. Posting of a certificate of insurance for the relevant period setting forth general liability insurance, including premises, operations, product liability, broad form property damage and personal injury coverage, with a \$1,000,000/\$2,000,000 per acc/agg. The Borough must be named as an additional insured and should not be subject to any deductibles.
4. All scheduling requests must be submitted a minimum of 3 days prior to the start of the event or beginning date of use.

#### **Subsection 190-5 Permission to Use Facilities**

Changes: Permission to use Borough Facilities will be granted by Scheduling Coordinator with approval from Facilities Coordinator, Administrator and/or Borough Council.

#### **Subsection 190-15**

Delete current and replace with the following: Any person violating any of the provisions of this article or any rule or regulation promulgated pursuant hereto shall, upon conviction, be subject to the replacement, repair or restoration of any damaged park property, loss of any security deposits and subject to a fine not to exceed \$150.00 for first offence; repeat offenders shall be subject to the replacement, repair or restoration of any damaged park property, loss of any security deposits and subject to a fine not to exceed \$500.00 and, in default of payment thereof, may be sentenced to imprisonment in the county jail, in the discretion of the Magistrate, for a term not exceeding 90 days.

Chapter 190, Article III of the Code of the Borough of Palmyra is hereby amended as follows:

Subsection 190-23A shall be deleted in its entirety and replaced as follows:

190-23A:

No organization or group of individuals may utilize the athletic fields, tennis courts, concession stand at the Legion Field Complex without the written permission of the Borough and its scheduling office. The first priority for the use of the athletic fields, bathrooms, and concession stand shall be given to any non-profit Palmyra youth athletic organization. A non-profit Palmyra youth athletic association for purposes of this article shall be defined as a youth athletic association that is organized to promote a sports program for children under the age of 18 years that is principally located in Palmyra and has, as a majority of its members, Palmyra residents. In the event that no Palmyra youth athletic organization is scheduled to utilize a particular athletic field, court, bathroom, and/or concession stand, (“the Legion Field facilities”) the next priority is to be given to any not-for-profit organization or group located in Palmyra or having a majority of its members being Palmyra residents (“Palmyra not-for-profit”).

Prior to receiving the permission from the Borough to utilize the Legion Field facilities, an application must be completed by any organization or group of individuals on a form supplied by the Borough of Palmyra. No such application shall be approved without the furnishing of the following information:

1. Full name of the applicant and organization.
2. Mailing address of the applicant and organization.
3. At least two contact persons including names, addresses and phone numbers.
4. Acknowledgment of receipt of rules and regulations.
5. Date and scheduled times of proposed uses on particular fields
6. Dates and schedule times of requested light usage.
7. Specification of facilities requested.
8. Posting of a certificate of insurance for the relevant period setting forth general liability insurance, including premises, operations, product liability, broad form property damage and personal injury coverage, with a \$1,000,000/\$2,000,000 per acc/agg. The Borough must be named as an additional insured and should not be subject to any deductibles.
9. Name (s) of responsible individual(s) who will be present on each scheduled usage.

10. For any Palmyra youth athletic association or Palmyra not-for-profit that will have individuals under the age of 18 years participating in any athletic activity, the full names and addresses of all coaches who will be present and/or the name(s) of all supervising adults, and an authorization signed by each such coach or supervising adult permitting the Chief of Police or his designee to check the criminal histories of any such individuals and to provide such records to the governing body. In the event that any such individual possesses a criminal record in New Jersey or any other state, the Borough shall reserve the right to ban such individual from the Legion Field Complex, and all Borough owned Facilities.
11. For each scheduled game, practice or event for a Palmyra youth athletic organization, proof that at least one coach will have completed the safety orientation and skills training program as set forth in N.J.S.A. 2A:62A-6 et seq. that is approved by the State of New Jersey.
12. For any organization or group of individuals, the submission of a security deposit in the sum of \$500.00 Borough officials shall have the authority to regulate activities and use of facilities in such areas to prevent congestion and to secure maximum use for the comfort and enjoyment of all. Visitors shall comply with any directives given for this purpose. The use of any facility shall be reasonable and in lengths of time in relation to the number of persons desiring to use such facilities. No person shall arbitrarily or unreasonably exclude or prevent other persons from using such facilities. No other organization or group of individuals than the ones authorized by the Borough of Palmyra and issued a permit shall utilize the Legion Field facilities, during any scheduled time. Any organization that fails to request to have the lights turned-off on the fields they were using upon completion of its usage, but before the requested scheduled time for shut off, shall be assessed a fine of \$25.00 per occurrence.
13. Any additional documents/forms as requested by the Borough of Palmyra

**A new Subsection 190-23 D. entitled Fees shall read as follows:**

Fee Schedule- Legion Field Complex, Tennis Courts, Volleyball Court and Bocce Court:

One week to two weeks shall be \$100.00 per week

Three weeks to four weeks shall be \$75.00 per week

Any organization that seeks to utilize the Legion Field Facilities, Tennis Courts, Volleyball Court and Bocce Court for more than 30 dates shall be considered to be a seasonal user. The duration of the season shall not exceed 120 days from the date of the issuance of the seasonal permit.

Any seasonal user shall pay a fee of \$750 per season for use of a particular field at the Legion Field Complex, Tennis Courts, Volleyball Court or Bocce Court and will be issued a permit for the season. Field lights shall be scheduled at the rate of \$20.00 to \$25.00 per hour, except Palmyra youth athletic organizations. (Note: if scheduled lights are not request to be turned off, additional charges will apply)

#### Fee Schedule -Concession Stand

For any organization or group of individuals, the submission of a security deposit in the sum of \$500.00. Borough officials shall have the authority to regulate activities and use of Concession Stand to secure maximum use for the comfort and enjoyment of all. (change/delete or modify dates in a daily/seasonal permit issued)

One day usage fee shall be \$25.00

Any organization that seeks to utilize the Concession Stand for more than 30 dates shall be considered to be a seasonal user. The duration of the season shall not exceed 120 days from the date of the issuance of the seasonal permit.

Any seasonal user shall pay a fee of \$100.00 per season for use of the Concession Stand at Legion Field Complex and will be issued a permit for the season. (Keys will be issued and must be returned after

clean-up and scheduled usage)

Fee Schedule – Parks, Promenade

All groups/ organizations or individual wishing to utilize the Borough Parks or Promenade for special events shall be required to Post of a certificate of insurance for the relevant period setting forth general liability insurance, including premises, operations, product liability, broad form property damage and personal injury coverage, with a \$1,000,000/\$2,000,000 per acc/agg. The Borough must be named as an additional insured and should not be subject to any deductibles.

For any organization or group of individuals, the submission of a security deposit in the sum of \$200.00.

One day usage fee shall be \$50.00

Additional fees shall be applied if the use of the PA system in the Band shell is requested; including a \$100.00 security deposit and \$50.00 daily usage fee.

All scheduling requests must be submitted a minimum of 3 days prior to the start of the event or beginning date of use.

**A new Subsection 190-23 E. entitled Fees shall read as follows:**

Community Center Usage and Fees

For any organization, group or individuals wishing to use the Community Center Gym, Kitchen, the submission of a security deposit in the sum of \$500.00 shall be required.

For any organization, group or individuals wishing to use the Kids Room, Meeting Rooms, Art Room Lounge, the submission of a security deposit in the sum of \$150.00 shall be required.

For any organization, group or individuals wishing to use the Kitchen, the additional submission of a \$200.00 cleaning deposit shall be required, along with a non-refundable \$10.00 Kitchen Orientation

Fee. (Kitchen Orientation must be completed if the stove is to be used)

All scheduling requests must be submitted a minimum of 3 days prior to the start of the event or beginning date of use.

All groups, organizations or individuals wishing to utilize the Community Center for activities/events, etc. shall be required to Post of a certificate of insurance for the relevant period setting forth general liability insurance, including premises, operations, product liability, broad form property damage and personal injury coverage, with a \$1,000,000/\$2,000,000 per acc/agg. The Borough must be named as an additional insured and should not be subject to any deductibles.

Community Center is available to 501c3 non-profit organizations at reduced prices.

No organization, group or business shall use the Borough of Palmyra Community Center as it's "legal address" or home base of operation or list the Borough of Palmyra as its business address. The Borough of Palmyra will not accept US mail or other legal service of letters and/or packages.

Fee Schedule shall be as follows:

- (1) Gym Rental Fee shall be \$150.00 flat fee for 4-hour time slot (over 4 hrs. shall be billed at \$25.00 per each additional hour)
- (2) Meeting Room A & B, the Kid's Room, the Lounge or Community Rooms fee shall be \$25.00 per hour
- (3) Computer Room fee shall be \$25.00 per hour
- (4) Kitchen Rental shall be \$150.00 flat fee for a 4-hour time slot (over 4 hours shall be billed at \$25.00 per each additional hour)

\*\* All fees maybe adjusted by the Facilities Coordinator, Administrator or the Governing Body as deemed appropriate.

All other ordinances or prior leases in conflict or inconsistent with this ordinance or the new

lease 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 Palmyra, the provisions hereof shall be determined to govern. All other parts, portions and provisions of the ordinances of the Borough of Palmyra are hereby ratified and confirmed, except where inconsistent with the terms hereof.

If any article, section, subsection, paragraph, 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.

This ordinance shall take effect immediately upon final passage and publication according to law.

Approved for introduction at the regular meeting of the Borough of Palmyra Mayor and Council on **October 18, 2021**. Public Notice of the second reading and public hearing was published in the Burlington County Times on **October 21, 2021** Public Notice and second reading will be held **November 15<sup>th</sup>, 2021**.

Approved for final adoption at the regular meeting of the Borough of Palmyra Mayor and Council on **November 15<sup>th</sup>, 2021** after a public hearing was held. Public Notice was given for the public hearing by being published in the Burlington County Times on October 21, 2021.

**DATE OF FINAL PUBLICATION:** November 28<sup>th</sup>, 2021