

**Chapter 65****PLAYGROUNDS**

- § 65-1. **Purpose.**
- § 65-2. **Hours to be closed.**
- § 65-3. **Prohibited acts.**
- § 65-4. **Open fires.**
- § 65-5. **Violations and penalties.**
- § 65-5.1. **Guilty plea and fine.**
- § 65-6. **Residency required for use.**
- § 65-7. **Regulations for particular public parks, playgrounds, open spaces and recreation areas.**

**[HISTORY: Adopted by the Mayor and Common Council of the City of Gloucester City 12-30-1964; amended in its entirety 9-3-1992 by Ord. No. 23-1992. Subsequent amendments noted where applicable.]**

**GENERAL REFERENCES**

Alcoholic beverages — See Ch. 15.  
Curfew — See Ch. 39.  
Loitering — See Ch. 60.  
Minors — See Ch. 61.

**§ 65-1. Purpose.**

The City of Gloucester City has attempted to provide certain areas within the city that are set out for recreational use. It is the intention of the city to provide these facilities and maintain the order and dignity for the usage of same that is in keeping with the inhabitants of the city. By establishing certain rules and regulations, it is believed that the parks and recreational

areas will afford the inhabitants a safe, sanitary and wholesome location for recreational purposes.

**§ 65-2. Hours to be closed.**

- A. All areas designated within the city as park or recreational areas shall be closed to all persons from dusk to dawn, unless otherwise posted. This ordinance shall apply to all parks within the city, be they lighted or not; and parts of any previous ordinance or amendment thereto inconsistent in closing from dusk to dawn shall be repealed by this ordinance.
- B. Exceptions. All public playgrounds that are purposely illuminated for play, recreation, occupancy or use will be closed to all persons for said purpose from dusk to dawn. This shall not preclude ingress or egress by the public to attend organized and authorized functions on public playgrounds between 7:00 a.m. and 11:00 p.m.

**§ 65-3. Prohibited acts. [Amended 4-3-1997 by Ord. No. 5-1997]**

Except as provided for in § 15-19.1, Exceptions, of Chapter 15, Alcoholic Beverages, of the Code of the City of Gloucester City, the use of alcoholic beverages, the possession of alcoholic beverages, vandalism or destruction to any city property or being in the park or recreational area other than the designated hours shall be a violation and subject to the penalty provisions set forth hereinafter.

**§ 65-4. Open fires. [Amended 6-3-1999 by Ord. No. 11-1999]**

There shall be no open fires or barbeques unless an application has been made to the City Council and permission granted by that body. The application shall set forth the purpose for the open fire or barbeque as well as the exact date

and time to which permission is sought for the open fire or barbeque. Permits for open fires or barbecues shall be issued only for public purposes and not for private functions or affairs from which the public is barred from participating. Authorization shall not be for more than one day.

**§ 65-5. Violations and penalties. [Amended 5-6-1999 by Ord. No. 1999]**

Any person who is found loitering on or using or occupying any public playground during prohibited hours or committing any act prohibited in this chapter shall, upon conviction thereof, be punished by a fine not to exceed \$1,000 or by imprisonment not to exceed 90 days, or by both fine and imprisonment.

**§ 65-5.1. Guilty plea and fine. [Added 6-3-1999 by Ord. No. 10-1999]**

Any person who violates the following subsection: § 65-7.A.2, which states "NO pets permitted" may plead guilty to the violation without appearing before the Municipal Judge and, upon such pleading, shall be required to pay a municipal penalty of \$30, in addition to the State of New Jersey A.T.S. Surcharge, for each offense, provided that the violation has been abated.

**§ 65-6. Residency required for use.**

The use of park and recreational areas shall be limited exclusively to residents of the City of Gloucester and their guests.

**§ 65-7. Regulations for public parks, playgrounds, open spaces and recreation areas/ballfields. [Added 5-6-1999 by Ord. No. 6-1999; amended 8-16-2012 by Ord. No. O15-2012; 10-23-2014 by Ord. No. O22-2014]**

- A. The following list of prohibitions and rules of play shall hereby be adopted, conspicuously posted and enforced at all public parks, playgrounds, open spaces and recreation areas/ballfields.

**PROHIBITIONS**

1. No pets allowed on ballfields and/or playing surfaces or recreation areas. **[Amended 2-26-2015 by Ord. No. O03-2015]**
2. NO bicycles, skateboards, cleats or skates permitted.
3. NO playing Tag, running or running games permitted.
4. NO jumping over fences or from equipment permitted.
5. NO barbecue or open fires permitted.
6. Playgrounds shall be closed daily from dusk to dawn and, other times as posted for necessary maintenance.

**RULES**

1. Play at your own risk.
2. Climb only on equipment intended for climbing.
3. Use playground equipment properly.
4. Dispose of trash/recycling in proper receptacles.
5. Use only equipment designed for your age group.
6. Be considerate of small children.
7. Park bicycles in bike rack.

Playgrounds are designed and intended for children ages 13 and under. We encourage families to come and play together but ask that the older children use restraint and common sense in the playground.

#### SMOKE-FREE ENVIRONMENT

B. The purpose of this section is to protect residents and visitors to Gloucester City from secondhand smoke and tobacco related litter.

(1) Definitions:

- (a) **ELECTRONIC SMOKING DEVICE** — An electronic device that can be used to deliver nicotine or other substance to that person inhaling from the device, including, but not limited to, and electronic cigarette, cigar, cigarillo or pipe.
- (b) **SMOKING** — Burning of, inhaling from, exhaling the smoke from, or the possession of a lighted cigar, cigarette, pipe, hookah or similar device, or the other matter or substance which contains tobacco or any other matter that can be smoked, or the inhaling or exhaling of smoke or vapor from an electronic smoking device.
- (c) **TOBACCO PRODUCT** — Any substance containing tobacco, including but not limited to cigarettes, cigars, pipe tobacco, snuff, chewing tobacco, dipping tobacco, bidis, or any other preparation of tobacco, including electronic smoking devices and dissolvable tobacco products not FDA approved for tobacco cessation.

(2) Restrictions.

- (a) It is unlawful for any person to use tobacco products by smoking or other methods on public parks, playgrounds, open spaces and recreation areas/ ballfields.

## (3) Posting signs.

- (a) Signs shall be clearly, sufficiently and conspicuously posted where smoking is prohibited by this section. The sign(s) shall state "100% Smoke Free Public Property" or substantially similar language, written in lettering that is not less than three-quarter (3/4) inches in height, and shall contain the international no smoking sign or symbol.

## (4) Enforcement.

- (a) The Police Department and any municipal officer charged with code enforcement is hereby charged with the enforcement of this section. All members of the Police Department and code enforcement officers are hereby designated as enforcement officers for the purpose of enforcement of this section.

## (5) Penalties.

Any persons who is found guilty of violating this section shall pay fines as follows:

- (a) For a first offense, a fine not less than, \$100. nor more than \$250.
- (b) For a second or subsequent offense, a fine of not less than \$500. nor more than \$1,000.

- C. It is prohibited to fish, crab or otherwise seek to remove live items from the Delaware River from the Freedom Pier, Block 48 Lot 2. Common Council is authorized to suspend enforcement of this ordinance in appropriate circumstances by motion adopted at a public meeting.