

*****ADOPTED DECEMBER 5, 2011*****

TOWNSHIP OF DELANCO

ORDINANCE 2011-28

**AMENDING THE TOWNSHIP CODE
AT CHAPTER 216 GOVERNING
“PARK AND PUBLIC PROPERTY REGULATIONS”**

WHEREAS, the Township Committee of the Township of Delanco (“Township”), based upon comments from the Recreation Commission and the public, would like to further clarify and amend the existing provisions of Chapter 216, to rename same to “Park and Public Property Regulations,” and to establish and amend hours of operation; and

WHEREAS, the Township desires to distinguish between active and passive parks; and

WHEREAS, comments were further obtained from the Public Works Supervisor and the Chief of Police; and

WHEREAS, the Township finds these revisions to be in the best interests and furtherance of the health, safety and welfare of its residents and the public at large.

NOW, THEREFORE, BE IT HEREBY ORDAINED by the Township Committee of the Township of Delanco, County of Burlington, State of New Jersey that the Code of the Township of Delanco be amended as follows:

SECTION ONE.

Chapter 216, governing “Park Regulations” is hereby amended as follows:

§ 216-1, governing “Definitions” is amended to include the following definitions:

ACTIVE PARK PROPERTY: Active Park Property shall mean park property that is the subject of active recreation, including baseball, softball, soccer, and the like. By way of example and not limitation, this shall include the following properties:

- (a) Joseph C. Phile Memorial Fields (also referred to as the West Avenue Fields);
- (b) The Babe Ruth Field (also referred to as the A.A. Field, Hickory Street); and
- (c) The Field of Dreams/ Delanco Community Park (Creek Road).

COMPOST FACILITY: The Compost Facility is located within the center of the Dunes parcel (described under Passive Park Property below), and is the Public Works active facility for collection of leaves and similar debris for storage and processing prior to distribution or disposal.

MUNICIPAL BUILDING PROPERTIES: The Municipal Buildings shall include the main offices and Police facilities at 770 Coopertown Road and the Public Works Building at 750 Coopertown Road, as well as the property surrounding the buildings at both sites.

PASSIVE PARK PROPERTY: Passive Park Property shall mean park property that is generally open to the public for passive uses such as running, walking and sitting. By way of example, and not limitation, this shall include:

- (a) Gateway Park (at Burlington and Rancocas Avenues);
- (b) The Dunes (West and Beaver Avenues);
- (c) Vine Street Park (at Burlington Avenue and Vine Street);
- (d) Zurbrugg Waterfront Park (Delaware Avenue between Willow and Union Avenues).

PASSIVE PUBLIC AREA: Passive Public Area shall mean public property that is open and available to the public but not formally established or maintained as a park. By way of example, and not limitation, this shall include:

(a) Delaware Avenue Street Ends at the intersections of:

- (1) Willow Street,
- (2) Union Avenue,
- (3) Walnut Street,
- (4) Hazel Avenue,
- (5) Edgewood Avenue,
- (6) Center Avenue,
- (7) Oakford Avenue,
- (8) Maple Avenue, and
- (9) Lilac Avenue;

(b) Rancocas Avenue Street Ends at the intersections of:

- (1) Buttonwood Street, and
- (2) Ash Street.

§ 216-5, governing “Time restrictions” is hereby amended as follows:

The conduct, operation or use of any Active Park Property or part thereof shall be limited to the hours between 9:00 a.m. and dusk, unless prior approval has been received from the Recreation Commission, but in no event earlier than 7:30 a.m. and no later than 10:00 p.m.

The Compost Facility shall not be open to the public at any time during which the Public Works Department has any compost material or equipment stored on the property. When the Compost Facility is not being used for any composting operation or equipment storage for same, prior

approval may be granted by Public Works and the Recreation Commission to make that area available for limited public access.

The Municipal Building Properties shall be limited to the parking area, driveways and walkways open and accessible to the public whenever the buildings or services are open for business or meetings, or when a member of the public has business with the Township. Presence or use of the Municipal Buildings Properties is otherwise prohibited.

The conduct, operation or use of any Passive Park Property or part thereof shall be limited to the hours between dawn and 10:00 p.m, except the Dunes property, which shall close at Dusk, unless prior approval has been received from the Recreation Commission, but in no event no later than 10:00 p.m.

The conduct, operation or use of any Passive Public Area or part thereof shall be limited to the hours between dawn and 10:00 p.m.

SECTION TWO: All Ordinances and provisions thereof inconsistent with the provisions of this Ordinance shall be and are hereby repealed to the extent of such inconsistency.

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

SECTION FOUR: This ordinance shall take effect immediately upon final passage and publication according to law.