

## NOTICE OF PUBLIC HEARING

The Monmouth County Board of Recreation Commissioners Introduced for Adoption **RULES AND REGULATIONS GOVERNING PUBLIC USE OF COUNTY PARK AND RECREATION AREAS** at their regular meeting of April 8, 2013, by Resolution R-13-4-8=190. A Public Hearing on the adoption of these rules and regulations is scheduled for the Board Meeting of MONDAY, MAY 6, 2013, at 7 PM, in the "Beech Room" of the Thompson Park Visitor Center, 1<sup>st</sup> Floor, 805 Newman Springs Road, Lincroft, NJ.

**Be it resolved by the Monmouth County Board of Recreation Commissioners that the following Rules and Regulations be adopted for the protection, regulation, and control of parks, roads, driveways, sidewalks, paths, lakes, pools, fountains, trees, flowers, shrubs, statuary, buildings, and other things contained within and upon property controlled by the Monmouth County Board of Recreation Commissioners.**

### **ALCOHOLIC BEVERAGES**

1. No person shall possess or consume alcoholic beverages, drugs, or narcotics in any County Park or Recreation Area. Nor shall any person be permitted within a County Park or Recreation Area under the influence of intoxicating beverages, drugs, or narcotics. The Board of Recreation Commissioners may designate special use areas or special events where alcoholic beverages may be consumed.

### **GROUP USE. MEETINGS. EXHIBITIONS**

2. No group of fifty (50) or more persons shall use a County Park or Recreation Area without first having obtained a group use permit not later than seven (7) days before the proposed date of use. Group use shall be limited to designated areas. Adult supervision of children's groups is required at all times.
3. No person shall call or hold any meeting, or give any concert or public entertainment of any kind within a County Park or Recreation Area without first having obtained written permission in advance from the Board of Recreation Commissioners no later than seven (7) days before the proposed date of use.
4. No person shall use loud speakers, public address systems, or amplifiers within a County Park or Recreation Area without first having obtained written permission in advance from the Board of Recreation Commissioners no later than seven (7) days before the proposed date of use. Nor shall any, audio device, video device, or musical instrument be played in such a manner as to create a nuisance. Sound shall be kept at a level that cannot be heard more than 150 feet from the source. Nor shall any two-way radio, communication device, or cellular telephone be used in such a manner as to create a nuisance.

### **PETS. HORSES**

5. Dogs and cats must be kept on a leash and under control at all times. No domestic animal shall be permitted to run at large within any County Park or Recreation Area, either with or without a keeper, except in those areas designated for that purpose by the Board of Recreation Commissioners. Pets shall not be allowed in areas indicated by signing. Keepers of domestic animals must clean up, remove, and properly dispose of their animals' excrement discharged within any County Park or Recreation Area.

6. No person shall ride, drive, lead, or keep a saddle horse, or other animal within a County Park or Recreation Area, except on such roads, trails, or areas, and subject to such regulations as the Board of Recreation Commissioners may from time to time especially designate. No horse or other animal shall be hitched to any tree or shrub in a manner that may cause damage.

### **REFUSE. POLLUTION**

7. No person shall leave bottles, broken glass, ashes, waste paper, or other rubbish within a County Park or Recreation Area, except in a properly provided receptacle designated for that purpose.
8. No person shall throw or place any dirt, stone, rock debris, foreign, or waste substance into or upon a County Park or Recreation Area or in any lake, river, or lagoon within or bordering upon land of a County Park or Recreation Area.
9. No person shall throw, cast, lay or drop, discharge into, or allow to remain in the water of a County Park or Recreation Area, or any tributary, brook, stream or storm sewer, or drain flowing into said waters any substance, matter, or thing which may or shall result in the pollution of said waters.

### **NATURAL FEATURES**

10. No person shall pick flowers, foliage, berries or fruit, or cut, break, dig up, or in any way mutilate or injure any tree, shrub, plant, fern, grass, turf, railing, seat, fence, structure, or any other object within a County Park or Recreation Area.
11. No person shall bring into or upon a County Park or Recreation Area, any tree, shrub, or plant, or any newly plucked branch or portion of a tree, shrub, or plant.
12. No person shall dig up or remove any dirt, stone, rock, or other substance whatever, make any excavation, quarry sand, stone, or lay or set off any blast, or cause or assist in doing any of the things within a County Park or Recreation Area.
13. No person shall remove or cut firewood, regardless whether the tree or wood is dead, fallen diseased, or otherwise, from any County Park and Recreation Area.

### **FIRES. FIREWORKS**

14. No person shall build, light, or maintain a fire within a County Park or Recreation Area, except in a camp stove, or a fireplace, provided, maintained, or designated for such purpose by the Board of Recreation Commissioners, excepting, however, that oil or gasoline camp stove may be used in established camp sites or picnic areas where other stoves are provided. Charcoal fires only are allowed in picnic grills.
15. No person shall possess, discharge, or set off within a County Park or Recreation Area any firecrackers, torpedoes, rockets, or other fireworks.

## **HUNTING. FISHING**

16. No person shall discharge any weapon, firearm, or bow and arrow within or into a County Park or Recreation Area. Firearms shall not be carried or possessed unless unloaded in both barrel and magazine, except where this regulation shall not apply in portions of a County Park or Recreation Area open to hunting by order of the Board of Recreation Commissioners, during such open periods. A bow with a nocked arrow is prohibited except in portions of a County Park or Recreation Area open to hunting, and in other locations designated and posted for archery. Any firearm or crossbow must be cased or socked while being transported or carried within a County Park or Recreation Area.
17. No person shall molest, trap, capture, hold, remove, injure, or kill any animal, or disturb its habitat within a County Park or Recreation Area, except in portions of a County Park or Recreation Area open to hunting and/or fishing. The use of portions of a County Park or Recreation Area open to hunting and/or fishing is subject to N.J. State statutes and Division of Fish and Wildlife laws and regulations. Hunting shall be subject to guidelines and permitting requirements promulgated by the Director of County Parks and Recreation. The release of wild or domestic animals in a County Park or Recreation Area is prohibited.

## **RESTRICTED USES AND AREAS**

18. No person shall enter upon any portion of a County Park or Recreation Area where persons are prohibited from going by direction of the Director of County Parks and Recreation as indicated by sign or notice. Nor shall any person participate in an activity that is prohibited as indicated by sign, notice, or guidelines.
19. No person over the age of 18 who has been convicted of a violation of any crime against a minor, as listed in N.J.S.A. 2C:7-2, "Registration of Sex Offenders," and who as a result of said conviction is required to register with the proper authorities pursuant to N.J.S.A. 2C:7-1 et seq., "Registration and Notification of Release of Certain Offenders," shall be permitted to enter or use any County Park or Recreation Area.
20. No person shall use any tobacco products, which include but are not limited to smoking (e.g. cigarettes, pipes, cigars, e-cigarettes, or vaporize cigarettes, etc.) and/or using smokeless tobacco (e.g. snuff, chew, etc.) within any building, or within 25 feet of the following: playgrounds, spraygrounds, swimming pools, athletic courts, athletic fields, off-leash dog areas, and buildings. Nor shall any person use any tobacco product in a manner that creates a nuisance within a County Park or Recreation Area.
21. No person shall use hand sleds, bobs, carts, skates, skate boards, or other equipment on wheels or runners, or use radio controlled devices such as, but not limited to, boats, aircraft, and cars, except in areas and during times designated and posted for this purpose by the Board of Recreation Commissioners.
22. No person shall throw, cast, catch, kick, or strike any baseball, golf ball, football or basketball, or any object within a County Park or Recreation Area, except in areas designated and posted for this purpose by the Board of Recreation Commissioners. The discharge of paintball guns or similar equipment is prohibited.
23. No person shall bathe in any pond, stream, ocean, or other body of water within or bordering a County Park or Recreation Area, unless it has been designated and posted for this purpose by the Board of Recreation Commissioners.

24. No person shall use private boats or canoes on any streams, lakes, ocean, or body of water within or bordering a County Park or Recreation Area, unless it has been designated for such use and posted for launching private boats and canoes by the Board of Recreation Commissioners.
25. The use of manned or unmanned, powered or powerless flying objects or devices, either for landing or taking off, shall not be permitted in any County Park or Recreation Area, unless it has been specifically designated and posted for this purpose or written permission has been granted by the Board of Recreation Commissioners.

### **COMMERCIAL USES**

26. No person shall engage in any commercial enterprises, including but not limited to the offering of services, soliciting, selling or peddling any liquids or edibles for human consumption, or to distribute circulars or to hawk, peddle, or vend any goods, ware, or merchandise within a County Park or Recreation Area, except as provided by written permission of the Board of Recreation Commissioners.
27. No person shall cut, carve, paint, mark, paste, or fasten on any tree, fence, wall, building, monument, or other object within a County Park or Recreation Area any bill, advertisement, or inscription. Nor shall any person distribute, cast, throw, or place any handbill, pamphlet, circular, advertisement, or notice of any kind within a County Park or Recreation Area.
28. No person shall tell fortunes, play at games of chance, or use any gambling device within a County Park or Recreation Area, except as provided by written permission of the Board of Recreation Commissioners.

### **VEHICLES. PARKING**

29. No person shall use any portion of a County Park and Recreation Area for purpose of way, except drives, parking areas, roadways, paths, walks, and trails established for such purpose by the Board of Recreation Commissioners; and footpaths or walks established for pedestrian travel shall not be used for vehicular travel. The use of mopeds or motorized bikes shall be limited to roadways, drives, and parking areas as established and open to all other vehicular traffic.
30. No person shall drive or propel, or cause to be driven or propelled, along or over any road within a County Park or Recreation Area, any vehicle at a rate of speed greater than twenty-five (25) miles per hour or the limits as established by the Board of Recreation Commissioners and indicated by speed limit signs erected along the right-of-way.
31. No person shall drive or propel, or cause to be driven or propelled, along or over any road, parkway, drive, or parking area within a County Park or Recreation Area any motor vehicle in a careless manner or in a manner to endanger the life, limb, or property of pedestrians, or the drivers or occupants of other vehicles, or any other person within a County Park or Recreation Area. The motor vehicle operator and the motor vehicle operated within a County Park or Recreation Area shall be in compliance with New Jersey State Motor Vehicle License and Safety Laws.

32. No person shall park or store any motor car, motorcycle, bicycle, wagon, or other vehicle within a County Park or Recreation Area, except in areas designated and posted for such purpose. Parking areas and thoroughfares are limited to use by park patrons only and for the purpose of driving to park vehicles.
33. No person shall set or place or cause to be set or placed, any goods, wares, or merchandise or property of any kind as to obstruct travel within a County Park or Recreation Area.
34. No person shall enter any part of a County Park or Recreation Area or park roads with a commercial vehicle, except in the service of or by permission of the Board of Recreation Commissioners.
35. No person shall use park drives or parkways within a County Park or Recreation Area for the purpose of demonstrating any vehicle, or for the purpose of instructing another to drive or operate any vehicle, or for learning to drive or operate any vehicle.
36. The cleaning, waxing, or repairing of vehicles is not permitted within a County Park and Recreation Area.

### **HOURS OF OPERATION**

37. No person shall enter or remain within a County Park or Recreation Area, or leave a vehicle or personal property therein, except during the hours when the Park or Recreation Area is open to the general public, unless permission has been granted by the Board of Recreation Commissioners, its agents, or officers.

### **DISORDERLY PERSONS**

#### 38. 1(a)

No person or group of persons shall engage in such loitering conduct as will clearly cause an immediate, actual physical violent reaction from any person or persons, which violent action will cause a threat to the peace and order of the public;

#### (b)

Nor shall any person or group of persons engage in such loitering conduct which shall disturb a person of ordinary sensibilities as to cause such a person to react immediately in such a way as to threaten by physical violence the peace and order of the public;

#### (c)

Nor shall any person or group of persons engage in such loitering conduct which obstructs free passage of pedestrians at, in or near any building, parking lot or vehicle, or the free passage of vehicles at, in or near any building, parking lot or vehicle;

#### (d)

Nor shall any person or group of persons engage in such loitering conduct which obstructs the free passage of persons at or near any walkway or pathway;

#### (e)

Nor shall any person or group of persons engage in such loitering conduct which will obstruct, molest, or interfere with any person lawfully in or enjoying the park.

#### 38.2.

Where there is conduct violative of section (1) or any part thereof, there must, in addition, be a refusal by the persons engaged in such conduct to obey an order by any agents or officers of the Board of Recreation Commissioners to move on before a charge under these regulations may be prosecuted.

39. No person shall resist any agent or officer of the Board of Recreation Commissioners in the discharge of his duty, or fail or refuse to obey any lawful command of any such agent or officer, or in any way interfere with or hinder or prevent any such agent or officer from discharging his duty, or in any manner assist or give aid to any person in custody to escape or attempt to escape from custody, or rescue or attempt to rescue any person when in such custody.
40. No person shall falsely represent or impersonate any agent or officer or pretend to be an agent or officer of the Board of Recreation Commissioners.
41. No person shall harass, obstruct, molest, assault, or interfere with any person lawfully within a County Park or Recreation Area, or resist, obstruct, molest, assault, or interfere with any agent or officer of the Board of Recreation Commissioners.
42. No person shall remain within a County Park or Recreation Area who does not abide by conditions adopted and posted by the Board of Recreation Commissioners for the preservation of good order and the protection of property within a County Park or Recreation Area; and no person shall remain within a County Park or Recreation Area who does not abide by the instructions and directions of duly authorized officers or agents of the Board of Recreation Commissioners in the lawful performance of their duties. Any person directed by an agent or officer of the Board of Recreation Commissioners to leave a County Park or Recreation Area shall do so promptly and peaceably.
43. No person shall interfere with or in any manner hinder any agent or officer of the Board of Recreation Commissioners while engaged in constructing, repairing, or caring for any park property, or interfere with any improvements being made within or about a County Park or Recreation Area.
44. No person shall use threatening, abusive, boisterous, insulting, vulgar, wanton, or indecent language or gesture, nor shall any person engage in any violent, abusive, vulgar, wanton, or otherwise disorderly conduct tending to disturb the peace, or to disturb or annoy others, or to create a nuisance within a County Park or Recreation Area.
45. All persons visiting a County Park or Recreation Area and all participants in programs must dress in appropriate attire, which shall be determined at the discretion of the Monmouth County Board of Recreation Commissioners or its agent or officer.
46. No person shall possess any weapon capable of lethal use or of inflicting serious bodily injury within a County Park or Recreation Area except for use in areas open for hunting in accordance with the rules and guidelines governing same.

Employees of the Board of Recreation Commissioners are vested with police authority and empowered to make arrests for violations of County Park rules and regulations. Rules applying to special conditions or situations within an individual County Park or Recreation Area may be supplemental to the above. When special rules apply, they will be posted in the affected areas. These rules and regulations are promulgated in accordance with provisions of New Jersey

Revised Statutes Title 40, Chapter 12-6 which reads as follows:

***The Board of Recreation Commissioners shall have full control over all lands, playgrounds and recreation places acquired or leased under the provisions of Sections 40:12-1 to 40:12-9 of this title and may adopt suitable Rules, Regulations and By-Laws for the use thereof, and the conduct of all persons while on or using the same, and any person who shall violate any of such Rules, Regulations, or By-Laws shall be deemed and adjudged to be a disorderly person.***

By Order of the Monmouth County  
Board of Recreation Commissioners

Edward J. Loud, Chairman  
James J. Truncer, Secretary-Director  
Dated: April 8, 2013