

**TOWNSHIP OF MAHWAH  
ORDINANCE NO. 1816**

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER IX  
"RECREATIONAL FACILITIES" OF THE REVISED GENERAL ORDINANCES OF  
THE TOWNSHIP OF MAHWAH, SUBCHAPTER 9-1 "USE REGULATIONS"**

**WHEREAS**, the current Municipal Code is inadequate in describing prohibited activities within the Township's Recreational Facilities; and

**WHEREAS**, the Township of Mahwah desires to amend and supplement the provisions of Chapter IX "Recreational Facilities" of the Mahwah Revised General Ordinances, Section 9-1 "Use Regulations", Subsection 9-1.2 "Hours of Operation" and Subsection 9-1.4 "Unlawful Use" to specifically outline prohibited activities within the Township Recreational Facilities.

**NOW THEREFORE, BE IT ORDAINED** by the Township Council of the Township of Mahwah as follows:

**Section 1.** Chapter IX "Recreational Facilities", Section 9-1 "Use Regulations", Subsection 9-1.2 "Hours of Operation" is hereby amended and supplemented in its entirety, as follows:

**§9-1.2 Hours of Operation.**

The Township recreational facilities shall open at 7:00 a.m. prevailing time, and shall close one-half (½) hour after sunset. The time of sunset shall be as set forth by the U.S. National Weather Service. The closing time shall not apply to persons who are specifically engaged in a permitted activity or sport approved by the Township or where the facility is lighted by the Township. Then the recreational facility shall close fifteen (15) minutes after the lights are extinguished.

The Township Council can grant exceptions for a municipal event or for those events for which a permit application has been submitted in its discretion, pursuant to Resolution adopted by the Township Council.

**Section 2.** Chapter IX "Recreational Facilities", Section 9-1 "Use Regulations", Subsection 9-1.4 "Unlawful Use" is hereby amended and supplemented in its entirety, as follows:

**§9-1.4 Prohibited Activities.**

- a. No person in a public park or in a public recreation area or Green Acres or open space area shall:
  1. Mark, deface, disfigure, injure, tamper with or displace or remove any buildings,

fences, bridges, tables, goals, benches, fireplaces, railing, paving or paving materials, water lines or other public utilities or parts or appurtenances thereof, signs, notices or placards, whether temporary or permanent, monuments, stakes, posts, or other boundary markers, or other structures or equipment, facilities or park property or appurtenances whatsoever, either real or personal.

2. Fail to cooperate in maintaining restrooms and washrooms in a neat and sanitary condition.
3. Dig or remove any soil, clay, rock, sand, stones, trees, shrubs or plants or other wood or materials, or make any excavation by tool, equipment, blasting or other means without written consent of the Municipality.
4. Construct or erect any building or structure of whatever kind, whether permanent or temporary, or run or string any public service utility into, upon, or across such lands, without written consent of the Municipality.
5. Damage, cut, carve, transplant or remove any tree or plant or injure the bark, or pick flowers or seed of any tree or plant, dig in or otherwise disturb grass areas without the written consent of the Municipality, or in any other way injure the natural beauty or usefulness of any area.
6. Climb any tree, stand or sit upon monuments, vases, planters, fountains, railings, fences or upon any other property not designated or customarily used for such purposes.
7. Tie or hitch an animal to any tree or plant.
8. Hunt, molest, harm, frighten, kill, trap, pursue, chase, tease, shoot or throw missiles at any animal, wildlife, reptile or bird, or remove or have in possession the young of any wild animal, or the eggs or nest, or young of any reptile or bird.
9. Throw, discharge, or otherwise place or cause to be placed in the waters of any fountain, pond, lake, stream or other body of water in or adjacent to any park or any tributary stream, storm sewer or drain flowing into such water, any substance, matter or thing, liquid or solid, which will or may result in the pollution of the waters.
10. Have brought in or shall dump in, deposit or leave any bottles, broken glass, ashes, paper, boxes, cans, dirt, rubbish, waste, garbage, or refuse, or other trash. No such refuse or trash shall be placed in any waters in or contiguous to any park, or left anywhere on the grounds thereof, but shall be placed in the proper receptacles where these are provided; where receptacles are not provided, all such rubbish or waste shall be carried away from the park by the person responsible for its presence,

and property disposed of elsewhere.

11. Operate any motorized vehicle on any area except the designated park roads or parking areas, or such areas as may on occasion specifically be designated as temporary parking areas by the Township or Police Department.
12. Park a motorized vehicle in other than an established or designated parking area, or be in accordance with posted directions or the instruction of any attendant.
13. Leave a motorized vehicle or trailer standing or parked at night in established parking areas or elsewhere in the park.
14. Leave a bicycle against trees, or in any place or position where other persons may trip over or be injured by them.
15. Bring into or operate any boat, raft, or other water craft, whether motor powered or not, upon any waters, except at places designated for boating by the Municipality. Such activity shall be in accordance with applicable regulations as are now or hereafter be adopted.
16. Navigate, direct or handle any boat in such a manner as to unjustifiably or unnecessarily annoy or frighten or endanger any person or wildlife.
17. Launch, dock, or operate any boat between the closing hour of the park at night and the opening hour of the park the following morning, or be on, remain on or in, any boat during the closed hours of the park.
18. Swim in any waters except in waters designated by the Municipality for that use and under such regulations and restrictions as have or may be prescribed.
19. Carry or possess firearms of any description, or air rifles, spring guns, bows and arrows, slings or any other weapons potentially inimical to wildlife and dangerous to human safety, or any instrument that can be loaded with and fire blank cartridges, or any kind of trapping device. Shooting into park areas from beyond park boundaries is forbidden.
20. Grill, barbecue, or maintain an open flame.
21. Violate the regulation that use of tables and benches follows the generally accepted rule of "first come, first served", except by authorized permit issued by the Municipality.
22. Use any portion of the picnic area for the purpose of holding picnics to the exclusion of other persons, except by authorized permit issued by the Municipality.

23. Leave a picnic area before all trash is placed in the disposal receptacles where provided. If no such trash receptacles are available, then trash shall be carried away from the park area by the picnicker to be properly disposed of elsewhere.
24. Set up tents, shacks, or any other temporary shelter for the purpose of overnight camping, leave in a park after closing hours any movable structure or special vehicle to be used or that could be used for such purpose, such as house-trailer, camp-trailer, camp-wagon, or the like except in those areas designated for those purposes.
25. Take part in or abet the playing of any games involving thrown or otherwise propelled objects such as balls, stones, arrow, javelins, horseshoes, or model airplanes except in those areas set apart for such forms of recreation. The playing of team sports such as football, baseball, lacrosse, basketball, tennis and soccer is prohibited except on the fields and courts or designated areas. Roller skating shall be confined to designated areas.
26. No horses or hoofed animals are permitted to enter into or upon a park at any time.
27. Possess alcoholic beverages or illegal drugs, or consume or drink same at any time or be under the influence of intoxicating liquor or drugs in a park.
28. Possess or explode, discharge or burn any firecrackers, torpedo rockets, or other fireworks, firecrackers, or explosives of inflammable material, or discharge or throw them in any such areas from lands or highways adjacent thereto. However, the Municipality may conduct public firework exhibitions or issue written permits for such exhibitions.
29. Dogs or domestic animals, excluding service animals, are prohibited from entering upon any artificial or synthetic turf fields or fenced-in playground areas.
30. Solicit alms or contributions for any purpose, whether public or private.
31. Build or attempt to build a fire. Drop, throw or otherwise scatter lighted matchers, burning cigarettes or cigars, or other flammable material within any park or on any highways, roads, or streets abutting or contiguous thereto.
32. Gamble, or participate in or abet any game of chance, except in such areas and under such regulations as permitted by the Municipality and upon its written consent.
33. Go onto the ice or ice skate. Any skating shall be done at the individual's own risk.

34. Offer for sale any article or thing, or station or place any stand, cart, or vehicle for the transportation, sale or display of any such article or thing without written consent of the Municipality.
35. Paste, glue, tack or otherwise post any sign, placard, advertisement or inscription whatever, or erect a sign on any public lands, highways, or roads adjacent to a park.
36. No loud music, except for music relating to Township sponsored events.
37. Enter upon or use the Recreational Facility grounds or buildings or to park any vehicle thereon except during the hours of operation as outlined at §9-1.2.
38. During such time that a concession stand as licensed by the Township is open for business, no person shall engage in hawking, peddling or vending of any food, beverages, confections of any nature or description in Continental Soldiers Park and/or Commodore Perry Field.

**Section 3.** All other parts, portions and provisions of Chapter IX of the Township of Mahwah Code, be and the same, are hereby ratified and confirmed, except where inconsistent with the terms thereof. In the event of any such inconsistency, the terms of this Ordinance shall be deemed to govern.

**Section 4.** If any section, paragraph, sub-section, clause or provision of this ordinance shall be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this ordinance as a whole or any part thereof.

**Section 5.** All ordinances or parts of ordinances of the Township heretofore adopted that are inconsistent with any of the terms and provisions of this ordinance are hereby repealed to the extent of such inconsistency.

**Section 6.** This Ordinance shall take effect twenty (20) days after final passage, adoption and publication according to law.

**TOWNSHIP OF MAHWAH**  
**ORDINANCE NO. 1817**

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER II  
"ADMINISTRATION" OF THE REVISED GENERAL ORDINANCES OF THE  
TOWNSHIP OF MAHWAH, SUBCHAPTER 2-3.12 "DEPUTY CLERK"**

**WHEREAS**, the Township of Mahwah desires to amend and supplement the provisions of Chapter II "Administration" of the Mahwah Revised General Ordinances, Section 2-3.12 "Deputy Clerk", to ensure that the Deputy Clerk has the requisite training for such position.

**NOW THEREFORE, BE IT ORDAINED** by the Township Council of the Township of Mahwah as follows:

**Section 1.** Chapter II "Administration", Subsection 2-3.12 "Deputy Clerk", is hereby amended and supplemented in its entirety, as follows:

**§2-3.12 Deputy Clerk.**

- a. There shall be a Deputy Township Clerk, appointed by a majority of the Council, who shall have, exercise and perform the duties of the Clerk in his/her absence.
- b. The Deputy Township Clerk shall obtain a license for such position either (i) within one (1) year of completing the requisite courses; or (ii) within two and one half (2½) years of assuming the position of Deputy Township Clerk, whichever comes first. The Township Council may for good cause shown extend the time period for obtaining the license.

**Section 2.** All other parts, portions and provisions of Chapter IV of the Township of Mahwah Code, be and the same, are hereby ratified and confirmed, except where inconsistent with the terms thereof. In the event of any such inconsistency, the terms of this Ordinance shall be deemed to govern.

**Section 3.** If any section, paragraph, sub-section, clause or provision of this ordinance shall be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this ordinance as a whole or any part thereof.

**Section 4.** All ordinances or parts of ordinances of the Township heretofore adopted that are inconsistent with any of the terms and provisions of this ordinance are hereby repealed to the extent of such inconsistency.

**Section 5.** This Ordinance shall take effect twenty (20) days after final passage, adoption and publication according to law.