

TOWN OF MORRISTOWN

ORDINANCE O - 9 - 99

**AN ORDINANCE AMENDING CHAPTER 146
OF THE CODE OF THE TOWN OF MORRISTOWN
ENTITLED "PARKS AND PLAYGROUNDS"**

WHEREAS, the Town has a number of parks, playgrounds, fields and courts which are periodically used by residents and local groups for organized activities; and

WHEREAS, the Town has an interest in promoting the safe and appropriate use of these facilities and at the same time preventing overuse or misuse of the facilities; and

WHEREAS, in order to insure compliance with park rules, it is deemed necessary and appropriate to require a recreational field or court permit as appropriate.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Morristown, being the governing body thereof, as follows:

SECTION I. The Morristown Code Chapter 146, entitled "Parks and Playgrounds" is hereby amended by amending Section 146-31A to read:

146-31A. FIELD, PLAYGROUND AND COURT PERMITS.

- A. A permit shall be required for the use of a Morristown field, playground or court for use under any of the following circumstances:
 - 1 Except as otherwise determined by the Director of Human Services, when there are more than 25 participants and/or spectators in attendance. The Director shall evaluate each park and playground to determine the appropriate maximum number of participants and/or spectators for purposes of requiring a recreational field or playground permit.
 - 2 Any equipment is needed to be installed temporarily on the field playground or court, including but not limited to soccer goals, volley ball nets and the lining of any field. No permanent installations of equipment may be installed.
 - 3. Any field, playground or court will be used for any sport purpose other than for which it was specifically created.
 - 4. The field, playground or court will be used for "organized" games. Games will be considered organized if (a) there is a referee, umpire or other official; (b) teams are part of a league; (c) teams have uniforms; (d) there

is a charge to any team or player for participating; (e) there are trophies, medals or other prizes offered to individuals or teams; (f) spectators are invited; or (g) a group of ten or more of the same players or essentially the same players regularly gather to play at the same time and place.

5. The game or event is sponsored by a business or organization.
6. A person or group elects to reserve the field for exclusive use for a period of time.

B. Permits for use of the field, playground or court shall be obtained by an application in writing to the Recreation Division in accordance with the following procedures:

1. The person or group of persons seeking issuance of the permit shall file an application in writing with the Recreation Division, stating (a) the name and address of the applicant; (b) the name and address of person, persons corporation or association sponsoring the activity, if any; (c) the day and the hours for which the permit is desired; (d) the park or portion thereof for which the permit is desired; (e) a reasonable estimate of the anticipated attendance; (f) the type of game or activity for which the permit is desired; (g) the anticipated age group of the expected participants; (h) such other information as may be reasonably required.
2. The permittee shall provide a certificate of liability insurance in an amount not less than a \$1 million, combined single limit, naming the Town of Morristown as an additional insured.
3. All permit holders shall be responsible for: (a) insuring that all participants and spectators adhere to park rules, and for summoning the police if individuals fail to do so; (b) insuring that the field or court is in a safe condition prior to allowing players to proceed and for reporting unsafe conditions to the Recreation Division not later than one business day after its use; (c) insuring that upon conclusion of the use, the field, playground or court is left in the same condition in which it was found, including removal of any equipment, and cleanup and proper disposal of any litter; (d) compliance with any special conditions imposed on the permit by the Recreation Division.

C. The Recreation Division may refuse to issue a permit where the applicant has violated the conditions of a permit issued on a previous occasion, and may also, rescind a permit which has been issued for a material misrepresentation of fact on the application.

SECTION II. Section 146-31B(2) is hereby amended to read as follows:

- a. Permittee is able to provide a certificate of liability insurance in an amount not less than \$1 million combined single limit. This insurance requirement shall not apply to political and religious rallies or meetings.

SECTION III. All references within Chapter 146 to the Director of Public Services are hereby amended to refer to the Director of Human Services. All reference to the Department of Public Services are hereby amended to refer to the Department of Human Services.

SECTION IV Severability. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to that section, paragraph, subdivision, clause or provision, and the remainder of this Ordinance shall be deemed valid and effective.

SECTION IV. Repealer. All Ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION VI. Effective Date. This ordinance shall take effect upon passage and publication as required by law.

ATTEST:

ADOPTED:

 William M. Chambers,
 Town Clerk

 John J. DeLaney, Jr.
 Mayor