

EXPLANATION: An Ordinance amending and supplementing the rules for use of the Municipal Beach.

BOROUGH OF MOUNT ARLINGTON

ORDINANCE NO. 06-2020

**AN ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER 123-22 REGARDING THE RULES FOR USE OF
THE MUNICIPAL BEACH IN THE BOROUGH OF MOUNT
ARLINGTON**

BE IT ORDAINED by the Borough Council of the Borough of Mount Arlington in the County of Morris, State of New Jersey, as follows:

Section I. Chapter 123-22 of the Borough Code shall be amended and supplemented to read as follows (additions are underlined and deletions, if any, are in [brackets]):

§ 123-22 Rules for use of Municipal Beach.

A. The Municipal Beach shall be open to [the public] residents of the State of New Jersey only during the hours between sunrise and dusk. Reasonable access shall be afforded for residential and non-residential use of the Municipal Beach, however capacity limits may be set by Resolution of the Governing Body to ensure public safety.

B. In order to provide funds to improve, maintain and police the Municipal Beach and to protect the same from erosion, encroachment, or otherwise, and to provide facilities and safeguards for recreation, including the employment of lifeguards and other necessary personnel, reasonable fees shall be charged any person seeking access to the Municipal Beach and recreational facilities from Memorial Day through Labor Day. Such fees shall be set by Resolution of the Borough Council as provided for in this Chapter, and shall be set in accordance with applicable law. The setting of such fees shall also take into consideration those amounts already paid by any person paying ad valorem taxes to the Borough to provide funds for the forgoing purposes.

C. Unless determined otherwise by a Resolution of the Borough Council, the general operating season shall commence on Memorial Day and continue through Labor Day. During the operating season all persons using the Municipal Beach during operating hours shall obtain and display an appropriate beach badge. Lifeguards or other necessary attendants employed by the Borough shall be permitted to enforce the requirements set forth in this subsection. Fees for the purchase of beach badges shall be set yearly by Resolution of the Borough Council.

D. Parking placards shall be provided to residents and non-residents for access to the public parking at the Municipal Beach. Parking placards shall serve as a parking pass, which shall be displayed conspicuously on the driver's side dashboard in a form to be approved by the Chief of Police, and at a cost confirmed yearly by Resolution of the Borough Council consistent with the requirements of this Chapter. Borough Police or other necessary attendants employed by the

Borough shall be permitted to limit capacity and enforce the requirements set forth in this subsection so as to ensure public safety.

[B]E. No one under the age of 15 shall be permitted on the Municipal Beach unless accompanied by a person 18 years or older, who shall remain at the Municipal Beach at all times during which the child is at the Municipal Beach.

[C]F. All rules posted on the signs at the Municipal Beach shall be observed at all times.

[D]G. No fishing is permitted in the lake at the Municipal Beach during Municipal Beach hours.

[E]H. Signs shall be posted at the Municipal Beach indicating that swimming in the absence of lifeguards is [at the risk of the swimmer] prohibited.

[F]I. No bicycles or other wheeled vehicles other than strollers or wheelchairs are allowed on the docks at the Municipal Beach.

[G]J. Wrestling, running, punching, pushing or pulling others into the lake is prohibited.

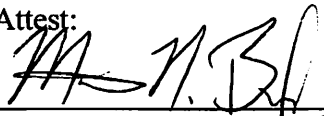
[H]K. Any person, adult or minor child, who fails to obey the instructions of the Municipal Beach Lifeguards will be ejected from the Municipal Beach by the Borough Police, pursuant to Section § 123-16 of this chapter.

I. The use of profanity, or other conduct at the Municipal Beach that disturbs the peace and good order of the Borough will lead to the ejection of persons from the Municipal Beach by the Borough Police, pursuant to Chapters 123 and 127 of the Borough Code.


Section II. 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 so adjudged, and the remainder of the Ordinance shall be deemed valid and effective.

Section III. This Ordinance shall take effect upon final passage and publication according to law.

Attest:


Matthew N. Bansch, Borough Clerk

BOROUGH OF MOUNT ARLINGTON


Michael Stanzilis, Mayor
Borough of Mount Arlington