

Introduced: 10/13/2020
Public Hearing: 11/10/2020
Adoption: 11/10/2020

**TOWNSHIP OF TEWKSBURY
HUNTERDON COUNTY, NEW JERSEY
ORDINANCE NO. 10-2020**

**AN ORDINANCE OF THE TOWNSHIP OF TEWKSBURY, HUNTERDON
COUNTY, NEW JERSEY AMENDING AND MODIFYING TITLE 12,
STREETS, SIDEWALKS AND PUBLIC PLACES, CHAPTER 12.24, PARK
REGULATIONS, SECTION 12.24.070, PROHIBITED USES – GENERAL
REGULATIONS, OF THE CODE OF ORDINANCES OF THE TOWNSHIP
OF TEWKSBURY**

WHEREAS, the Township of Tewksbury (the “Township”) regulates the use of its public parks and the activities carried on therein; and

WHEREAS, the Township Committee finds and declares that it is in the best interest of the Township and its residents to clarify certain regulations regarding permitted fires within its parks.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Tewksbury, Hunterdon County, New Jersey, as follows:

SECTION 1. Title 12, Streets, Sidewalks and Public Places, Chapter 12.24, Park Regulations, Section 12.24.070, Prohibited Uses – General Regulations, of the Code of Ordinances of the Township of Tewksbury is hereby amended as follows:

12.24.070 – Prohibited Uses – General Regulations.

- A. Advertising. Within any park, unless prior written permission is given by the Township in accordance with this chapter, no person:
1. Shall post, paint, mark, affix, distribute, hand out, deliver, place, case or leave about any bill, billboard, placard, ticket, handbill, circular or advertisement.
 2. Display any flag, banner, transparency, sign, placard or any other matter for advertising purposes.
 3. Operate any musical instruments or public address amplification system for advertising purposes or for the purpose of attracting attention to any exhibition, subject or performance.

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4. Conduct public speeches or rallies.

B. Alcoholic beverages. No person within any park shall possess or consume alcoholic beverages.

C. Animals. Within any park:

1. No person shall cause or permit any animal owned by him, in his custody, or under his control, to go or be at large.
2. Dogs, cats and other domesticated pets shall be restrained by a leash. Pet owners or others who have custody of any pet, whether or not the owner of such pet, are required to immediately and properly dispose of their pet's solid waste deposited in any Township park by the placement of such solid waste in a suitable container, and discarding the same in a refuse receptacle which is regularly emptied by the Township or some other refuse collector, or disposal into a system designed to convey domestic sewage for proper treatment and disposal.
3. Animals found at large may be seized and disposed of by the Township or its representatives, as provided by the law or ordinance covering disposal of stray animals on highways or public property then in effect at the place where such stray animal may be seized.
4. No person shall ride, drive, lead or keep a horse, except on roads and trails and such other locations designated for the purpose by the Township.
5. No horse shall be unbridled or left unattended in any unenclosed area without being securely fastened, in or to the places provided therefor.
6. The sweeping of the contents of any horse trailer onto Township property is prohibited.
7. No person shall hunt, molest or abuse any animal under their control or found within a park. Sanctioned hunting is only permitted in certain parks and times by action of the Township Committee. No person shall knowingly disturb any wildlife habitat within a park.

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- D. Disorderly conduct. Within any park no person shall interfere with, encumber, obstruct or render dangerous any drive, path, walk or public place; enter or leave except at established entranceways or exits of park facilities; litter, deposit, discharge or allow to remain any rubbish, foreign or waste substance; fail to obey, or interfere with, an officer or representative of the Township in the proper performance of his duties.
- E. Drugs, opiates and narcotics. No person shall have in his possession or be under the influence of any drugs, opiates or narcotics within a park, except prescription medication.
- F. Explosives. No person shall have in his possession, discharge or set off within a park any explosives or fireworks.
- G. Firearms, weapons and tools—Concealed weapons. No person shall bring into a park or have in his possession within a park any firearms, weapons or burglar tools, excepting the lawful uses of such weapons at places and times prescribed by permission of the Township.
- H. Fires. Except for those fires ignited and contained within areas of parks designated for such purposes and permitted pursuant to an open burn permit issued by the Township, no person shall kindle, maintain or use a fire within a park. Cigars, cigarettes or lighted matches shall be disposed of in a safe and proper manner within a park.
- I. Hours. All parks will open at sunrise as defined by the U.S. Weather Bureau of the Flemington area unless noted otherwise by the Township Committee. All parks will close one-half hour after sunset as defined by the U.S. Weather Bureau for the Flemington area unless noted otherwise by the Township Committee. Use of any Township park or field contained within a Township park that is closed (as marked by signs located either at the entranceway to the park or the entranceway to a field located within the park) is prohibited.
- J. Loitering. No person shall, without the prior written permission of the Township or in an emergency after notifying a Township representative, enter into or remain within a park except during the hours the park or park area is open to the general public.

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- K. Minors. No parent, guardian or custodian of any minor shall permit or allow the minor to do any act prohibited by any Township park regulations. Adult supervision of children's groups within a park shall be required at all times.

- L. Soliciting and commercial uses. No person shall solicit alms or contributions within any park for any purpose without written permission of the committee. Within any park no person shall: Engage in any commercial enterprise, including, but not limited to, the offering of services, soliciting, selling or peddling any liquids or edibles for human consumption, or distributing circulars, or hawking, peddling or vending any goods, wares or merchandise within a park except with prior written permission of the Township.

- M. Vehicle operation.
 - 1. No person shall use any portion of a park for purposes of travel by motorized vehicle except on Township drives, parking areas and roadways, established for motor vehicular travel by the Township.
 - 2. No person shall park or store any motor vehicle, bicycle, other vehicle or trailer within a park, except in areas established for such purposes and designated by signs or directed by representatives of the Township.
 - 3. All vehicle operators and vehicles operated within a park shall be in compliance with N.J.S.A. Title 39 and any other laws which may pertain to a particular vehicle and its operator.
 - 4. Nothing contained in the Township park regulations shall apply to the vehicles, trucks or other apparatus of a fire department, first aid squad, police department or other vehicles of the Township when responding to emergencies or in the completion of necessary routine Township work.

SECTION 2. All actions of the Township taken prior to the date of adoption hereof contemplated by this Ordinance are hereby ratified and approved.

SECTION 3. If any section, paragraph, subsection, clause or provision of this Ordinance shall be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole or any remaining part thereof.

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SECTION 4. All Ordinances or parts of Ordinances of the Township of Tewksbury heretofore adopted that are inconsistent with any of the terms and provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 5. This Ordinance shall take effect immediately upon its final passage, approval and publication as provided by law.

I HEREBY CERTIFY the above to be a true copy of an Ordinance introduced by the Township Committee of the Township of Tewksbury at a duly convened meeting held on October 13, 2020 and adopted on November 10, 2020.

Jennifer Ader
Acting Township Clerk