

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
O R D I N A N C E**

ORDINANCE NO. 004-2020

**AN ORDINANCE AMENDING CHAPTER XXVI (USE OF TOWNSHIP FACILITIES)
OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF UPPER**

BE IT ORDAINED by the Township Committee in the Township of Upper, County of Cape May and State of New Jersey as follows:

SECTION 1: Chapter XXVI of the Revised General Ordinances of the Township of Upper, also known as the Code of Upper Township, shall be amended and supplemented as hereinafter provided:

26-3 Requirements for Use of Facilities

Revise and replace the following in Section 26-3.1

26-3.1 Application Required.

Any individual or organization requesting the use of a Township facility for an organized or scheduled event must submit an application and required documentation to the Department of Public Works Recreation Leader at least thirty (30) days prior to the proposed event. The applicant must 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 and any other information requested by the Township in order to ascertain the nature and scope of the proposed event. Ongoing approved Upper Township sports or recreation programs shall not be required to submit an application for such ongoing activities. The Township Committee or the Department of Sports and Recreation Programs shall from time to time adopt rules and regulations governing such ongoing activities and approving the use of facilities for these programs. Unless otherwise exempted in this Chapter, an application for use of Township facilities is required for any organized or scheduled event which is not part of the approved ongoing activities of the sports or recreation programs.

Revise and replace the following in Section 26-3.3

26-3.3 State Police.

The Township must receive written confirmation from the State Police as to any requirements, suggestions or concerns the State Police may have with respect to the proposed event prior to Township approval.

Revise and replace the following in Section 26-3.4

26-3.4 Emergency Management Services.

The Township must receive written confirmation from the Upper Township Division of Emergency Management Services as to any requirements, suggestions or concerns the Division may have with respect to the proposed event prior to Township approval.

Revise and replace the following in Section 26-3.8

26-3.8 Township Administrator and Township Committee Approval.

The Superintendent of Public Works is authorized to issue the approval upon confirmation of compliance with the requirements of this Chapter; provided, however,

for an event where more than one hundred (100) participants and spectators are expected, final approval of the Township Committee is required. If an application for use of facilities is denied by the Superintendent of Public Works the applicant may request a review of the decision by the Township Committee.

Revise and replace the following in Section 26-3.11

26-3.11 Park Pavilions.

Park pavilions may be utilized by groups of seventy-five (75) persons or less without prior approval on a first come first served basis. Township residents may reserve the use of a pavilion in advance by scheduling same with the Department of Public Works Recreation Leader. For use of the pavilion by groups of more than seventy-five (75) persons, an application for use of facilities must be submitted and the applicant must comply with the other provisions of this Chapter with respect to use of facility requirements and fees.

SECTION 2: REPEALER: All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency only.

SECTION 3: SEVERABILITY: If any section, paragraph, subdivision, subsection, clause or provision of the Ordinance shall be adjudged invalid, such adjudication shall only apply to the section, paragraph, subdivision, subsection, clause or provision declared invalid and the remainder of the Ordinance shall remain in full force and effect and shall be enforceable.

SECTION 4: EFFECTIVE DATE: This Ordinance shall take effect immediately upon final adoption and publication as required by law.

SECTION 5: CODIFICATION: This Ordinance shall be codified in Chapter XXVI of the Upper Township Code commencing at Section 26-3.

ATTEST:


BARBARA L. YOUNG, Township Clerk


RICHARD PALOMBO, Mayor

NOTICE IS HEREBY GIVEN THAT THE FOREGOING ORDINANCE WAS INTRODUCED FOR THE FIRST READING AT A MEETING OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UPPER HELD ON THE 9TH DAY OF MARCH, 2020 AT THE TOWNSHIP HALL, WAS TAKEN UP FOR CONSIDERATION AS TO FINAL ADOPTION AT A PUBLIC HEARING OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UPPER HELD ON THE 6TH DAY OF APRIL, 2020, DURING WHICH TIME THE PUBLIC HEARING AND CONSIDERATION AS TO FINAL ADOPTION WERE TABLED TO A MEETING OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UPPER TO BE HELD EXCLUSIVELY BY ELECTRONIC MEANS, AS SET FORTH BELOW, ON THE 27TH DAY OF APRIL, 2020 AT 7:30 P.M. AT THE TOWNSHIP HALL, TUCKAHOE, NEW JERSEY, AT WHICH TIME SAID ORDINANCE WAS ADOPTED.

BARBARA L. YOUNG, TOWNSHIP CLERK
TOWNSHIP OF UPPER

Please be advised, the April 27, 2020 Upper Township Committee meeting will be conducted exclusively by electronic means.

The public will be able to attend the meeting and participate in public comment by utilizing a computer, tablet, or smartphone that has a microphone and speaker, or by dialing in on a telephone.

The meeting will commence electronically on April 27, 2020 at 7:30 p.m.

From your computer, tablet or smartphone:

Please go to <https://www.gotomeet.me/UpperTownship-NJ/ut-public-meeting-room>.

To dial in using your phone:

United States: 1 (872) 240-3311

Access Code: 617 672 469

New to GoToMeeting? Get the app now and be ready when the first meeting starts:

<https://global.gotomeeting.com/install/617672469>

For any questions please contact the Clerk's Office at 609-628-2011 ext. 200.

Legislative History:

Introduced: March 9, 2020

Publication: March 13, 2020

Newspaper(s): Press of Atlantic City

Second Reading & Public Hearing: April 6, 2020

Publication Electronic Meeting: April 9, 2020

Second Public Hearing: April 27, 2020

Final Adoption: April 27, 2020

Final Publication Date: April 30, 2020

I certify that the foregoing Ordinance was finally adopted by the Township Committee of the Township of Upper on April 27, 2020 and notice of adoption was thereafter published pursuant to law in Press of Atlantic City on April 30, 2020.


BARBARA L. YOUNG, Township Clerk