

**BOROUGH OF ROCKAWAY**  
**RULES AND REGULATIONS FOR USE OF PARKS AND RECREATIONAL**  
**FACILITIES**

**I. USE OF RECREATION FACILITIES (GENERAL)**

- A. The Borough of Rockaway will allow use of its facilities under certain conditions and as long as said use does not interfere with the primary function of its approved programs. All facility usage applications or requests will be considered at the discretion of the Recreation Director and any application or request may be denied, withdrawn or modified at any time.
- B. The application or request must be submitted at least two months prior to use of the facility. Applications and requests submitted less than two months prior shall be subject to a nonrefundable late fee of \$25.
- C. The Rules and Regulations, standards for approval and conditions for the use of facilities shall be defined by the Parks and Recreation Advisory Committee and shall become effective upon adoption of a resolution by the Mayor and Council and shall be filed with the Borough Clerk.
- D. The Recreation Director shall be responsible to implement and enforce the Rules and Regulations governing the use of recreation facilities adopted by ordinance or resolution authorized pursuant to this section.
- E. The Mayor and Council shall by resolution adopt and amend from time to time the Rules and Regulations governing the use of recreation facilities.
- F. The seasonal schedule shall be determined as follows: December 1 through February 28, March 1 through June 30, July 1 through August 31, September 1 through November 30.
- G. The priorities for use of facilities are set forth below:
  - (1) Priority 1: Groups, departments and agencies of the municipal government directly approved and financed by the Borough of Rockaway will have first-priority use. No fees will be charged to Priority 1 groups.
  - (2) Priority 2: Schools located in the Borough of Rockaway. No fees will be charged to Priority 2 groups with the exception of Memorial Park playground fee listed in Chapter A263, Fees of the Borough Code.
  - (3) Priority 3: Community organizations formed for charitable, civic, or social purposes. No fees will be charged to Priority 3 groups.

- (4) Priority 4: Outside groups, business entities or other. Priority 4 groups will be assessed fees for the use of facility or facilities as provided in Chapter A263, Fees, of the Borough Code.

H. Standards for approval and conditions for use of facilities include:

- (1) Facilities are not available when in use by recreation programs.
- (2) Facilities use will not be granted for commercial, profit-making or political activity, except as stated in Priority 4.
- (3) The Mayor and Council and/or Recreation Director of the Borough of Rockaway will determine the priority of an application and any application may be denied at any time.
- (4) The Mayor and Council reserves the right to deny an application and to withdraw permission for the use of facilities, even after permission has been granted, including, but not limited to any organization that has willfully made misrepresentation on the application or whose members violate the rules for use of said facility.
- (5) Permission to use a facility is not transferable.
- (6) Permission is withdrawn on any day when the facility is closed for inclement weather, work stoppage, poor field conditions or any other emergency.
- (7) The use may not exceed the capacity of the facility used.
- (8) The use must not involve gambling or games of chance.
- (9) Games to be played under the lights must start no later than 8:00 p.m.
- (10) The Department of Public Works or the Recreation Director may close down a site when the condition of the site is deemed unsafe or where use of that site would cause damage to the playing area (such as after heavy rains).
- (11) All persons, organizations and groups using any Borough Recreational Facility, park, field or other recreational area shall be obligated to comply with any and all ordinances, rules, regulations, policies or directives of the Borough of Rockaway governing the use of such facilities.
- (12) Applicants granted uses of facilities are responsible for the proper supervision of all participants and spectators. All such applicants shall also be responsible for ensuring that minors are not left unattended at any time.

- (13) All applicants granted use of Borough fields or facilities shall be responsible for reporting any damage caused or observed and/or any other problems encountered with any field, facility or municipal property to the Borough no later than twenty-four (24) hours of discovery.
  - (14) Applicants shall be responsible for disposing of any garage or debris and for ensuring that fields and facilities are left in a clean and orderly condition
- I. All groups who desire to use Borough-owned facilities must submit an application that shall include but not limited to the following information:
- (1) The name, address and telephone number of the organization and of the responsible person;
  - (2) Acknowledgment of successful background check(s) within the past year for all individuals who will supervise, coach, train or instruct any minor children, if applicable;
  - (3) Coaches and volunteers must possess Rutgers Safety Clinic Certification, if applicable;
  - (4) Groups must comply and adhere to the Rockaway Borough Recreation Code of Conduct in connection with any sports event and, if required, under the Code of Conduct, submission of the Code of Conduct forms by the participants, parents and coaches;
  - (5) Acknowledgment of sufficient and readily accessible standard first aid supplies including ice packs;
  - (6) How participants will be notified if the activity is cancelled or delayed;
  - (7) A representation that the applicant understands that the Borough's determination as to whether its facilities are unplayable or otherwise unusable is final, and that no refunds will be given;
  - (8) A copy of the registration form, along with a waiver, indemnification and hold harmless in accordance with Subsection 10 below and in a form acceptable to the Borough Attorney waiving and releasing any liability on the part of the Parks and Recreation Advisory Committee and the Borough of Rockaway in connection with the use of the field or facility;
  - (9) A copy of the organization's business registration certificate, if applicable;
  - (10) As a condition of use, applicants must sign a waiver, indemnification and hold harmless agreement in which they expressly agree to assume all risks in connection with the use of the facility or field and waive and relinquish

any and all claims and causes of action against the Borough of Rockaway, Mayor and Council of the Borough of Rockaway and its departments, agencies, boards, commissions, elected officials, officers, employees, agents, servants, successors, assigns, designees, guests and invitees arising out of the use of the facility or field. All such applicants must further agree to indemnify and defend the Borough against any and all liability, loss and damages arising from or relating to injury or damage to persons or property in connection with the use of the field or facility;

- (11) Proof of insurance coverage for participants, employees and volunteers; and
- (12) Insurance policies and coverages of the kinds and amounts, and Certificate of Insurance, hereinafter provided:
  - (a) Comprehensive general liability insurance against claims for bodily injury and property damage occurring on, in or about the facility and the adjoining streets, sidewalks and passageways, in an amount not less than \$1,000,000 each occurrence, \$2,000,000 general aggregate; \$100,000 damages to rented premises; and \$10,000 medical expense; and
  - (b) Comprehensive automotive liability insurance against claims for bodily injury or property damage in combined single limit amount of not less than \$1,000,000, if the organization using the facilities will be operating vehicles on the Borough's property; and
  - (c) Workers' compensation and employers' liability insurance coverage of all of Organization's employees to include owners of sole proprietors, partners, executive officers, and members of limited liability corporations (LLC), if the organization has an employer/employee relationship. All such insurance shall be in amounts required by New Jersey law.

A Certificate of Insurance shall be filed with the Borough evidencing the policies and coverages specified under [1] and [2] above and naming the Borough of Rockaway, Mayor and Council of the Borough of Rockaway and its departments, agencies, boards, commissions, elected officials, officers, employees, agents, servants, successors, assigns, designees, guests and invitees as an **additional insured** on a Primary and non-contributory basis. Such policy or policies shall provide that the coverage afforded thereunder shall not be canceled, terminated or materially changed without at least thirty (30) days advance written notice to the Borough. The existence or approval of any insurance policies hereunder is not intended to and shall not be construed as a limitation of any liability assumed by or imposed upon the applicant or organization as a condition of application or approval for the use of the field or facility, pursuant to the terms of any hold harmless, indemnification or waiver agreement signed by the applicant or organization, and/or as a limitation on the extent of the applicant's or Organization's responsibility for

payment of damages resulting from use of the facility(ies) pursuant to such application or approval.

The Borough reserves the right to require additional insurance coverages, increase the amounts and/or alter the types and terms of the coverages specified herein, depending on the facility requested and the use of the facility and/or as directed or recommended by its risk manager, insurance consultant, insurance carrier, attorney or as otherwise appropriate.

## **II. PARKS AND RECREATIONAL FACILITIES**

A. As used herein, “Parks and Recreational Facilities” shall include all public parks, playgrounds, athletic fields, public beaches, recreation facilities and parking lots publicly owned by the Borough of Rockaway and all property owned by the Borough of Rockaway upon which the public is invited or upon which the public is permitted and where individuals gather for recreational activities including all areas adjacent to such facilities, including, but not limited to, any parking area, driveway or drive aisle, including, but not limited to the following:

- (1) Memorial Park located at 33 Maple Avenue.
- (2) Centennial Park located at 1 Centennial Drive.
- (3) Smith Field located at 85 West Lincoln Avenue.
- (4) Friendship Field located at 109 Lakeside Drive.
- (5) Donatoni Community Park located at 199 W Main St.
- (6) Park Lake located at 165 Lakeside Drive.
- (7) Jackson Avenue River Park located at 80 Jackson Ave.
- (8) Beach Street River Park located at 150 East Flagge St.

## **III. RULES AND REGULATIONS FOR ALL PARKS AND RECREATIONAL FACILITIES**

The following Rules and Regulations shall apply to all Parks and Recreational Facilities within the Borough of Rockaway.

A. In addition to any other federal, state, local or municipal laws, regulations, ordinances, the following is prohibited at all times in all Parks and Recreational Facilities:

- (1) Operation of motor vehicles of all types, including but not limited to dirt bikes, motorcycles, ATV vehicles and snowmobiles; except police, emergency and Borough-owned vehicles.
- (2) Hunting.
- (3) Fires of all types including charcoal burners.
- (4) Littering or dumping.
- (5) Domestic animals (e.g., dogs, cats, horses, etc.) with the exception that dogs are permitted on the walkway section of Donatoni Community Park provided they are kept on a leash, remain on the walkway and do not enter the recreation or playground areas of Donatoni Community Park. Dog owners must clean up after their dogs pursuant to Chapter 121 of the Borough Code.
- (6) Parking on any grass area.
- (7) Digging and/or removal of natural fauna or floral.
- (8) Possession or consumption of any alcoholic beverage, except and unless a permit is obtained in accordance with § 91-18 of the Borough Code.
- (9) The burning of, inhaling from, exhaling the smoke from, or the possession of a lighted cigar, cigarette, pipe or any other matter or substance which contains tobacco or any other matter that can be smoked, or the inhaling or exhaling of smoke or vapor from an electronic smoking device.
- (10) Feeding waterfowl or other animals.
- (11) Golf.
- (12) Overnight camping.
- (13) No signs, posters, advertisements or other displays may be placed on recreation property without the approval of the Borough Administrator and/or Recreation Director.

B. Operating hours of the playground and park areas are as follows:

- (1) Playgrounds: dawn to dusk daily.
- (2) Lighted Basketball and Hockey Court: dawn to 10:00 p.m. at Memorial Park.

- (3) Unlit Basketball Courts: dawn to dusk daily at Centennial Park.
- (4) Park areas: dawn to dusk daily.

C. Regulations for fields are as follows:

Priorities as to use of Recreation Areas will first be given to Recreation Activities as follows unless otherwise determined by the Recreation Director:

- (1) Smith Field: Little League Baseball and Softball.
- (2) Heady Field/Memorial Park Complex: League Baseball and Softball, Women's Softball and Fall Soccer.
- (3) Friendship Field: Soccer.
- (4) Donatoni Community Park: Youth Softball and Baseball, Soccer and Football.

#### **IV. RULES AND REGULATIONS - PARK LAKE**

In addition to the rules above, the following Rules and Regulations apply to all Borough property situated at Park Lake.

- A. The Beach Area is described as the area from the dam at the south end of the lake, east to Academy Street and terminating at the far end of the swim team docks on the east side of the lake. Operating hours of the Beach are as determined by the Recreation Director on a yearly basis.
- B. The Picnic Area is described as the area from the dam at the south end of the lake north to the Rockaway Township line and includes all the area on the west side of the lake. Operating hours are 9:00 a.m. to dark daily.
- C. The Park Area is described as the area on the east side of the lake from the Swim Team Docks north to the Rockaway Township line. Operating hours are 9:00 a.m. to dark daily.
- D. The Walkway is defined as the macadam road located around the perimeter of Park Lake.
- E. The following are prohibited at all Borough property situated at Park Lake.
  - (1) Use of glass or any products made of glass.
  - (2) Domestic animals (e.g., dogs, cats, horses, etc.) with the exception that dogs are permitted on the Walkway provided they are kept on a leash, remain on

the walkway and do not enter the Beach, Picnic, or Park areas. Dog owners must clean up after their dogs.

(3) Motor boats of all types.

F. In addition to the above, the following Rules and Regulations also apply to the Beach Area of Park Lake:

- (1) Beach tags must be worn at all times by all persons 5 years of age and older.
- (2) Guest tags are required by all guests 5 years of age and older. Fees are determined by ordinance.
- (3) Children under 12 years of age must be accompanied by a responsible adult.
- (4) Beach Rules are as posted on the side of storage building and as provided by lifeguards and swimming instructors.
- (5) Outdoor shower area is reserved for beach patrons and swim team members only.

G. The following are prohibited at the Beach Area of Park Lake.

- (1) Fishing.
- (2) Rubber or plastic boats.
- (3) Inflatable flotation devices, except within wading area unless the wearer can successfully demonstrate the ability to swim to the docks and back.
- (4) Open or unguarded swimming in the area reserved for swim team practices and meets and lessons.

H. Fishing at Park Lake - The following rules and regulations apply to the use of Park Lake for fishing:

- (1) Open hours are: Sunrise to Dark daily.
- (2) Fishing is prohibited in the Beach Area. (See Section G.1 above).
- (3) Fishing is prohibited on or in swim dock area located on Academy St.

**V. RULES AND REGULATIONS – BEACH STREET RIVER PARK AND JACKSON AVENUE RIVER PARK**

A. Park hours.

- (1) The Beach Street River Park and Jackson River Park shall be open from dawn to dusk daily.

B. Prohibited activities. In addition to the rules above, the following activities are prohibited at all times:

- (1) Open swimming along the river.

**VI. GENERAL**

A. The use of any facility for purposes other than described above must be obtained in writing from the Recreation Director. Forms are available through the Borough Clerk.

B. The Mayor and Council may offer a reward for information leading to the apprehension of any person or persons guilty of committing theft, vandalism or defacement of Recreation facilities.

C. The Recreation Code of Conduct shall be posted at all recreational areas.