



## Legislation Text

File #: 13-0335, Version: 1

### **AN ORDINANCE AMENDING TITLE 2, CHAPTER 12, OF THE REVISED GENERAL ORDINANCES OF THE CITY OF NEWARK, NEW JERSEY (2000) AS AMENDED AND SUPPLEMENTED, & TO ESTABLISH A FEE SCHEDULE FOR CERTAIN RECREATIONAL SERVICES**

**Deferred 8-h 080713**

**Deferred 9-e 090513**

**Deferred 9-b 091813**

**No Action Taken 9-c 100213**

**No Action Taken 9-c 101013**

WHEREAS, the City of Newark has historically borne all expenses for providing recreational activities to residents and non-residents who use recreational facilities built and maintained by the City of Newark; and

WHEREAS, budget constraints now require that the City of Newark seek alternative means to offset certain of the costs associated with providing recreational activities and maintaining facilities; and

WHEREAS, many municipalities have established fee schedules for the use of facilities, participation in programs and renting facilities for private use, including the Cities of Elizabeth, Jersey City and East Orange; and

WHEREAS, it is the recommendation of the Director of the Department of Neighborhood and Recreational Services to amend the Revised General Ordinances of the City of Newark to establish a fee schedule for certain recreational services.

BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK, NEW JERSEY THAT:

Additions are in **bold and underlined** and deletions are shown as ~~stike-throughs~~.

Section 1, Title 2, Chapter 2, Section 1.6. of the Revised Ordinances of the City of Newark (2000) to be supplemented as follows:

2:12-1.6. Division of Recreation and Cultural Affairs

(a) There shall be within the Department of Neighborhood and Recreational Services a Division of Recreation and Cultural Affairs, the head of which shall be the Manager, Division of Recreation and Cultural Affairs. This Division shall serve as the local arts agency for the City of Newark.

(b) The Division of Recreation and Cultural Affairs, under the supervision of the Director of Neighborhood and Recreational Services, shall be responsible for the following duties: plan, initiate, organize, direct and execute City programs for recreation and cultural activities; administer and implement a comprehensive Recreational and Cultural Affairs program for the children and citizens of the City of Newark; and publicize and disseminate information on the recreational activities and services and cultural events available within the City of Newark.

(c) Fee Schedules for Recreational Services:

(1) Newark Resident and Non-Resident Membership fees

Newark Resident and Non-Resident Annual Membership Fees (all fees are per person unless otherwise noted)

Resident Fee Non-Resident Fee

Description- Membership Privileges

(a) Recreation Centers (Excluding Pools ) Membership (Per Person) (Includes the general use of the facility, including but not limited to the Computer room, weight room, pool tables, swimming pool and activities noted as free)	None	\$75
ID Card Charge	\$5	\$10
Family Membership (Each additional person shall be charged \$20 per person for a non-resident) (Includes the general use of the facility ,including but not limited to the computer room, weight room, pool tables, and activities noted as free)	\$5 per person	\$200
ID Card Charge	\$5 per person	\$5 per person
Senior Citizen (65 & older) Covers all programming fees for Newark residents only	None	N/A
ID Card Charge	\$2	N/A
Daily Charge for Green Acres Funded Recreation Centers (Without a Membership)	\$2	\$4
<ul style="list-style-type: none"> <li>• Boylan Recreation Center (916 South Orange Avenue</li> <li>• Jesse Allen Park (39-57 Avon Avenue)</li> <li>• Kasberger Field (415-439 Fifth Street)</li> <li>• Nat Turner Park / Hayes Park West Rec. (251-289 Eighteenth Ave)</li> <li>• St. Peters Park (352-368 Lyons Avenue)</li> </ul>		
ID Card Charge	\$5 per person	\$5 per person
(b) Seasonal Pool Membership (June through August)		
Pool Membership (Residents-Only Seasonal Membership) (Covers all swimming programming fees)	<u>Resident</u> None	<u>Non-Resident</u> N/A
ID Card Charge	\$5.00	\$10
Daily Charge (Boylen Street and St.Peter's Pools, only) (Without a membership)	\$1 per day	\$2 per day
ID Card Charge	\$5.00	\$10
Family Membership (Family of up to 6 people)	None	N/A

(Each additional person shall be charged  
An additional \$5 per person for each  
Additional family member domiciled together)  
(Covers all swimming programming fees)

ID Card Charge	\$5 per person	N/A
Senior Citizen (65 & older) (Covers all swimming programming fees)	None	N/A
ID Card Charge	\$2	N/A

(b) General Recreational  
Activities & Programs

Resident Fee      Non-Resident Fee

Acting & Drama Classes	None	Included in Membership
Aerobics (Land)	None	Included in Membership
Aerobics (Water) - 6 weeks	\$40	\$100
Art Instruction	None	Included in Membership
Basketball Clinics	\$30	\$50
Basketball Leagues (Summer)	\$150	\$200
Participation in Boxing Events		
Youths	\$1	\$2
Adults	\$5	\$10
Bicycle Tour / Event registration	\$5	\$10
Camp Watershed (per session)	\$50	N/A
Camping (overnight)	\$0	N/A
Fishing Derby (Youth Watershed)	Free	N/A
Fishing Derby (Senior Watershed)	Free	N/A
Ski Program	\$20	N/A
Cheerleading Clinics	Free	N/A
Community Drum & Rhythm	Included in membership	Free
Dance Instructions (6 sessions)		
Adults	\$5	\$10
Children (16 and under)	Free	\$ 5

Salsa, Line Dancing, Hip-Hop, etc.

Adults	\$5	\$10
Children (16 and under)	Free	\$ 5

Etiquette Program (per class) \$20 \$35

[For events at a Green Acre site - not to exceed two-timesthe resident fee]

Golf Camp (8 weeks)	\$20	\$40
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Ice Skating		
Youths	\$1	\$3
Adults	\$2	\$5

Lifeguard Training Course	\$75	\$150
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Lifeguard Re-Certification	\$50	\$100
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(d) Misc. Recreational activities & Programs	Resident Fee	Non-Resident Fee
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Newark Distance Classic	Fees will vary for this tri-statewide activity	
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Soccer Camps (40 hrs.)	\$15	\$25
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Soccer Clinics (8 hrs.)	\$10	\$15
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Swimming Lessons	Included in membership	N/A
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Swimming pool usage	Included in membership	N/A
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Visitor day pass (swimming pool)		
Child \$3 \$5	Valid only if accompanied by a valid Membership holder	
Adult (18 & older)	\$5	\$10

Tennis Camp (6 weeks)	\$20	\$40
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Track & Field Clinic (1 week)	\$10	\$15
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Tumbling/Acrobatics (6 weeks)	\$20	\$50
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Weight room	Included in membership	Included in membership
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Yoga Classes (8 sessions)	\$20	\$50
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Zumba (8 sessions)	\$20	\$50
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(e) Recreation Center (Rentals)

(All rentals must be accompanied by the execution of a hold harmless agreement and the provision of a

certificate of insurance evidencing commercial general liability insurance of at least \$1 million dollars per occurrence, or such greater amount set by the City of Newark's Risk Manager.

JFK Recreation Center (4 hours)	Residents: \$1000 Non-Residents: \$1500
Ironbound Recreation Center	Residents: \$750 plus the cost of insurance Non-Residents: \$1,000 plus the cost of insurance
Ironbound Ice Rink (4 hours)	Residents: \$500 plus the cost of Insurance Non-Residents: \$1,500 plus the cost of insurance
All other Rec. Centers	Residents: \$ 425 plus the cost of insurance Non-Residents: \$700 plus the cost of insurance

Locker Fees (8 Hours)	\$1.00	\$1.00
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Resident Fee                      Non-Resident Fee

(f) Park Field Permits Excluding Special Events which are governed by Revised Ordinance [insert reference]) All City parks & fields (4 hours a day)	\$25	\$750
Non-Profit Organization Use of Park (/ 4 hours per day) (Whole Day)	\$25 \$250	\$750 \$750
For Profit Organization Use of Park (4 hours per day)	\$750	\$1000
Wenger Wagon Rental (8 hr. rental)	\$1,000	\$1,500
Security Deposit	\$500	\$250

(g) Pequannock Watershed Permit Fees

Hiking/Cross Country Skiing (Yearly Fee)	
Newark Resident	\$ 6
Non-Newark Resident	\$12
Newark Senior Citizen	\$ 3
Non-Newark Senior Citizen	\$ 6

Horseback Riding (Yearly Fee)	
Newark Resident	\$19.50

Non-Newark Resident \$34.50

Hunting

(Yearly Fee)

Newark Resident \$22.50  
Non-Newark Resident \$45.00  
Newark Senior Citizen \$12.00  
Non-Newark Senior Citizen \$22.50

Fishing

(Yearly Fee)

Newark Resident \$12.00  
Non Newark Resident \$22.50  
Newark Resident Family \$30.00  
Non-Newark Resident Family \$30.00  
Newark Resident Senior Citizen  
\$ 6.00  
Non-Newark Resident Senior Citizen  
\$12.00

Boat Launching

(Yearly Fee)

Newark Resident \$15.00  
Non-Newark Resident \$30.00  
Newark Resident Daily \$ 6.00  
Non-Newark Resident Daily \$ 6.00

Recreation Facilities Funded by Green Acres

- Boylan Recreation Center (916 South Orange Avenue)
- Jesse Allen Park (39-57 Avon Avenue)
- Kasberger Field (415-439 Fifth Street)
- Nat Turner Park / Hayes Park West Rec. (251-289 Eighteenth Ave)
- St. Peters Park (352-368 Lyons Avenue)

(h) Permit Application

CITY OF NEWARK  
DEPARTMENT OF NEIGHBORHOOD & RECREATIONAL SERVICES  
DIVISION OF RECREATION & CULTURAL AFFAIRS  
PERMIT RULES AND REGULATIONS:  
(PARKS/FIELDS/POOLS/RECREATION CENTERS)

APPLICANT:

An application does not constitute or suggest approval.

Please read and complete all instructions.

1. Type or print on this application.

2. When applying for use of a Recreation Center or pool you must start the application process by picking up an application at the location you are requesting. Written approval must be given by the Recreation Center Director prior to submitting application.  
(see pg. 1 of application)

3. The Hold Harmless Agreement, Certificate of Insurance, and completed (original) insurance policy must be attached to the permit application. The completed packet must be returned to the Central office:

Division of Recreation & Cultural Affairs  
94 William Street, 2nd floor  
Newark, New Jersey 07102

4. Applicant must be a City of Newark Resident (or for a Green Acres Funded Facility, a resident of the State of New Jersey); application must include 2 forms of proof of residency. (utility bill, tax bill, mortgage, lease, etc.)

5. The use of the City of Newark's properties by the aforementioned person or organization is contingent on the submission of a certificate of insurance attached to your application to be reviewed by the Law Department and submitted "THREE WEEKS PRIOR TO THE DATE OF USE".

6. After all paper work is submitted, the applicant will be notified with an approval or disapproval of application, and when applicable identification badges will be issued.

7. Facility supervisor and applicant will be informed of the formal decision and a schedule of activity period.

8. The Certificate of insurance MUST indicate the following:

1. Minimum protection limits \$3,000,000.00 aggregate liability and \$25,000.00 property damage liability.

2. The Certificate must contain the following statement that becomes a binding part of the insurance policy and which may not be modified or limited in any matter.

The City of Newark is included as an additional insured and the insurer agrees to indemnify, protect, defend, and hold harmless the City of Newark, it's agents, servants and or employees from any and all claims of any type, nature or description, actions, complaints, judgments, causes or actions, demands, rights, damages, costs, expenses including but not limited to property damage and/or personal injury, arising out of or related to use of the City of Newark permit and/or property.

#### RULES GOVERNING USE OF NEWARK RECREATION FACILITIES BY OUTSIDE ORGANIZATIONS AND INDIVIDUALS

##### 1. GENERAL:

A. Any application and approval for use of City facilities shall not constitute a landlord/ tenant relationship, but shall merely constitute a license/permit, which is revocable for good cause.

B. All licenses/permits granted for the use of City facilities shall be restricted to responsible organizations or adult individuals. Applicant must satisfy the City of Newark's representatives that they are responsible, that they guarantee orderly Behavior, and that they will underwrite any damage (s) due to their use of the premises.

C. The City of Newark assumes no liability of the applicant and requires that the applicant assume responsibility for the preservation of order in areas used and liability for any damage to loss of property during the occupancy, and agrees to save the City of Newark, its agents, servants, or employees, free from liability for injury or damage to any person on the City facility during the terms of the license/permit.

D. Applicants will be responsible for the actions of its members, invitees, and others who use the facilities under their auspices. Abuse of the license/permit shall constitute grounds for cancellation of reservations already made and refusal of new reservations.

E. The City of Newark assumes no responsibility for property left damaged, or stolen from premises before, during, or after use of City facilities. Scenery decorations, or equipment provided by the applicant must be removed immediately after activities.  
In the event of delay, the City, at the expense of the applicant, will make the removal.

F. No City of Newark facilities or space may be used for the storage of applicant's equipment.

G. Applicant agrees to comply strictly with all City ordinances and rules and regulations of the Board of Health, Police and Fire Departments regarding public assemblies. Use of facilities will be limited to capacity approved by the City's Fire Department. If it is necessary to have a uniformed fireman present to enforce this safety regulation, this will be at the expense of the applicant. Likewise, the need for the presence of uniformed police to insure the health and safety regulations will require said expense to be borne by the applicant.

H. The license/permit granted to use a City facility is not transferable. No exceptions.

I. The granting of a license for one part of a building confers no privileges for use of any facilities other than those stated in the license/permit.

J. City facilities must be vacated when facility (recreation center and pool) closes, unless special permission is granted at the time of the application.

K. City Parks and fields shall be vacated by 10:00 pm unless special permission is granted.

L. Authorized City employees and/or agents shall have free access to all areas of the City facilities at all times, including periods when the facilities are used by the applicant.

M. No alcoholic beverages shall be brought into or consumed in a City Building or on City grounds

N. An application for use of a building will not be granted whenever, in the judgment of the Manager of Recreation & Cultural Affairs, the health or safety of the facility and/or occupants will be affected.

O. The ambient air temperature of the buildings/facilities will not be raised or adjusted during terms of the use. Applicant is asked to take special note of this regulation.

P. Permittees shall have sole responsibility for the payment of any and all sale taxes due to include but not limited to all state and local government, based upon revenues. (Where applicable).

Q. All advertising or promotional materials are to be removed, and discarded immediately following event. "POST NO BILLS"



R. Applicant hereby agrees to return facility/field/pool in same condition as received.

S. Violations by applicant of any of these rules or the other regulations or conditions governing the use of City facilities shall be cause for cancellation of all existing licenses and the denial of any permission to use the facilities in the future.

T. The operation of the permittee, its agents, employees, invitees, and those doing business with it will be conducted in an orderly and proper manner so as not to annoy, disturb, or be offensive to others. The City has the right to revoke a permit because of the conduct of applicants that causes unreasonable annoyance, disturbance of or exhibits offensive conduct to other users of the facility and their invitees, and will take all necessary steps to remove the cause of objection, including removal from site of all parties involved, if need be.

U. NON-AUTHORIZED ACTIVITIES

1. Charging admission fees
2. Collecting donations
3. Gambling
4. Selling or vending of any merchandise in or around City facilities
5. Birthday parties
6. Religious Activities
7. Repast
8. Weddings and receptions
9. Use by non-residents
10. Political Assembly
11. Pool Parties
12. The preparation of food or catering services on City premises by outside patrons

V. Miscellaneous

1. Permit Coordinator must be informed of telephone address, or emergency data changes by calling the central office at (973) 733-6454.

2. Check List:

- a. The three (3) paged application
- b. An original insurance document (with Hold Harmless language)
- c. Two (2) proofs of Newark residency- (copies) for each contact person.

City of Newark  
Department of Neighborhood & Recreational Services  
Division of Recreation/Cultural Affairs

PERMIT APPLICATION FOR USE OF  
PARKS/FIELDS/ POOLS/RECREATION CENTERS

Check one: (  ) Park (  ) Field (  ) Pool (  ) Recreation Center

Date of Application: \_\_\_\_\_ 20\_\_\_\_\_

Organization: \_\_\_\_\_

Contact Person: \_\_\_\_\_ Telephone(s): \_\_\_\_\_

Address: \_\_\_\_\_  
Number and Street City, State, Zip Code

Email Address: \_\_\_\_\_

Name of Facility/Park Requested: \_\_\_\_\_

Activity/Event: \_\_\_\_\_

Number of Participants: \_\_\_\_\_ Number of Spectators: \_\_\_\_\_

Coaches/Supervisor: \_\_\_\_\_ Time Requested: \_\_\_\_\_

Day(s) Requested: \_\_\_\_\_

Date (s) Requested: \_\_\_\_\_

Application: Approved \_\_\_\_\_ Disapproved \_\_\_\_\_  
Approved with changes \_\_\_\_\_

Center Director/Authorized Signature \_\_\_\_\_  
(blue ink only)

Center Director Authorization \_\_\_\_\_

Permit Coordinator Authorization \_\_\_\_\_

Signature date

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OFFICE USE ONLY

Application to Law Dept. \_\_\_\_\_ Returned from Law Dept. \_\_\_\_\_

Notification to Site Supervisor \_\_\_\_\_

Notification to Applicant \_\_\_\_\_

City of Newark  
Department of Neighborhood & Recreational Services  
Division of Recreation/Cultural Affairs

PERMIT APPLICATION FOR USE OF:  
(PARK/FIELD/POOL/RECREATION CENTER)

PERMIT APPLICATION FOR USE OF:

( ) Park ( ) Field ( ) Pool ( ) Recreation Center

Name of Applicant: \_\_\_\_\_

Address: \_\_\_\_\_  
City State Zip Code

Contact Person: \_\_\_\_\_

Telephone no.: ( ) \_\_\_\_\_ Fax: ( ) \_\_\_\_\_

I hereby make application to the Division of Recreation/Cultural Affairs for the use of a City Facility/Park/Recreation Center/Pool for the purpose stated on the dates herein indicated:

Date of use: \_\_\_\_\_ To \_\_\_\_\_ Day (s) of use: SU M T W TH F S

Facility Requested \_\_\_\_\_

Type of Activity: \_\_\_\_\_

Time of Use: Start \_\_\_\_\_ AM/PM End: \_\_\_\_\_ AM/PM

Number of Participants \_\_\_\_\_ Number of

Spectators \_\_\_\_\_

You are prohibited from charging fees for admissions/registration; collecting donations, etc. Violation or infraction of same will result in immediate termination of the respective permit. Conflict in scheduling will be handled by the Center Director and or Permit Coordinator. I hereby certify that I am empowered by the aforementioned organization to make this application in their name and on their behalf and the facts contained herein are true and correct to the best of my knowledge and belief. Moreover, having read the "Rules Governing Use of City of Newark Recreation facilities by outside "organizations and individuals" the (Name of Applicant/Organization) understands and agrees to abide by said rules and any other specific rules as related to our activity and the use of the facilities.

Print Name: \_\_\_\_\_ Signature: \_\_\_\_\_

Address: \_\_\_\_\_ Title: \_\_\_\_\_

Email address \_\_\_\_\_

CITY OF NEWARK  
DEPARTMENT OF NEIGHBORHOOD & RECREATIONAL SERVICES  
DIVISION OF RECREATION & CULTURAL AFFAIRS  
PERMIT APPLICATION FOR USE OF:

(PARK/FIELD/POOL/RECREATION CENTER)

IDEMNIFICATION AND HOLD HARMLESS AGREEMENT

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20 \_\_\_\_\_  
(DATE OF APPLICATION) (MONTH) (YEAR)

FOR AND IN CONSIDERATION OF THE USE OF A CITY OF NEWARK PERMIT  
FOR THE USE OF \_\_\_\_\_  
(NAME OF PARK/FIELD/POOL/RECREATION CENTER)

ON \_\_\_\_\_  
(DATE(S) OF USE)

THE \_\_\_\_\_  
(NAME OF ORGANIZATION OR APPLICANT)

Agree (s) to indemnify, protect, defend, and hold harmless the City of Newark, it's agents, servants and/or

employees from any and all claims of any type, nature of description, actions, complaints, causes of actions, judgments, demands, rights, damages, costs, including but not limited to property damage and/or personal injury, arising out of or related to the use of a City permit and/or facilities.

DATED: \_\_\_\_\_ AUTHORIZED SIGNATURE: \_\_\_\_\_

PRINT NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

TITLE \_\_\_\_\_

E-MAIL ADDRESS \_\_\_\_\_

Section 2. Any existing ordinance, or part thereof, inconsistent with ordinance is hereby repealed

Section 3. This ordinance shall take effect upon passage and publication with the law.

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### STATEMENT

AN ORDINANCE AMENDING TITLE 2, CHAPTER 12, OF THE REVISED GENERAL ORDINANCES OF THE CITY OF NEWARK, NEW JERSEY (2000) AS AMENDED AND SUPPLEMENTED, & TO ESTABLISH A FEE SCHEDULE FOR CERTAIN RECREATIONAL SERVICES PROVIDED BY THE CITY OF NEWARK, NEW JERSEY, DEPARTMENT OF NEIGHBORHOOD AND RECREATIONAL SERVICES, DIVISION OF RECREATION AND CULTURAL AFFAIRS.