

AN ORDINANCE TO AMEND AND CONSOLIDATE ALL ORDINANCES, SECTIONS OF ORDINANCES, AND RESOLUTIONS CONCERNING THE ESTABLISHMENT OF RULES AND REGULATIONS FOR THE PROTECTION, SAFETY CONDUCT, CONTROL AND USE OF THE RESERVATIONS, PARKWAYS, PLAYGROUNDS, GOLF COURSE AND OTHER PARK PROPERTY UNDER THE CONTROL OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF PASSAIC PURSUANT TO N.J.S.A. 40:37- 152.

## ARTICLE I

### Section 1. Construction, Scope, and Enforcement

(a) The provisions of this Ordinance shall be construed as follows:

1. Words and phrases shall be read and construed within their context, and shall, unless inconsistent with the manifest intent of the Board of County Commissioners of the County of Passaic, or unless another or different meaning is expressly indicated, be given their generally accepted meaning, according to the approved usage of language. Technical words, and phrases having a special or accepted meaning in the law, shall be construed in accordance with such technical or special and accepted meaning.
2. Any term in the singular shall include the plural.
3. Any requirement or prohibition of any act shall, respectively, extend to and include the causing or procuring, directly or indirectly, of such act.
4. No provision hereof shall make unlawful any act necessarily performed by any law enforcement officer, emergency personnel or employee of the County of Passaic in the line of duty or work as such, or by any person, his agents, or employees, in the proper and necessary execution of the terms of any agreement with the County of Passaic. The County Administrator is hereby empowered to waive any of the prohibitions contained in this Ordinance in the interest of public health, safety or welfare.
5. Any act otherwise prohibited by this Ordinance, or any other Ordinance adopted by the County of Passaic, provided it is not otherwise prohibited by law, shall be lawful if performed under, by virtue of, and strictly with the provisions of a permit to do so, and the extent authorized thereby.

- (b) This Ordinance shall be effective within all the Park Property, golf course, facilities, parks, parkways, and playgrounds which are owned, leased, maintained or otherwise under the control of the County of Passaic.
- (c) Complaints for the violation of any of the provisions of the within Ordinance shall be cognizable in the County District Court pursuant to N.J.S.A. 2A:6-37 or in the Municipal Court having jurisdiction over the territory wherein the violation shall have occurred. The provisions of this Ordinance shall be enforced by the Passaic County Sheriff's Department and by any other enforcement officer having the powers of peace officers as defined by the laws of the State of New Jersey.
- (d) If any section, article, or provision of the Ordinance, or the application thereof to any person or circumstance, shall be declared to be invalid or inoperative by any court of competent jurisdiction, the remaining sections, articles, or provisions, to the extent that they are not invalid or inoperative, shall not be affected not invalidated thereby and shall be enforced and effectuated.

- (e) All Ordinances, rules and regulations promulgated during the existence of the Passaic County Park Commission are hereby repealed, except those which are specifically incorporated herein or incorporated in any other Ordinance. Any other Ordinance or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.
- (f) Any person who is found guilty of committing an act which is prohibited, or which is declared to be unlawful or an offense, or is found guilty of the non-performance of an act which is required to be done by the Ordinance, or is found guilty of violating either a rule or regulation promulgated pursuant to this Ordinance, or any of the terms or conditions of any permit issued hereunder, and for which this Ordinance provides no specific penalty, shall be punished by imprisonment in the County jail for a term not to exceed 90 days or by a fine not to exceed \$200.00 (Two Hundred Dollars), or both, and, shall further be subject to the replacement, repair or restoration of any damaged County property, if the unlawful act or offense involved the damage or destruction of County property.

## Section 2. Definitions

Unless otherwise expressly provided or unless inconsistent with the expressed intention of the Passaic County Board of County Commissioners the following words and phrases when used in the Ordinance shall mean the following:

- (a) **Bicycle:** any device or conveyance upon which a person or persons may ride propelled wholly in part by human muscular power and having one or more tandem wheels.
- (b) **County:** The Board of County Commissioners of the County of Passaic, the Sheriff of the County of Passaic and their authorized representatives.
- (c) **Litter:** any refuse, garbage, rubbish, paper, metal, wood, beverage container, glass or other material or substance which is thrown, deposited or permitted to collect or remain in a place on park property which could affect health, welfare or safety of the public or wildlife therein or render the roadways, playgrounds, streams, lawn, tree unsightly.
- (d) **Loiter:** remaining idle in approximately on location, including the concept of spending time idly, loafing or walking about aimlessly. Standing or speaking in a quiet, reasonably and orderly manner shall not be considered as loitering.
- (e) **Motorcycle:** as defined in Title 39 of the Revised Statute of the State of New Jersey.
- (f) **Motor Bike:** as defined in Title 39 of the Revised Statute of the State of New Jersey.
- (g) **Motor Vehicle:** as defined in Title 39 of the Revised Statute of the State of New Jersey.
- (h) **Park:** any park, parkway, playground, golf course, reservation, wilderness area or other recreational facility owned, leased, maintained or otherwise under the control of the County of Passaic which is devoted to active passive recreation. This may also include any buildings which are situated on or in any of the areas heretofore mentioned.
- (i) **Path or Bridal Path:** any path, footpath, walk or walkway maintained for pedestrian or person riding horses respectively.
- (j) **Permit:** any written license issued by or under the authority of the County of Passaic any written license issued by or under the authority of the County of Passaic
- (k) **Person:** any natural person, corporation, company, unincorporated association, organized group, firm or partnership.

- (l) **Drives and Roadways:** as defined in Title 39 of the Revised Statues of the State of New Jersey.
- (m) **Snowmobiles:** as defined in Title 39 of the Revised Statues of the State of New Jersey.
- (n) **Wildlife:** means any wild mammal, bird, reptile, amphibian, fish, crustacean or other wild animal or any part, product, egg or offspring thereof.

**ARTICLE II**

- Section 1.** No person shall remove cut, break, deface, defile, ill use of damage any manner whatsoever any building, equipment, fence, plant shrub, tree, turf or any other thing located on Park premises.
- Section 2.** No person on or within Park premises shall have in his possession, or use or employ, any firecrackers, torpedo, firework or explosive of any kind or nature whatsoever, or use or employ any bow or arrow, crossbow, slingshot, or weapon whose propelling force is a spring of air, without prior written permission from the County or its designated representative.
- Section 3.** No person not duly authorized by law shall discharge or use or employ any firearm, without prior written permission of the County or its designated representative.
- Section 4.** No person shall sell, expose for sale or give away any comestibles, goods, wares or circulars without prior written permission from the County.
- Section 5.** No person shall expose or post or display any sign, placard or advertising without prior written permission from the County.
- Section 6.** No person shall play, engage or take part in any game or sport for money or other valuable thing, nor shall any person wager or play or participate in any game of chance, or have possession of any instrument or device of trophies, medals or other non- monetary prizes for competition in organized activities or sporting contest without prior written permission from the County.
- Section 7.** No person not an employee of the County shall go within the shrubbery or climb a tree or sit or stand on a balustrade, wall, or fence, or stand or lie down on a bench or picnic table on or within park premises, nor shall any employee of the County do any of the foregoing unless such act is done in the actual performance of his duties as such employee and in the furtherance of the business of the County.
- Section 8.** No person or group on or within park premises shall conduct a public meeting or gathering or an entertainment of any kind, or preach or make any harangue, or conduct or move in parade or procession without prior written permission from the County.
- Section 9.** No person shall solicit alms or contribution for any purpose.
- Section 10.** No unauthorized person shall loiter in or be present on park premises except during the hours when said premises are open to the public, provided however that organized groups may be present during other hours only with the prior written permission of the County.
- Section 11.** The park premises shall open daily from sunrise until sunset. However, the County or its duly designated representative may, by resolution or other appropriate action, extend the closing hours on such days and for such periods of time as it may deem to be in the public interest. The County or its duly designated representative may also grant permits to individuals or groups for the use of park premises during hours when the premises may otherwise be closed to the public.

- Section 12.** No person shall bathe, wade or swim in any water within the park premises, unless in a designated area.
- Section 13.** No person shall skate on any park water or pond, or use any boat, canoe, or raft in such water or pond except at such times and in such places as may be designated by the county.
- Section 14.** No person shall roller skate or ride a bicycle on or within park premises except upon a path, roadway or other area designated by the County and in such manner as not to interfere with another's enjoyment of park premises. Anyone under 17 years of age must adhere to the New Jersey State Law regarding the wearing of a helmet as related to the use of a bicycle, Roller and inline skates and skateboards.
- Section 15.** No person shall coast with sleds, carts or other vehicles except at such times and such places as may be designated by the County provided that in no event shall the coasting of motor vehicles be permitted.
- Section 16.** No animals or fowl shall be allowed to run at large on/or within park premises, and dogs on said premises shall be restrained by a leash not more than six feet in length, unless within a designated, fenced-in, dog park area.
- Section 17.** No person not authorized by the County shall operate a motor vehicle, motorcycle, motor bike, snowmobile, or an all-terrain vehicle on or within park premises except on those paths, roadways and places designated by the County; motor vehicles shall be operated at a moderate speed within park premises and in no event at a speed exceeding a limit prescribed by the Department of Motor Vehicles of the State of New Jersey.
- Section 18.** No person shall feed, harm, or interfere in any manner whatsoever with the wildlife in or on park premises or any part thereof. Fishing is allowed in designated areas under the guidelines of the New Jersey Division of Fish and Wildlife. Hunting is prohibited on all county park lands and facilities.
- Section 19.** No person shall in any manner throw or drain any offensive substance into any waters on park premises or pollute the same in any manner whatsoever.
- Section 20.** No person shall drop, place or throw any paper, refuse or other litter anywhere in or on park premises except in a receptacle provided for the reception of same.
- Section 21.** No person shall erect any tent, stand or structure in any of the parks, or occupy any tent, Stand, or structure for the purpose of camping or sell or give away from any tent, stand, or structure or vehicle any food drink, or any other thing without permission from the County.
- Section 22.** No person shall start or maintain a fire, except in the places provided for such a purpose. The use of a grill is allowed on park premises. Grills are not allowed on park tables or benches. If using charcoal, it must be taken with you when you leave. Deep fryers, torches, open fire pits, and bonfires are not allowed whatsoever.
- Section 23.** No person shall enter upon portions of the park premises in disregard of signs, barricades, posted notices, or any other means of closing off park property.
- Section 24.** All picnic parties, all assemblages of person, and all business and entertainments permitted, shall occupy only those grounds or areas designated thereof by the County and shall be under the control and supervision of the County or its designated officers.
- Section 25.** The operation of an unmanned aerial vehicle (drone) is prohibited within all lands and waters within the Passaic County Park System unless specifically approved via permit by the Director of the Passaic County Parks and Recreation Department. Recreational drone flying will not be permitted.

- Section 26.** No person shall use loud, violent, obscene or profane language while on park premises, or act in a disorderly or lewd manner.
- Section 27.** No person shall service or repair a motor vehicle anywhere on park premises, provided that this shall not prohibit the making of emergency repairs.
- Section 28.** No person shall have in their possession, display, bring or use or be under the influence of intoxicating liquors, barbiturates or narcotics on park premises. However, by permit, for events that are hosted or sponsored by the County of Passaic, alcohol may be provided and served on the park premise where the event is being held.
- Section 29.** No person shall use or play with golf clubs or golf balls in any of the parks except on golf courses provided for the purpose and then only under rules and regulations that may be adopted from time to time by the County.
- Section 30.** No person shall operate a motor truck, bus or other commercial vehicles on or within park premises without prior written permission from the County provided that this shall not prohibit the operation of passenger cars, bearing commercial license plates or identification so long as same are not used for commercial purpose on the park premises. This shall not prohibit vans, pick-up trucks with a cap, with a maximum load capacity of one ton. This shall also not prohibit the operation of commercial vehicles on business of the County.
- Section 31.** No person on or within park premises shall throw a stone or missile.
- Section 32.** No drapes, curtains, blinds, or other materials shall be used to cover the windows of motor vehicles parked upon park premises.
- Section 33.** It shall be unlawful for any person to make, continue or cause to be made or continued any loud or unusual noise, or any noise which annoys, disturbs or endangers the comfort, or health peace or safety of any person. The prohibition includes sound trucks on park premises.

The following acts are hereby declared to be examples of loud, disturbing, and unnecessary noise in violation of this ordinance:

1. The using, operating, and permitting to be played, used or operated, or any radio receiving set, television, musical instrument, phonograph, loudspeaker, sound amplifier, or other machine or device for the producing or reproducing of sound, in such a manner as to disturb the peace, quiet and comfort of neighboring inhabitants, or with louder volume than is necessary for convenient hearing for the person inhabitants, or with louder volume than is necessary for convenient hearing for the person or persons who are voluntary listeners thereto. The operation of any such set, instrument, phonograph, loudspeaker, sound amplifier, machine or device in such manner as to be plainly audible at a distance of 25 feet from the place where it is located, shall be prima facie evidence of a violation of this ordinance.
2. Yelling, shouting, hooting, whistling or singing at any time or place so as to annoy or disturb the quiet, comfort or repose of persons in the vicinity.

**Section 34.** No athletic games may be engaged in except in such areas and at such times as shall be designated by the County.

**Section 35.** No persons except an employee of the county shall ride an animal on or within the parks, reservations, or parkways except upon the drives and bridle paths, nor shall any person except an employee of the county ride or drive a bicycle or other vehicle except upon the drives, with the exclusion of bicycles being allowed on certain paved surfaced pathways. No person shall ride or

drive an animal, bicycle or vehicle or stop same in a manner to obstruct the general traffic. On drives intended for vehicular traffic, horses will only be allowed on the bridal paths.

- Section 36.** No motor vehicle shall be parked upon park premises, except in such locations or areas as may be designated by the County or its duly designated representative.
- Section 37.** No person shall engage in the climbing or repelling in the climbing or mountains, mountain cliffs and/or building structures up park premises.
- Section 38.** No person shall use any park premises for the purpose of instructing or learning to drive a motor vehicle.
- Section 39.** No person shall cause an airplane or other airborne vehicle or device to land or alight upon park premises, except in an emergency.
- Section 40.** Except for County employees, the use of mopeds, motorized bikes, motorized scooters, electric skateboards, "one wheels" or any other wheeled device not solely powered by muscular power will be limited to roadways, drives and parking areas as established and opened to all other vehicular traffic. This shall mean and include all vehicles propelled other than by muscular power and shall also include all electric or gas motor operated vehicles of the bicycle, tricycle or scooter type. Electric-Powered Mobility Devices are permitted for use in designated areas as established and posted by the Department of Parks and Recreation.
- Section 41.** Wherever in the Ordinance it is specified that certain acts may be performed only upon prior written permission of the County, the County may promulgate regulations for the granting of such permission and conditions relating thereto. Such regulations shall be incorporated herein and the violation of any such regulations shall be a violation of the Ordinance.
- Section 42.** The Board of County Commissioners may delegate to its authorized representatives the right or authority to grant or deny written permission for the performance of certain acts, in accordance with regulations promulgated by the County.
- Section 43.** No person shall surreptitiously or sneakily invade the privacy of another by peering into windows or other openings of motor vehicles lawfully parked upon the property of the Passaic County Park System for any unlawful purpose.
- Section 44.** No person or group shall organize and/or participate in any form of snow removal on any County owned athletic field.
- Section 45.** The use of tobacco, cannabis, and hookah products, including same being used by way of electronic delivery devices, is strictly prohibited in the Passaic County Park System, except for the Preakness Valley Golf Course.
- Section 46.** Electric vehicles must be actively charging when parked in an authorized charging space. The time limit for non-electric and non-charging vehicles, parked in a designated charging space, is 15 minutes and can only be used for drop off and pick up.
- Section 47.** The use of portable lights is prohibited past park closure times of sunset, except wherein specific approval has been granted by the County of Passaic.
- Section 48.** Parking is only permitted in designated parking areas and parking spaces. Roadside parking is strictly prohibited. Violators may be subject to fines or towing.

### **ARTICLE III Food Concessions**

This Article governs the permitting of food concessions for each facility in the Park System, with the Parks and Recreation Department Director empowered to approve food concessions under the following criteria:

1. Permits shall be required in the Passaic County Park System year-round.
2. Permits will be issued on an annual basis, with a fee of \$500.
3. Permits shall be limited to authorized locations within the Passaic County Park System where the food concession shall be authorized to conduct business. Only portable food service operations may be permitted. The setup and breakdown of any fixed or mobile food service operations must be conducted that day. Overnight setups are not permitted.
4. Proof of Insurance shall be required.
5. Proof of all applicable health code permits, or approvals shall be required.
6. Permits are not transferable.
7. Permit fees shall be paid in full before a permit is released.
8. Food Vendor Permits must be visibly displayed within the vehicle.
9. Any permit granted pursuant to this ordinance may be revoked upon the violation of any of the terms or conditions set forth in the ordinances governing the Passaic County Park System, or any violation of local, State, or federal laws.
10. The permit holder shall be liable for any loss or damage to the Passaic County Park System, or to an injury to a person in the Park System caused by the negligent acts of the permit holder or associated individuals of the permit holder.

#### **ARTICLE IV Permits**

**Section 1.** Permits shall be required for the exclusive or special use of park grounds, trails or facilities, or for the use of park grounds or facilities when they are otherwise closed to the public.

- a. Permits shall be required in all County owned and operated parks year-round for the following activities:
  1. any use, picnic or event which has, or which can reasonably be expected to have twelve (10) or more persons involved or for any use that could potentially have a detrimental effect on park property or other park users;
  2. Use of ball fields and basketball courts, if the activity is an organized event, or for groups of 10 or more to reserve the area for recreational use;

**Section 2.** Permits shall be required for the use of any historic site.

- a. Permits shall be required for all county-owned historic sites throughout the year for the following activities:
  1. Any use, picnic or event which has or which can reasonably be expected to have twelve (10) or more persons involved or for any use that could potentially have a detrimental effect on the property, its surroundings, or other park users;

2. Group tours of 10 or more people
3. Meetings and private functions
4. Fundraisers, corporate events, and weddings
5. Any filming activity.

- b. Permits for historic sites are issued by the Director of the Department of Cultural & Historic Affairs.
- c. Permits for historic sites shall abide by rules and regulations set forth by this Ordinance, unless otherwise directed by the Department of Cultural & Historic Affairs.

- Section 3.** All non-historic site permits are issued by the Parks Director or designated representative.
- Section 4.** All park permit requests must be made by completing the online application found on our County website at [www.passaiccountynj.org/parkpermits](http://www.passaiccountynj.org/parkpermits)
- Section 5.** Proof of insurance is required for groups of 50 or more and all organized sports use.
- Section 6.** Permits will be monitored by park system staff, who will monitor for compliance with permit guidelines and park regulations. Where applicable, they will provide verbal enforcement of park system policies and regulations. Failure to comply with their direction may result in cancellation of the permit, forfeiture of security deposit and removal of the group from the area.
- Section 7.** Permit holders must clean up and vacate the permit area by their stated permit end time.
- Section 8.** It shall be unlawful for any permit holder to exceed the authorized number of attendees on their permit.
- Section 9.** All applicable policies, rules, and regulations as contained within the Passaic County Park Permit Information Packet must be adhered to by the permit holder.
- Section 10.** Proof of Insurance may be required for camping, filming and special events involving groups of less than 50, if determined to be necessary by the Parks Director and the insurance department.
- Section 11.** Upon approval of a permit, a permit will only be issued upon receipt of full payment (security deposit and payment), a signed hold harmless agreement or proof of insurance. No permit shall be issued without full payment, a signed Hold Harmless Agreement, or Proof of Insurance, if required.
- Section 12.** Permits are not transferable.
- Section 13.** The permittee or a permittee's designated representative shall be in attendance at all times and have physical possession of the permit.
- Section 14.** A permittee shall be bound by this ordinance and any Department regulations in force as though the same were inserted in said permit.
- Section 15.** It shall be unlawful for a person to violate any provision of a permit.
- Section 16.** Any permit granted pursuant to this ordinance may be revoked upon the violation by the permittee, or associated individual(s), of any provision of the permit, State Statute, any County ordinance, or rule or regulation of the County Parks & Recreation Department.
- Section 17.** The permittee shall be liable for any loss or damage to County Parks' property or injury



to any person by reason of the negligence of the permittee or associated individual(s).

- Section 18.** It shall be unlawful for any person to refuse to vacate the area designated as reserved by a permit.
- Section 19.** All permit fees and security deposits must be made via certified funds such as a money order or a cashier’s check. The only exception is for government-issued checks or government-issued purchase orders.
- Section 20.** Any team or organized athletic group event and/or practices of 10+ individuals utilizing athletic fields without a permit will be required to provide valid identification of their group upon the request of park staff. In addition, the designated representative of the group must display a valid government issued photo identification upon the request of park staff. The group will be issued an on-site, one day, permit. Failure on the part of the group to provide this information and allow park staff to record this information for permitting purposes will result in a request for the group to vacate the athletic field. Failure to follow a request by park staff to vacate the athletic field is prohibited and will result in a request to law enforcement to remove the group from the area. Any group previously issued an on-site, one day permit under this provision will be automatically removed from the field/facilities if they fail to obtain a permit on any subsequent attempt. Passaic County reserves the right to deny this group future permits due to repeated violations.

**ARTICLE V**  
**Camp Hope Pool and Spray Park**

- Section 1.** All persons entering the Pool/Spray Park must have a day pass, whether or not they are swimming. Proof of residency must be shown to purchase a day pass.
- Section 2.** A photo ID showing current address is required by all persons upon entry. Children under the age of 12 must be accompanied by an adult in Pool/Spray Park Area.
- Section 3.** There will be no refunds of admission due to inclement weather or early closure.
- Section 4.** Food is prohibited around the cement area of the pool/spray park. Food is permitted in the area under the pool picnic pavilion and on the grass surrounding the cement. Please be considerate of those with common food allergies such as peanuts, dairy, and eggs. Also, please dispose of all trash in the provided trash receptacles. Failure to do so may result in being removed and banned from the pool/spray park area.
- Section 5.** All bags are subject to inspection by pool staff. No glass containers. No Alcoholic Beverages permitted.
- Section 6.** Arrangements must be made in advance to purchase day passes for organized group admission.
- Section 7.** When the capacity of the Pool/Spray Park Area is reached or when otherwise deemed necessary for the welfare or safety of the patrons, the County of Passaic reserves the right to refuse further admissions. Due to a regional shortage of lifeguards, the capacity of Pool/Spray Park may be limited at times for your safety. Temporary closure of the pool or spray park may also occur.

**NJ State Bathing Codes and NJ Youth Camp Standards**

- Section 1.** Any person showing evidence of any communicable skin disease, sore or inflamed eyes, cold, nasal or ear discharges, or any other communicable disease shall be refused admission.
- Section 2.** Persons with excessive sunburn, open blisters, cuts or bandages shall be refused admission.

- Section 3.** Person suspected of being under the influence of drugs or alcohol shall be refused admission.
- Section 4.** Do not enter the water if you are experiencing or recovering from diarrhea or have any signs or symptoms of a gastrointestinal (stomach) disease in the past seven days.
- Section 5.** All children in diapers or disposable swim diapers and adults who are incontinent must wear plastic/rubber pants with snug fit around waist and leg. Do not wash soiled diapers in the pool.
- Section 6.** Children should be encouraged to use the restroom before entering the water.
- Section 7.** Immediately report any accidents you observe in or out of the pool to a staff member.
- Section 8.** No animals, except for service animals, shall be allowed in the pool area.
- Section 9.** All persons shall shower before entering the pool.
- Section 10.** Swimming is strictly prohibited during electrical storms.
- Section 11.** Health Department Standards: incidents involving fecal matter or vomit require a period of pool closure.
- Section 12.** Proper bathing attire is required at all times.
- Section 13.** ONLY certified US Coast Guard Approved Flotation Devices are allowed in the swimming pool.
- Section 14:** Patrons violating swimming rules are subject to having their membership or day/guest pass revoked, without a refund and will be asked to leave.
- Section 15.** The County of Passaic is not responsible for lost, stolen or damaged personal items.
- Section 16.** The use of photographic equipment is prohibited without prior approval of the subject or guardian.
- Section 17.** The following items are not permitted in the Pool/Spray Park Area:
- Toys, Fins, Inflatable Devices, Beach Balls, Noodles
  - Glass Containers, Grills
  - Pop up Tents or Canopies
  - Hats, head or hair coverings, except approved rubber bathing caps, are not permitted in the pool. Religious headwear is acceptable.
- Section 18.** Conduct affecting the safety and comfort of others is **NOT** permitted. This includes, but is not limited to:
- Throwing debris
  - Running, Pushing or Rough Play
  - Dunking, Splashing or Spitting/Spouting of Water
  - Hanging on Pool Dividers or Ladders
  - Profanity or Abusive Language
  - Urinating or Defecating in the Pool
  - Diving or Jumping into the Pool
- Section 19.** Admission is on a first come first serve basis. Due to a regional shortage of lifeguards, the capacity of this pool may be limited at times for your safety. Temporary closure of the pool or spray park may also occur.

## ARTICLE VI

### Dog Parks

- Section 1.** Dog owners are responsible and liable for the actions and behavior of their dog at all times.
- Section 2.** Dogs must be up to date on all mandatory NJ state vaccinations (rabies, distemper, leptospirosis, Lyme, Bordetella) and wear a collar with license tags.
- Section 3.** Limit of 2 dogs per person.
- Section 4.** Dogs must be accompanied by an owner 15 years or older.
- Section 5.** Dog owners must always remain with their dogs and must carry a leash for each dog at all times.
- Section 6.** No puppies younger than 4 months.
- Section 7.** Dogs 6 months or older must be spayed or neutered.
- Section 8.** No spiked, pronged, or choke collars.
- Section 9.** No children under 8 years of age inside the dog park area. All children between the ages of 9 and 15 must be accompanied by an adult.
- Section 10.** Owners must remove and properly dispose of dog waste.
- Section 11.** Dogs with a history of dangerous or aggressive behavior are prohibited. If your dog becomes aggressive, it must be leashed and removed from the dog run area.
- Section 12.** Dogs must be leashed prior to entering and upon leaving the dog park area.
- Section 13.** Dog owners must properly secure dog park entry gates upon entering and leaving the area.
- Section 14.** No person shall allow a dog which a reasonable person would classify as a large dog into the small dog section. A large dog is one that weighs more than 35 pounds or is taller than 24 inches.
- Section 15.** No person shall allow a dog which a reasonable person would classify as a small dog into the large dog section. A small dog is one that weighs less than 35 pounds or is smaller than 24 inches.

### FEES AND DAMAGES

- Section 1.** The Board of County Commissioners of the County of Passaic shall set fees for the use of designated areas or facilities and activities within the areas under the control of the County Parks & Recreation Department.
- Section 2.** It shall be unlawful for any person to use an area or facility or engage in an activity for which a fee has been established by the County Parks & Recreation Department without payment of such fee unless the payment is waived by the Parks' Director.
- Section 3.** The Parks Director may assess damage to person(s) responsible for any loss, damage or injury sustained by the County Parks & Recreation Department.
- Section 4.** The Preakness Valley Head Golf Pro, with the approval of the Parks Director, has the authority and flexibility to adjust golf course rates as needed due to circumstances such as in times of low demand or bad weather.
- Section 5.** The Parks Director, with the approval of the Administration, has the authority and flexibility to adjust permit fees as needed due to specific circumstances.

**ENFORCEMENT/FINES AND PENALTIES**  
**Park Patrol Authority/Authorized Agents**

- Section 1.** Designated Parks employees may enforce the provisions of this ordinance and eject from the County Parks persons acting in violation of this ordinance.
- Section 2.** Law enforcement authorities where County Parks' property is situated shall have jurisdiction to patrol and enforce the Passaic County Park Ordinance on County Park property. They also shall have jurisdiction to enforce any violation of state law or local laws which shall occur on County Park property.
- Section 3.** Failure to obtain necessary Park Permits shall be punishable a follow:
- First Offense: Permit Fee plus a \$25.00 fine
  - Second Offense: Permit Fee plus a \$50.00 fine
  - Third Offense: Suspension of future permit approvals for the remainder of the season.
- Section 4.** Failure to abide by the Passaic County Park Ordinances, which have been approved by resolutions, shall be subject to a fine: N.J.S.A. 40:24-2-3 Penalties for violation of resolutions: "The Board of County Commissioners may prescribe penalties for the violation of any resolution it may have authority to pass, either by imprisonment in the County jail for a period not exceeding ninety days (90) or by a fine not exceeding two hundred (\$200) dollars or both."
- Section 5.** **Pursuant to N.J.S.A. 40:37-134.** Rules and regulations; notice; penalties; disposition of:
- The Board of County Commissioners may make rules and regulations for the government and use of the parks, open spaces, boulevards, parkways and roadways, and enforce the same by fixing for the violation thereof penalties, not exceeding fifty dollars for each offense. All rules and regulations shall be plainly printed and posted within the parks and public places or on the boulevards and other highways. The Board of County Commissioners may sue for and collect the penalty so fixed in an action at law in any court of competent jurisdiction. All fines and penalties recovered shall be used by the Board of County Commissioners permission for the same purposes and in the same manner as its other funds. The Board of County Commissioners of the County of Passaic may sue for and collect the penalty so fixed in an action at law in any court of competent jurisdiction.

**PERMIT REVOCATION**

- Section 1.** If any person shall be found guilty in a court of competent jurisdiction of the violation of any provision of this ordinance the conviction shall operate as a revocation of any permit granted by the County Parks & Recreation Department without further action.
- Section 2.** The Parks & Recreation Director, or other designee, shall have the authority to immediately revoke for good cause any permit or reservation issued by the County Parks & Recreation Department. Where such revocation occurs, the group shall immediately vacate the area at the direction of designated park staff and/or law enforcement personnel.