

TOWNSHIP OF DENNIS

**COUNTY OF CAPE MAY
STATE OF NEW JERSEY**

ORDINANCE NO. 2019-04

**AN ORDINANCE OF THE TOWNSHIP OF DENNIS AMENDING SECTION
139-13 OF THE DENNIS TOWNSHIP CODE, GOVERNING THE FEE
SCHEDULE FOR USE OF RECREATIONAL FACILITIES**

WHEREAS, Township of Dennis, a township form of government, is governed by statutes, specifically N.J.S.A. 40A:63-1, *et seq.* that allow the Township Committee to pass, adopt, amend and repeal any ordinance or, where permitted, any resolution for any purpose required for the government of the municipality or for the accomplishment of any public purpose for which the municipality is authorized to act under general law;

WHEREAS, Section 139-13 of the Revised General Ordinances of the Township of Dennis currently outlines the Fee schedule for use of the Township Recreational Facilities;

WHEREAS, Specifically, Section 139-13(A) of the Revised General Ordinances of the Township of Dennis sets forth, among other things, a requirement that a group or organization must have a permit to use the recreational facilities.

WHEREAS, Moreover, Section 139-13(B) of the Revised General Ordinances of the Township of Dennis, sets forth, among other things, the application process and required fees an individual or group must comply with in order to obtain a permit to use the Township recreational facilities;

WHEREAS, the Township Committee believes it desirable, and in the best interest of the Township and its citizens to allow Township Committee, at its discretion and on a case by case basis, to waive a portion and/or all of the requirements set forth in Sections 139-13(A) & (B), if the recreational facilities are being sought after for use by a Public Service Organization and/or its members;

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Dennis, County of Cape May, State of New Jersey as follows:

Section 1. Section 139-13 of the Township of Dennis Municipal Code is amended as follows (additions are underlined; deletions are [bracketed]):

§ 139-13. Fee schedule.

[Amended 11-15-2016 by Ord. No. 2016-08]

Editor's Note: Prior ordinance history includes Ordinance Nos. 96-07, 97-05, 97-06, 99-02, 2002-02, 2003-03, 2004-06, 2005-04, 2006-05, 2007-05, 2007-08, 2008-07.

Ordinance No. 2016-08 amended Section 139-13 in entirety.

The following schedule of fees shall be established:

A. The facilities of the Dennis Township Parks & Recreation Department are available for use by members of the public. There is no charge for individuals to use the facilities as long as it is not an organized or scheduled event and as such use does not interfere with an approved Township event, program or activity. Programs, leagues, activities and events operated or sponsored by the Dennis Township Parks & Recreation Department and Dennis Township Athletic Associations have priority use of all facilities. Providing that there are no games, practices or maintenance scheduled and adequate staff is available, the facilities listed below can be utilized by groups and organizations through the issuance of a permit by the Township Recreation Department.

Township Committee, has the authority, at its discretion and on a case by case basis, to waive a portion and/or all of the requirements set forth under Paragraph (A) should a Public Service Organization or its members, seek to use of a Township recreational facility.

B. In order to be considered for a permit the applicant must complete and submit the official “Dennis Township Facility Use Application.” Applicant will be required to execute an indemnity and hold harmless agreement and provide insurance coverage to the Township at the amount and type recommended by the Township’s risk management consultant. All necessary paperwork must be submitted at least thirty (30) days before the requested use date. If approval is granted, fees must be paid in full seven days before the event. Following the use of the Township facility, the building/field/court must be left in the same condition as it was prior to the event. Rental times must include time needed for set up and clean up. The following facilities can be utilized with a permit from the Recreation Department at the cost listed:

Baseball Field \$75 per hour, per field (no lights) – 2 hr. minimum

Baseball Field C3 \$125 per hour (w/use of lights) – 2 hr. minimum

Baseball Field C5 \$150 per hour (w/use of lights) – 2 hr. minimum

Football Game Field \$150 per hour – 2 hr. minimum

Football Practice Field \$125 per hour – 2 hr. minimum

Outdoor Basketball Courts \$75 per hour (no lights) – 2 hr. minimum

Outdoor Basketball Courts \$100 per hour (w/use of lights) – 2 hr. minimum

Tennis Court \$50 per hour – 2 hr. minimum

Gymnasium \$200 per hour – 2 hr. minimum

Hockey Rink \$75 per hour – 2 hr. minimum

Hockey Rink \$100 per hour (w/use of lights) – 2 hr. minimum

Micro Soccer Field \$100 per hour – 2 hr. minimum

MidSize Soccer Field \$125 per hour – 2 hr. minimum

Regulation Soccer Field \$150 per hour – 2 hr. minimum

Skate Night - \$2.00 admission - \$1.50 skate rental

A staff member or designee of the Dennis Township Recreation Department is required at all events to open and close the facility, to ensure that Township property and equipment are protected and to provide additional oversight as needed. If the Recreation Director determines that the size and scope of the activity requires additional staff, the applicant will be charged an additional fee of \$30. per hour per staff member.

Township Committee, has the authority, at its discretion and on a case by case basis, to waive a portion and/or all of the requirements set forth under Paragraph (B) should a Public Service Organization or its members, seek to use of a Township recreational facility.

C. For all Township civic, charitable, fraternal, philanthropic and religious not-for-profit organizations, holding a tax exempt status under the Federal Internal Revenue Code, and which have their offices or principal place of business in the Township of Dennis the fees will be reduced twenty-five percent (25%).

D. Insurance requirements. Upon the issuance of the permit, unless exempt, the applicant must provide a Certificate of Insurance, naming the Township of Dennis as an additional insured and provide the minimum liability limits:

(1) Minimum general liability limit of five hundred thousand dollars (\$500,000) per occurrence.

(2) If the insurance policy contains an aggregate limit, such aggregate shall equal double the occurrence limit.

(3) All leagues and/or teams as well as any commercial (for profit) group, which are not under the direction of the Township associations or the Recreation Department must provide general liability insurance with a minimum limit of one million (\$1,000,000) per occurrence.

(4) If the gymnasium is being used for the display of artwork, antiques, or other collectibles that are the property of others, an aggregate value must be provided of the items to be displayed, along with the required certificate of insurance.

(5) Additional insurance coverage may be required if recommended by the Township's risk management consultant.

E. Summer CAMP Fees. The Dennis Township Recreation Department Summer CAMP has a maximum number of one hundred (100) camp spaces with Package A having a limit of sixty (60) spaces. The fees are set as follows and will be further amended from time to time as needed by resolution:

(1) Package A \$625.00 (Ages 5 to 13) – Tuesday, Wednesday, Thursday Sessions 9:00 a.m. to 3:00 p.m.

(2) Package B \$375.00 (Ages 5 to 13) – Tuesday and Thursday Sessions 9:00 a.m. to 3:00 p.m.

Section 2. All other ordinances in conflict or inconsistent with this Ordinance are hereby repealed to the extent of such conflict or inconsistency.

Section 3. Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason, the remaining portions of this Ordinance shall not be affected thereby and shall remain in full force and effect, and to this end the provisions of this Ordinance are hereby declared to be severable.

Section 4. This Ordinance shall take effect within twenty (20) days of final passage and publication, as provided by law.

Zeth A. Matalucci, Mayor

Scott J. Turner, Deputy Mayor

Thomas VanArtsdalen, III, Committee Member

Matthew Cox, Committee Member

Frank L. Germanio, Jr., Committee Member

The foregoing Ordinance was introduced at a meeting of the Township Committee of the Township of Dennis on March 12, 2019. Publication will be held on March 20, 2019 and a Public Hearing will be held at a meeting of the said Township Committee to be held on April 09, 2019 at 6:30 p.m. in the Municipal Building located at 571 Petersburg Road in Dennisville.

ATTEST _____
Jacqueline B. Justice, RMC/Clerk