

**TOWNSHIP OF PEQUANNOCK**

**ORDINANCE NO. 2012-02**

**AN ORDINANCE AMENDING CHAPTER 129 THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF PEQUANNOCK AND APPLYING CERTAIN REGULATIONS ON PUBLIC PROPERTIES TO CERTAIN PROPERTIES OWNED BY THE BOARD OF EDUCATION**

**WHEREAS**, the Pequannock Township Board of Education has requested, by Resolution adopted on January 23, 2012 that the Township of Pequannock apply certain existing regulation on parks and public properties to certain properties owned by the Board of Education; and

**WHEREAS**, the Township Council finds that it would be in the public interest to apply these regulations as requested by the Board of Education.

**NOW, THEREFORE, BE IT ORDAINED** by the Township Council of the Township of Pequannock, County of Morris, and State of New Jersey as follows:

**Section 1:** Chapter 129 of the Revised General Ordinances of the Township of Pequannock, Section 129.02 shall be re-titled "Township Parks and Public Lands" and shall be amended by the inclusion of the following additional and amended definitions in Subsection 129.02.020 "Definitions and Word Usage":

**BOARD OF EDUCATION PROPERTIES** – The following real properties owned by the Pequannock Township Board of Education: Pequannock township High School, Pequannock Valley Middle School, Stephen J. Gerace Elementary School, Hillview Elementary School, and North Boulevard Elementary School.

**PROPERTIES AND PUBLIC PARKS** - All real property owned or maintained by the Township of Pequannock, its agents, servants and employees, including all things growing upon said realty as well as all structures and other inanimate objects located thereon, whether said realty is open or closed to public use. Properties and Public Parks shall include Board of Education Properties.

**Section 2:** Chapter 129 of the Revised General Ordinances of the Township of Pequannock, Section 129.02 entitled "Township Parks and Public Lands" shall be amended by the following amendment to subsection 129.02.030 "General restrictions" which shall read in its entirety as follows:

**Subsection 129.02.030 General restrictions.**

No person shall, in any of the Township Parks or Board of Education Properties, as herein before defined:

**A. Buildings and other property.**

(1) Disfiguration and removal: willfully mark, deface, disfigure, injure, tamper with or displace or remove any building, bridges, tables, benches, fireplaces, railings, paving or paving material, 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) Restrooms and washrooms: fail to cooperate in maintaining restroom and washrooms of neat and sanitary condition. No person over the age of

five (5) years shall use the restroom and washrooms designated for the opposite sex.

(3) Removal of natural resources: dig or remove any beach sand, whether submerged or not, or any soil, rock, stones, trees, shrubs or plants, down timber or other wood or materials, or make any excavation by tool, equipment, blasting or other means or agency.

(4) Erection of structures: construct or erect any building or structure of whatever kind, whether permanent or temporary in character, or run or string any public service utility into, upon,, or across such lands, except by special written permit.

B. Trees; shrubbery; lawns.

(1) Inquiry and removal: damage, cut, carve transplant or remove any tree or plant or injure the bark or pick the flowers or seeds of any tree or plant; nor shall any person attach any rope, wire or other contrivance to any tree or plant. A person shall not dig in or otherwise disturb grass area, or in any other way injure or impair the natural beauty or usefulness of any area.

(2) Climbing trees, etc.: climb any tree or walk, stand or sit upon monuments, vases, fountains, railing, fences or gun-carriages or upon any other property not designated or customarily used for such purposes.

(3) Hitching of animals: tie or hitch a horse or other animal to any tree or plant.

C. Wild animals, birds, etc.

(1) Hunt, molest, harm, frighten, kill, trap, chase, tease, shoot or throw missiles at any animal, reptile or bird; nor remove or have in possession the young of any wild or the eggs or nest or young of any reptile or bird; nor collect ' remove, have in possession, give away, sell or offer to sell or buy or offer to buy or accept as a gift any specimen alive or dead of any of the group of tree snails.

(2) Give or offer, or attempt to give or offer to any wild animal or bird any food, water, tobacco, alcohol or any known noxious substance.

D. Firearms.

Firearms possession and/or use shall not be permitted. This Ordinance shall not be applicable to the authorized use of the Township of Pequannock police pistol range.

**Section 3:** Chapter 129 of the Revised General Ordinances of the Township of Pequannock, Section 129.02 entitled "Township Parks and Public Lands" shall be amended by amending the introductory clause in subsection 129.02.060 "Recreational Activity" to read "No person in a park or upon Board of Education properties shall:"

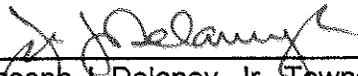
**Section 4:** Chapter 129 of the Revised General Ordinances of the Township of Pequannock, Section 129.02 entitled "Township Parks and Public Lands" shall be amended by amending the introductory clause in subsection 129.02.070 "Miscellaneous Restrictions" to read "No person in a park or upon Board of Education properties shall:"

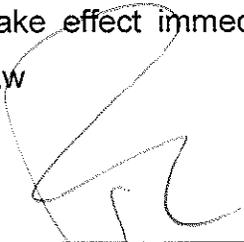
**Section 5:** If any section or provision of this Ordinance shall be held invalid in any Court of competent jurisdiction, the same shall not affect the other sections or provisions of this Ordinance, except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

**Section 6:** All Ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed to the extent of such inconsistency.

**Section 7:** This Ordinance shall take effect immediately after final passage and publication in the manner provided by law

**Introduced: February 14, 2012**  
**Adopted: February 28, 2012**

  
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Joseph J. Delaney, Jr., Township Clerk

  
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Richard Phelan, Mayor