

ORDINANCE #2022-1

ORDINANCE OF THE BOROUGH OF KEYPORT, COUNTY OF MONMOUTH, NEW JERSEY, AMENDING CHAPTER 11, ENTITLED “RECREATIONAL FACILITIES” AND CHAPTER 4, ENTITLED “POLICE REGULATIONS” OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF KEYPORT

WHEREAS, Chapter 11 of the Revised General Ordinances of the Borough of Keyport (the “**Borough**”) regulates the use of Borough Parks and Recreational Facilities of the Borough; and

WHEREAS, the Borough Administrator has recommended amendments to Chapter 11 to formalize the process for the use of designated parks and recreational areas for wedding ceremonies and to prohibit smoking in all parks, recreation areas and beaches to conform with the provisions of N.J.S.A. 26:3D-56, the New Jersey Smoke-Free Air Act.

NOW THEREFORE, BE IT ORDAINED by the Mayor and Council that the Revised General Ordinances of the Borough of Keyport, Chapter 11, entitled Recreational Facilities is hereby amended as follows:

Section 1. The aforementioned recitals are incorporated herein as though fully set forth at length.

Section 2. Chapter 11 (Recreational Facilities) is hereby supplemented with the addition of the following section:

§ 11-8 USE OF RECREATIONAL FACILITIES FOR WEDDING CEREMONIES.

§ 11-8.1 Approval for Use of Recreational Facilities for Wedding Ceremonies. The Borough Clerk is authorized to approve applications for use of the Waterfront Park Gazebo and portions of Benjamin Terry Park for wedding ceremonies, provided attendance is limited to not more than 50 people, on such dates and at such times as the Borough Clerk shall determine and subject to the rules and regulations as may be adopted by resolution of the Borough Council governing the use of these facilities for this purpose. The Borough Clerk shall prepare such forms and establish procedures to implement this section.

§ 11-8.2 Fee for Use of Recreational Facilities for Wedding Ceremonies. The fee for the use of designated recreational facilities for wedding ceremonies is \$100.00 for a maximum period of one (1) hour which shall be paid prior to approval by the Borough Clerk.

Section 3. Chapter 11 (Recreational Facilities) is hereby supplemented with the addition of the following section:

§ 11-9 SMOKING PROHIBITED AT ALL PARKS AND BEACHES.

§ 11-9.1 Smoking Prohibited. In accordance with the provisions of the New Jersey Smoke-Free Air Act, N.J.S.A. 26:3D-56, no person shall smoke any cigarettes, cigars or other tobacco products including electronic smoking devices at any public park or beach within the Borough of Keyport at any time, which includes all piers, docks, walkways, promenades, playgrounds and fields, but does not include any parking lot that is adjacent to a recreation facility.

§ 11-9.2 Violations and Penalties. The penalty for violation of this section is subject to a fine of not less than \$250 for the first offense, \$500 for the second offense and \$1,000 for each subsequent offense.

Section 4. Chapter 4 (Police Regulations) is hereby amended to delete Section 4-28 (Smoking Prohibited at Waterfront Park).

Section 5. All Ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed.

Section 6. Each section, subsection, sentence, clause and phrase of this ordinance is declared to be an independent section, subsection, sentence, clause and phrase and the finding or holding of any such portion of this ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this ordinance.

Section 7. Except as amended by this ordinance, all other provision of the Borough's Revised General Ordinances shall remain in full force and effect.

Section 8. The Borough Clerk is hereby directed, upon adoption of the ordinance after public hearing thereon, to publish notice of the passage thereof.

Section 9. This ordinance shall be in full force and effect from and after its adoption and publication according to law.

Introduced: January 18, 2022
Public Hearing: February 1, 2022
Adopted:

Michele Clark, RMC
Borough Clerk
Borough of Keyport

Collette J. Kennedy, Mayor
Borough of Keyport