

DELAWARE TOWNSHIP
ORDINANCE #2013-15

AN ORDINANCE OF THE TOWNSHIP OF DELAWARE, COUNTY OF HUNTERDON AND STATE OF NEW JERSEY SUPPLEMENTING SECTION 2-23 "MISCELLANEOUS FEES" OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF DELAWARE, 1985 AND AMENDING ORDINANCE #2010-04. #2013-15

BE IT ORDAINED AND ENACTED by the Mayor and Township Committee of Delaware Township in the County of Hunterdon and State of New Jersey as follows:

Section 1. Section 2-23.4 Fees in Connection with Use of Athletic Fields at the Sarah Dilts Farm Park in Section 2-23 MISCELLANEOUS FEES of the "Revised General Ordinances of the Township of Delaware, 1985" is hereby repealed in its entirety and replaced as follows:

2-23.4 Fees and Deposits in Connection with Use of Athletic Fields and Pavilion at the Sarah Dilts Farm Park

a. Purpose. In order to defray increased maintenance, materials, labor and utility costs incurred by the Township resulting from use of recreational facilities, Delaware Township hereby establishes application and field maintenance fees for use of athletic fields and establishes a deposit fee policy for use of athletic fields and/or the Pavilion at the Sarah Dilts Farm Park.

b. Non-refundable Application Fee. A non-refundable application fee of twenty-five (\$25.00) dollars for each Application and Agreement for Use of Sarah Dilts Farm Park Facilities submitted by each organized team per season is hereby established.

c. Definitions.

(1) A Delaware Township Resident athletic team is defined as:

(A) an organized athletic team sponsored by the Delaware Township Athletic Association (DTAA);

(B) an organized athletic team sponsored by the East Amwell Township Athletic Association when there is a current Shared Services Agreement with the Delaware Township Athletic Association in place; or

(C) an organized athletic team with Delaware Township residents comprising at least fifty-one percent of the team's membership.

(2) A Non-Resident athletic team is any other organized athletic team not included in 2-23.4(c) 1A-C.

d. Non-refundable Field Maintenance Fee. Delaware Township Resident Athletic Team. A non-refundable field maintenance fee shall be required for each Delaware Township resident athletic team as follows:

- (1) Little League Level – Use of Dilts Field of Dreams or Dilts Field: \$250.00 per season or \$ 35.00 for three and one-half (3.5) or fewer consecutive hours as a single use.
- (2) Softball – Use of Softball Field: \$250.00 per season or \$ 35.00 for three and one-half (3.5) or fewer consecutive hours as a single use.
- (3) Little Bigger League – Use of LBL Field: \$300.00 per season or \$50.00 for three and one-half (3.5) or fewer consecutive hours as a single use.
- (4) Soccer – Use of Fields B or C: \$250.00 per season or \$35.00 for three and one-half (3.5) or fewer consecutive hours as a single use.
- (5) Soccer – Use of Field A: \$300.00 per season or \$50.00 for three and one-half (3.5) or fewer consecutive hours as a single use.
- (6) Multipurpose – Makara Field: \$300 per season or \$50.00 for three and one-half (3.5) or fewer consecutive hours as a single use.

e. Non-refundable Field Maintenance Fee - Non-Resident Athletic Team. A non-refundable field maintenance fee shall be required for each non-resident athletic team as follows:

- (1) Little League Level – Use of Dilts Field of Dreams or Dilts Field: \$500.00 per season, \$50.00 for three and one-half (3.5) or fewer consecutive hours as a single use, or \$125.00 for a weekend use of either field.
- (2) Softball – Use of Softball Field: \$500.00 per season, \$50.00 for three and one-half (3.5) or fewer consecutive hours as a single use, or \$125.00 for a weekend use of this field.

- (3) Little Bigger League – Use of LBL Field: \$600.00 per season, \$60.00 for three and one-half (3.5) or fewer consecutive hours as a single use, or \$250.00 for a weekend use of this field.
- (4) Soccer – Use of Fields B or C: \$500.00 per season, \$50.00 for three and one-half (3.5) or fewer consecutive hours as a single use, or \$125.00 for a weekend use of either field.
- (5) Soccer – Use of Field A: \$600 per season, \$60 for three and one-half (3.5) or fewer consecutive hours as a single use, or \$250.00 for a weekend use of this field.
- (6) Multipurpose – Makara Field: \$600 per season, \$60 for three and one-half (3.5) or fewer consecutive hours as a single use, or \$250.00 for a weekend use of this field.

f. Non-refundable Field Maintenance Fee for Single Use of a Field in Connection with Simultaneous Reservation of the Pavilion at the Sarah Dilts Farm Park. A non-refundable field maintenance fee shall be required when an athletic field is reserved simultaneously with the pavilion at the Sarah Dilts Farm Park as follows:

- (1) Dilts Field of Dreams or Dilts Field: \$ 35.00 for three and one-half (3.5) or fewer consecutive hours as a single use.
- (2) Softball Field: \$ 35.00 for three and one-half (3.5) or fewer consecutive hours as a single use.
- (3) LBL Field: \$ 50.00 for three and one-half (3.5) or fewer consecutive hours as a single use.
- (4) Soccer Fields B or C: \$35.00 for three and one-half (3.5) or fewer consecutive hours as a single use.
- (5) Soccer Field A or Makara Field: \$50 for three and one-half (3.5) or fewer consecutive hours as a single use.

g. Field Maintenance Deposit for Use of Athletic Fields. In addition to the non-refundable field maintenance fee, a field maintenance deposit to encourage user to leave a field in satisfactory condition shall be required of all Non-Resident athletic teams and shall be deposited in the Recreation Trust. The appropriate DTAA Director or Delaware Township Director of Public Works in his or her sole discretion shall determine whether the deposited funds should be applied in whole or in part to repair damage to fields or returned to the user. The required field maintenance deposit amounts are as follows:

- (1) A \$250.00 deposit shall be required for a seasonal field use or a \$75.00 deposit shall be required for a weekend use pursuant to Subsections 4e(1), 4e(2), and 4e(4).
- (2) A \$300 deposit shall be required for a seasonal field use or a \$125.00 deposit shall be required for a weekend use pursuant to Subsections 4e(3), 4e(5) and 4e(6).

h. Pavilion Maintenance Deposit. A \$100 pavilion maintenance deposit to encourage user to leave the pavilion in satisfactory condition shall be required and shall be deposited in the Recreation Trust. The Delaware Township Director of Public Works in his sole discretion shall determine whether the deposited funds should be applied to repair damage to the Pavilion or to cover trash removal, or returned to the user.

i. Delaware Township School, Stockton Borough School, and Delaware Township sponsored activities are specifically exempted from any fees under Section 2-23.4.

j. The application fee, field maintenance fee, field maintenance deposit fee, and pavilion maintenance deposit fee shall be paid at the time of submission of the Application and Agreement for Use of Sarah Dilts Farm Park Facilities.

Section 2. Severability. If the provision of any article, subsection, paragraph, subdivision or clause of this Ordinance shall be judged invalid by any Court or competent jurisdiction, such Order or Judgment shall not effect or invalidate the remainder of any such article, section, subsection, paragraph or clause, and, to this end, the provisions of this Ordinance are hereby declared to be severable.

Section 3. Effective Date. This Ordinance shall take effect immediately upon passage and publication according to the laws of the State of New Jersey.

ATTEST:

Judith A. Allen, RMC
Township Clerk
October 28, 2013
Published 10/31/13

Donald F. Scholl, Jr., Mayor

PLEASE TAKE NOTICE that the Delaware Township Committee approved the above Ordinance on first reading at its Regular Meeting held on October 28, 2013. It will be considered on second reading for final adoption at a public hearing at a Regular Meeting beginning at 7:30 p.m. on Tuesday, November 12, 2013 at the Delaware Township Municipal Building, 570 Rosemont Ringoes Rd. (Rt. 604), Sergeantsville, NJ. At that time an opportunity will be given for all interested citizens to be heard.