

**CITY OF SEA ISLE CITY
NEW JERSEY**

ORDINANCE NO. 1618 (2018)

**AN ORDINANCE TO AMEND THE REVISED
GENERAL ORDINANCES OF THE CITY OF SEA ISLE CITY VARIOUS CHAPTERS, 4, 10, 20 AND
21 TO UPDATE AND CONFORM TO STATE STATUTES**

WHEREAS, the City seeks to repeal regulation of transportation network company to reflect State statute regulations prohibiting local units of government from enacting or enforcing ordinance regulating same beyond civil infractions; and

WHEREAS, the City of Sea Isle City finds it acceptable to amend the Ordinance to allow for the waiving of a demolition permit fee in the event a building or structure suffers a total loss from fire, storm or other casualty; and

WHEREAS, the City has determined that there is a need to update titles, activities and charging fees to ensure accuracy; and

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Sea Isle City, County of Cape May and State of New Jersey as follows:

SECTION I. Chapter 4 Section 9.1 of the Revised General Ordinances of the City of Sea Isle City, entitled "Definitions" is hereby amended to delete the following definitions only in their entirety and replace same in alphabetical order as follows:

DELETED SECTION:

4-9.1 Definitions.

Operation shall mean and consist of transporting one (1) or more persons for hire. Accepting a passenger to be transported for hire from a point of departure within the City to a destination within or without the City shall be considered operation within the City. The operation by one other than the owner shall be deemed operation by the owner as well as by the person actually driving the taxicab, limousine, or any vehicle for hire including but not limited to vans, mini-vans, luxury vehicles and any vehicle for hire through a transportation network company. The transportation of any person other than the owner or driver in any motor vehicle: bearing the sign therein or thereon using the words "taxi," "taxicab," "cab," "limousine" or a similar name; offering, making available, or using a transportation network vehicle to provide a transportation network service, including any time when a driver is logged onto the transportation network provider's internet-enabled application or digital platform showing that the driver is available to pick up passengers; when a passenger is in the vehicle; when the provider's records show that the vehicle is en route; or when the driver has accepted a ride request and is in route to provide a transportation network service to a passenger shall be prima facie evidence of "operation".

Taxicab, taxi or cab shall mean a motor vehicle used to transport passengers through a transportation network company (TNC) and/or for hire which does not operate over a fixed route and is not hired by the day or hour, and has a maximum passenger capacity of no more than the number of seatbelts the vehicle was originally manufactured with, and has a maximum passenger capacity of no more than nine (9) passengers as follows:

- a. No more passengers shall occupy each row of the rear seats in the vehicle than the number of originally manufactured seatbelts provided or not to exceed a total of nine (9) passengers in all rear seats, whichever number provides for the least amount of passengers.
- b. No more than one (1) passenger, other than the driver, in the front seat of the vehicle.
- c. No taxicab license should be issued to a vehicle other than a standard passenger sedan, a standard passenger station wagon, and a minivan type vehicle.

Third-party transportation app shall mean a software application available to users for download onto a smartphone or other electronic device for vehicle transportation purposes.

Third-party transportation app company shall mean an individual, firm, corporation, association, partnership or cooperative that owns, controls and operates a third-party transportation app.

Transportation network application company shall mean a company operating in the City of Sea Isle City, New Jersey that uses a digital network or software application to connect a passenger to transportation network services provided by a transportation network operator.

Transportation network company shall mean an individual, corporation, partnership, sole proprietorship, or other entity that uses an online application program to connect drivers to passengers for the purpose of carrying

passengers for hire or for carpooling/ride-sharing services for a fee, including but not limited to third-party transportation app company, transportation network application company, transportation network services, transportation network operator.

Transportation network services shall mean transportation of a passenger between points chosen by the passenger and that is prearranged by a transportation network application company.

Transportation network operator shall mean an individual who operates a motor vehicle that is:

- a. Owned or leased by the individual;
- b. Not a commercial vehicle as defined by this City Ordinances; (Ordinance No. 1578 (2015));
- c. Not licensed as a vehicle for hire under this section; and
- d. Used to provide transportation network services.

Vehicle for hire shall mean every chauffeured vehicle, other than mass transit vehicles or vehicles involved in an organized car pool not available to general public, which is operated for compensation and used for the transportation of passengers over city streets. Such vehicles shall include but not limited to taxicabs, limousines, vans, mini-vans, luxury vehicles and transportation network vehicles.

REPLACEMENT SECTION:

4-9.1 Definitions.

Operation shall mean and consist of transporting one (1) or more persons for hire. Accepting a passenger to be transported for hire from a point of departure within the City to a destination within or without the City shall be considered operation within the City. The operation by one other than the owner shall be deemed operation by the owner as well as by the person actually driving the taxicab, limousine, or any vehicle for hire including but not limited to vans, mini-vans, luxury vehicles. The transportation of any person other than the owner or driver in any motor vehicle: bearing the sign therein or thereon using the words "taxi," "taxicab," "cab," "limousine" or a similar name.

Taxicab, taxi or cab shall mean a motor vehicle used to transport passengers for hire which does not operate over a fixed route and is not hired by the day or hour, and has a maximum passenger capacity of no more than the number of seatbelts the vehicle was originally manufactured with, and has a maximum passenger capacity of no more than nine (9) passengers as follows:

- a. No more passengers shall occupy each row of the rear seats in the vehicle than the number of originally manufactured seatbelts provided or not to exceed a total of nine (9) passengers in all rear seats, whichever number provides for the least amount of passengers.
- b. No more than one (1) passenger, other than the driver, in the front seat of the vehicle.
- c. No taxicab license should be issued to a vehicle other than a standard passenger sedan, a standard passenger station wagon, and a minivan type vehicle.

Vehicle for hire shall mean every chauffeured vehicle, other than mass transit vehicles or vehicles involved in an organized car pool not available to general public, which is operated for compensation and used for the transportation of passengers over city streets. Such vehicles shall include but not limited to taxicabs, limousines, vans, mini-vans, and luxury vehicles.

SECTION II. Chapter 4 Section 9.3 of the Revised General Ordinances of the City of Sea Isle City, entitled "Application Procedures and Requirements" is hereby amended to delete the following section "b.3" only in its entirety and replace same as follows:

DELETED SECTION:

4-9.3 Application Procedures and Requirements.

- b. Taxicab Driver's License; Application.

3. It shall be unlawful for any owner of any taxicab, as defined in this section, to operate or to permit the same to be operated on the streets of the City until a valid license has been obtained therefor, as the case may be, as herein provided. To ensure the public safety of all citizens who reside in or visit the City, the provisions of this section shall additionally apply to all services offered by transportation network company, except to the extent that such services are preempted by Federal law. No transportation network company shall operate in the City unless the transportation network company complies with the terms of this section, except to the extent that compliance with this section is preempted by Federal law.

REPLACEMENT SECTION:

4-9.3 Application Procedures and Requirements.

- b. Taxicab Driver's License; Application.

3. It shall be unlawful for any owner of any taxicab, as defined in this section, to operate or to permit the same to be operated on the streets of the City until a valid license has been obtained therefor, as the case may be, as herein provided.

SECTION III. Chapter 10 Section 1.2a10 of the Revised General Ordinances of the City of Sea Isle City, entitled "Construction Fee Schedule" is hereby amended to delete the following letter "a", number "10" only in its entirety and replace same as follows:

DELETED SECTION:

10-1.2a10 Construction Fee Schedule.

10. The fee for a permit for demolition of a building or structure shall be five hundred (\$500.00) dollars.

REPLACEMENT SECTION:

10-1.2a10 Construction Fee Schedule.

10. The fee for a permit for demolition of a building or structure shall be five hundred (\$500.00) dollars, except when a building or structure suffers a total loss from fire, storm or other casualty the City shall waive the fee for a demolition permit.

SECTION IV. Chapter 20 Section 1.1 of the Revised General Ordinances of the City of Sea Isle City, entitled "Conduct in Parks" is hereby amended to delete the following numbers only "a.; 11, 17, 18, 20, and 23, b.; 6 and 8 (all other numbers in sections a and b remain as is) in their entirety and replace same as follows:

DELETED SECTION:

20-1.1 Conduct in Parks.

a. No person in a public park area shall:

11. Drive any vehicle on any area except parking areas or such areas as may on occasion be specifically designated as temporary areas by the Recreation Commission.

17. Swim, bathe or wade in any waters or waterways in or adjacent to any park, except in such waters and at such places as are provided therefor, and in compliance with such regulations as are herein set forth or may be hereinafter adopted. Nor shall any person frequent any waters or places customarily designated for the purpose of swimming or bathing, or congregate thereat when such activities are prohibited by the Recreation Commission upon a finding that such use of the water would be dangerous or otherwise inadvisable.

18. Frequent any waters or places designated for the purposes of swimming or bathing, or congregate thereat except between such hours of the day as shall be designated by the Recreation Commission for such purposes for each individual site.

20. Bring in or operate any boat, raft or other watercraft, whether motor powered or not, upon any waters except at places designated for boating by the Recreation Commission. Such activity shall be in accordance with applicable regulations as are now or hereafter adopted.

23. Fish in any waters except in waters designated by the Recreation Commission for that use and under such regulations and restrictions as have or may be prescribed by the Recreation Commission.

b. While in a public park, all persons shall conduct themselves in a proper and orderly manner and, in particular, no person shall:

6. Fail to produce and exhibit any permit from the Recreation Commission he/she claims to have upon request of any authorized person who shall desire to inspect the same for the purpose of enforcing compliance with any ordinance or rule.

8. Expose or offer for sale any article or thing, nor shall he/she station or place any stand, cart or vehicle for the transportation, sale or display of any such article or thing. Exception is here made as to any regularly licensed concessionaire acting by and under the authority and regulation of the Recreation Commission.

REPLACEMENT SECTION:

20-1.1 Conduct in Parks.

a. No person in a public park area shall:

11. Drive any vehicle on any area except parking areas or such areas as may on occasion be specifically designated as temporary areas by the Division of Recreation.

17. Swim, bathe or wade in any waters or waterways in or adjacent to any park, except in such waters and at such places as are provided therefor, and in compliance with such regulations as are herein

set forth or may be hereinafter adopted. Nor shall any person frequent any waters or places customarily designated for the purpose of swimming or bathing, or congregate thereat when such activities are prohibited by the Division of Recreation upon a finding that such use of the water would be dangerous or otherwise inadvisable.

18. Frequent any waters or places designated for the purposes of swimming or bathing, or congregate thereat except between such hours of the day as shall be designated by the Division of Recreation for such purposes for each individual site.

20. Bring in or operate any boat, raft or other watercraft, whether motor powered or not, upon any waters except at places designated for boating by the Division of Recreation. Such activity shall be in accordance with applicable regulations as are now or hereafter adopted.

23. Fish in any waters except in waters designated by the Division of Recreation for that use and under such regulations and restrictions as have or may be prescribed by the Division of Recreation.

b. While in a public park, all persons shall conduct themselves in a proper and orderly manner and, in particular, no person shall:

6. Fail to produce and exhibit any permit from the Division of Recreation he/she claims to have upon request of any authorized person who shall desire to inspect the same for the purpose of enforcing compliance with any ordinance or rule.

8. Expose or offer for sale any article or thing, nor shall he/she station or place any stand, cart or vehicle for the transportation, sale or display of any such article or thing. Exception is here made as to any regularly licensed concessionaire acting by and under the authority and regulation of the Division of Recreation.

SECTION V. Chapter 20 Section 1.2 of the Revised General Ordinances of the City of Sea Isle City, entitled "Hours of Use" is hereby amended to delete the following section in its entirety and replace same as follows:

DELETED SECTION:

20-1.2 Hours of Use.

Except for unusual and unforeseen emergencies, parks shall be open to the public every day of the year during the designated hours. The opening and closing hours shall be posted therein for public information and shall be determined from time to time by resolution of the Recreation Commission. Any section or part of any park may be declared closed to the public by the Recreation Commission at any time and for any interval of time, either temporarily or at regular and stated intervals (daily or otherwise) and either entirely or merely to certain uses as the Recreation Commission shall find reasonably necessary.

REPLACEMENT SECTION:

20-1.2 Hours of Use.

Except for unusual and unforeseen emergencies, parks shall be open to the public every day of the year during the designated hours. The opening and closing hours shall be posted therein for public information and shall be determined from time to time by resolution of the Division of Recreation. Any section or part of any park may be declared closed to the public by the Division of Recreation at any time and for any interval of time, either temporarily or at regular and stated intervals (daily or otherwise) and either entirely or merely to certain uses as the Division of Recreation shall find reasonably necessary.

SECTION VI. Chapter 20 Section 1.3 of the Revised General Ordinances of the City of Sea Isle City, entitled "Permits for Special Events" is hereby amended to delete the following sections only in their entirety (all other sections remain as is) and replace same as follows:

DELETED SECTION:

20-1.3 Permits for Special Events.

Permits for special events in parks shall be obtained by application to the Recreation Commission in accordance with the following procedure:

a. A person seeking issuance of a permit hereunder shall file an application with the Recreation Commission stating:

5. Any other information which the Recreation Commission shall find reasonably necessary to a fair determination as to whether a permit should be issued hereunder.

b. Standards for issuance of a use permit by the Recreation Commission shall include the following findings:

c. *Appeal.* Within five (5) days after the receipt of an application, the Recreation Commission shall apprise an applicant in writing of its reasons for refusing a permit, and any aggrieved person shall have the right to appeal to the Mayor by serving written notice thereof on the City Clerk within five (5) days of the refusal.

A copy of the notice shall also be served on the Recreation Commission within the same time, and the Commission shall immediately forward the application and the reasons for its refusal to the Mayor which shall consider the application under the standards set forth under paragraph b. above, and sustain or overrule the Recreation Commission's decision within fourteen (14) days from the receipt of the appeal by the City Clerk. The decision of the Mayor shall be final.

e. The person or persons to whom the permit is issued shall be liable for all loss, damage or injury sustained by any person whatever by reason of the negligence of the person or persons to whom the permit shall have been issued. The Recreation Commission shall have the right to require any permittee to submit evidence of liability insurance covering injuries to members of the general public arising out of such permitted activities in such amounts as may be from time to time determined by the Commission prior to the commencement of an activity or issuance of any permit.

f. *Revocation.* The Recreation Commission shall have the authority to revoke a permit upon a finding of violation of any rule or ordinance, or upon good cause shown.

REPLACEMENT SECTION:

20-1.3 Permits for Special Events.

Permits for special events in parks shall be obtained by application to the Division of Recreation in accordance with the following procedure:

a. A person seeking issuance of a permit hereunder shall file an application with the Division of Recreation stating:

5. Any other information which the Division of Recreation shall find reasonably necessary to a fair determination as to whether a permit should be issued hereunder.

b. Standards for issuance of a use permit by the Division of Recreation shall include the following findings:

c. *Appeal.* Within five (5) days after the receipt of an application, the Division of Recreation shall apprise an applicant in writing of its reasons for refusing a permit, and any aggrieved person shall have the right to appeal to the Administrator by serving written notice thereof on the City Clerk within five (5) days of the refusal.

A copy of the notice shall also be served on the Division of Recreation within the same time, and the Department shall immediately forward the application and the reasons for its refusal to the Administrator which shall consider the application under the standards set forth under paragraph b. above, and sustain or overrule the Division of Recreation 's decision within fourteen (14) days from the receipt of the appeal by the City Clerk. The decision of the Administrator shall be final.

e. The person or persons to whom the permit is issued shall be liable for all loss, damage or injury sustained by any person whatever by reason of the negligence of the person or persons to whom the permit shall have been issued. The Division of Recreation shall have the right to require any permittee to submit evidence of liability insurance covering injuries to members of the general public arising out of such permitted activities in such amounts as may be from time to time determined by the Department prior to the commencement of an activity or issuance of any permit.

f. *Revocation.* The Division of Recreation shall have the authority to revoke a permit upon a finding of violation of any rule or ordinance, or upon good cause shown.

SECTION VII. Chapter 20 Section 1.4 of the Revised General Ordinances of the City of Sea Isle City, entitled "Enforcement" is hereby amended to delete the following section in its entirety and replace same as follows:

DELETED SECTION:

20-1.4 Enforcement.

The Recreation Commission and park attendants shall, in connection with their duties imposed by law, diligently enforce the provisions of this section.

The Recreation Commission and any park attendant shall have the authority to eject from the park area any person or persons in violation of this section. The Recreation Commission and any park attendant shall have the authority to seize and confiscate any property, thing or device in the park used in violation of this section. This section shall also be enforced by the Police Department of the City.

REPLACEMENT SECTION:

20-1.4 Enforcement.

The Division of Recreation and park attendants shall, in connection with their duties imposed by law, diligently enforce the provisions of this section.

The Division of Recreation and any park attendant shall have the authority to eject from the park area any person or persons in violation of this section. The Division of Recreation and any park attendant shall have the authority to seize and confiscate any property, thing or device in the park used in violation of this section. This section shall also be enforced by the Police Department of the City.

SECTION VIII. Chapter 20 Section 2.3 of the Revised General Ordinances of the City of Sea Isle City, entitled "Fees" is hereby amended to delete the following paragraph only (all other sections labeled "a-c" remain as is) in its entirety and replace same as follows:

DELETED SECTION:

20-2.3 Fees.

Any individual wishing to use the municipal courts shall pay the following fees (effective last Monday in June to the last Friday in August):

a. *Cost of Courts:*

\$12.00 per hour from 8:00 a.m. – 1:00 p.m.

\$10.00 per hour from 1:00 p.m. – close

\$10.00 per hour for senior citizens – ID required

b. One hundred (\$100.00) dollars for a ten (10) pass coupon which is valid anytime in the current season.

c. *Days/Hours of Operation.*

1. Asphalt courts are generally open seven (7) days a week, year round, weather permitting from 8:00 a.m. to 10:00 p.m.

2. Hydro courts are generally open May 15 through the last Monday in June and the last Friday in August through September 15 from 9:00 a.m. to 12:30 p.m. From the last Monday in June through the last Friday in August, the courts are open from 8:00 a.m. to 5:00 p.m.

REPLACEMENT SECTION:

20-2.3 Tennis and Pickleball Fees.

Any individual wishing to use the municipal courts shall pay the following fees (effective the Saturday of Memorial Day weekend through Labor Day Monday):

1. Tennis Courts:

a. *Cost of Courts:*

\$12.00 per hour from 8:00 a.m. – 1:00 p.m.

\$10.00 per hour from 1:00 p.m. – close

\$10.00 per hour for senior citizens – ID required

b. One hundred (\$100.00) dollars for a ten (10) pass coupon which is valid anytime in the current season.

c. *Days/Hours of Operation.*

1. Asphalt courts are generally open seven (7) days a week, year round, weather permitting from 8:00 a.m. to 10:00 p.m.

2. Hydro courts are generally open May 15 through the last Monday in June and the last Friday in August through September 15 from 9:00 a.m. to 12:30 p.m. From the last Monday in June through the last Friday in August, the courts are open from 8:00 a.m. to 5:00 p.m.

2. Pickleball Courts:

a. West Jersey Avenue Courts – no fee

b. Dealy Field Courts - \$2.00 per person per session

c. *Days/Hours of Operation.*

1. Courts are generally open seven (7) days a week, year round, weather permitting from 8:00 a.m. to 10:00 p.m., subject to planning and determination of specific days and hours set by the Division of recreation.

SECTION IX. Chapter 20 Section 4.1 of the Revised General Ordinances of the City of Sea Isle City, entitled “Rules and Regulations for the Sea Isle City Skateboard Facility” is hereby amended to delete the following sections only in their entirety (all other sections remain as is) and replace same as follows:

DELETED SECTION:

20-4.1 Rules and Regulations for the Sea Isle City Skateboard Facility.

c. *Regulation.* The Facility shall be under the direction and control of the Department of Recreation which shall have the authority to enforce the provisions of this section and promulgate additional rules and regulations for the management, use and enjoyment of the Facility.

d. *Safety.* All users of the Facility shall at all times be required to wear an approved helmet, elbow and knee pads and nonskid shoes or sneakers, and follow such other rules and regulations for safety as adopted by the Recreation Department.

f. *Days and Hours of Operation.* The Facility shall be opened year-round, with hours of operation to be determined by the Department of Recreation. It is generally anticipated that the Facility will be opened on weekends and most holidays; it is anticipated that the hours of operation will be from 10:00 in the morning to dusk, weather permitting. Hours are subject to change. The Department of Recreation may establish different hours of operation for use by different age groups.

j. *Violations of Rules/Regulations.* Any user who violates the Facility's Rules and Regulations or other municipal ordinances while in or upon the grounds of the Facility shall be immediately removed from the Facility and be denied access to the Facility for a period of up to three (3) months, as determined by the Department of Recreation. Anyone convicted of criminal activity or conduct at or upon the Facility grounds may be banned from the Facility. Restitution shall be required to be paid to the City by anyone found to have vandalized the Facility. Payment of restitution must be paid in full before the person will be allowed to use the Facility.

The Sea Isle City Police Department and any member of the Department of Recreation, in connection with their duties imposed by law, shall have the authority to enforce the provisions of this section, the rules and regulations of the Skateboard Facility.

REPLACEMENT SECTION:

20-4.1 Rules and Regulations for the Sea Isle City Skateboard Facility.

c. *Regulation.* The Facility shall be under the direction and control of the Division of Recreation which shall have the authority to enforce the provisions of this section and promulgate additional rules and regulations for the management, use and enjoyment of the Facility.

d. *Safety.* All users of the Facility shall at all times be required to wear an approved helmet, elbow and knee pads and nonskid shoes or sneakers, and follow such other rules and regulations for safety as adopted by the Division of Recreation.

f. *Days and Hours of Operation.* The Facility shall be opened year-round, with hours of operation to be determined by the Division of Recreation. It is generally anticipated that the Facility will be opened on weekends and most holidays; it is anticipated that the hours of operation will be from 10:00 in the morning to dusk, weather permitting. Hours are subject to change. The Division of Recreation may establish different hours of operation for use by different age groups.

j. *Violations of Rules/Regulations.* Any user who violates the Facility's Rules and Regulations or other municipal ordinances while in or upon the grounds of the Facility shall be immediately removed from the Facility and be denied access to the Facility for a period of up to three (3) months, as determined by the Division of Recreation. Anyone convicted of criminal activity or conduct at or upon the Facility grounds may be banned from the Facility. Restitution shall be required to be paid to the City by anyone found to have vandalized the Facility. Payment of restitution must be paid in full before the person will be allowed to use the Facility.

The Sea Isle City Police Department and any member of the Division of Recreation, in connection with their duties imposed by law, shall have the authority to enforce the provisions of this section, the rules and regulations of the Skateboard Facility.

SECTION X. Chapter 20 Section 4.2 of the Revised General Ordinances of the City of Sea Isle City, entitled “Special Events” is hereby amended to delete the following section in its entirety and replace same as follows:

DELETED SECTION:

20-4.2 Special Events.

Special events shall be permitted at the Facility subject to the discretion of the Recreation Department. The Recreation Department shall promulgate rules and regulations on what type of special events shall be permitted and how they shall be conducted. For each special event, the Recreation Department shall collect a fee.

Insurance shall be required of any non-City special event that uses the Skateboard Facility. The insurance shall name the City, Department of Recreation and Recreation Commission as insured and shall be in an amount as determined by the Municipal Solicitor and approved by the municipal insurance carrier.

REPLACEMENT SECTION:

20-4.2 Special Events.

Special events shall be permitted at the Facility subject to the discretion of the Division of Recreation. The Division of Recreation shall promulgate rules and regulations on what type of special events shall be permitted and how they shall be conducted. For each special event, the Division of Recreation shall collect a fee.

Insurance shall be required of any non-City special event that uses the Skateboard Facility. The insurance shall name the City and Division of Recreation as insured and shall be in an amount as determined by the Municipal Solicitor and approved by the municipal insurance carrier.

SECTION XI. Chapter 20 Section 5 of the Revised General Ordinances of the City of Sea Isle City, entitled “ACTIVITY FEES” is hereby amended to delete the following section in its entirety and replace same as follows:

DELETED SECTION:

20-5 ACTIVITY FEES.

Fees for activities within the Recreation Department are as follows.

REPLACEMENT SECTION:

20-5 ACTIVITY FEES.

Fees for activities within the Division of Recreation are as follows.

SECTION XII. Chapter 20 Section 5.1 of the Revised General Ordinances of the City of Sea Isle City, entitled “Professional Service Contracted Programs” is hereby amended to delete the following section in its entirety and replace same as follows:

DELETED SECTION:

20-5.1 Professional Service Contracted Programs.

a. Participants involved in professional service contracted programs shall pay the contractor directly. The contractor then shall pay the following amounts to the Recreation Facility for usage:

- Up to \$199.00 – 10% total registered participants
- \$200.00-\$299.00 – 15% total registered participants
- \$300.00 and above – 20% total registered participants

b. The Recreation Department shall deposit all fees collected from professional service contracted programs into the Tennis Fee Trust Account.

c. Each professional service contractor shall be required to provide insurance for themselves and their staff. The insurance shall name the City, Recreation Department, and Recreation Commission as insured and shall be in the amount as determined by the Municipal Solicitor and approved by the municipal insurance carrier.

REPLACEMENT SECTION:

20-5.1 Professional Service Contracted Programs.

a. Participants involved in professional service contracted programs shall pay the contractor directly. The contractor then shall pay the following amounts to the Recreation Facility for usage:

- Up to \$199.99 – 10% total registered participants
- \$200.00-\$299.99 – 15% total registered participants
- \$300.00 and above – 20% total registered participants

b. The Division of Recreation shall deposit all fees collected from professional service contracted programs into the Tennis Fee Trust Account.

c. Each professional service contractor shall be required to provide insurance for themselves and their staff. The insurance shall name the City and the Division of Recreation as insured and shall be in the amount as determined by the Municipal Solicitor and approved by the municipal insurance carrier.

SECTION XIII. Chapter 20 Section 5.2 of the Revised General Ordinances of the City of Sea Isle City, entitled “Special Events” is hereby amended to delete the following sections “b” and “c” only in their entirety and replace same as follows:

DELETED SECTION:

20-5.2 Special Events.

b. The Department of Community Services shall deposit all fees collected from Special Event programs into the Tennis Fee Trust Account, except fees collected for subsection 20-5.2a.4. Fees collected for subsection 20-5.2a.4 Special Events shall be deposited in the City's General Account.

c. All special event programs shall be required to provide insurance for themselves and their staff. The insurance shall name the City, Department of Community Services and Recreation Committee as insured and shall be in the amount as determined by the Municipal Solicitor and approved by the municipal insurance carrier.

REPLACEMENT SECTION:

20-5.2 Special Events.

b. The Division of Recreation shall deposit all fees collected from Special Event programs into the Tennis Fee Trust Account, except fees collected for subsection 20-5.2a.4. Fees collected for subsection 20-5.2a.4 Special Events shall be deposited in the City's General Account.

c. All special event programs shall be required to provide insurance for themselves and their staff. The insurance shall name the City and the Division of Recreation as insured and shall be in the amount as determined by the Municipal Solicitor and approved by the municipal insurance carrier.

SECTION XIV. Chapter 20 Section 5.3 of the Revised General Ordinances of the City of Sea Isle City, entitled “Recreation Department Programs” is hereby amended to delete the following section in its entirety and replace same as follows:

DELETED SECTION:

20-5.3 Recreation Department Programs.

a. Fees for the following programs shall be paid per participant and directly to the Recreation Department:

1. Aerobics – \$40.00 for 10 coupon pass
2. Karate – \$35.00
3. Playground – \$35.00 per session
4. Tot-playground – \$20.00 per session
5. Instructional Basketball – \$15.00 per session
6. Intermediate Basketball – \$35.00
7. Junior and Senior Basketball – \$50.00
8. CMC Traveling Hockey – \$25.00
9. Soccer – \$25.00
10. Tot-time Preschool – \$130.00 per month
11. Photo Scrapbooking – \$5.00 per session
12. South Shore Basketball – \$25.00
13. Wrestling – \$25.00 per session
14. Tot/Instructional Basketball – \$25.00
15. Baseball – \$25.00
16. Softball – \$25.00
17. Teeball – \$25.00

b. The Recreation Department shall deposit all fees collected from Recreation Department Programs into the City's General Account.

REPLACEMENT SECTION:

20-5.3 Division of Recreation Programs.

a. Fees for the following programs shall be paid per participant and directly to the Division of Recreation:

1. Aerobics – \$40.00 for 10 coupon pass
2. Playground – \$50.00 per week
3. Tot-playground – \$50.00 per week
4. Instructional Basketball – \$15.00 per session
5. Intermediate Basketball – \$35.00
6. Junior and Senior Basketball – \$50.00
7. CMC Traveling Hockey – \$25.00
8. Soccer – \$25.00
9. South Shore Basketball – \$25.00
10. Tot/Instructional Basketball – \$5.00 per session
11. Baseball – \$25.00
12. Softball – \$25.00
13. Teeball – \$25.00
14. Men’s Basketball League (ages 18 and older) = \$600.00 per team

b. The Division of Recreation shall deposit all fees collected from Division of Recreation Programs into the City's General Account.

SECTION XV. Chapter 21 Section 2.2 of the Revised General Ordinances of the City of Sea Isle City, entitled “Vehicles Prohibited; Exceptions” is hereby amended to delete the following paragraph only in its entirety and replace same as follows:

DELETED SECTION:

21-2.2 Vehicles Prohibited; Exceptions.

The driving or moving of any vehicle on the beach, Promenade, or approaches thereto, is prohibited, except in cases where a written permit therefore, signed by the Director of Public Safety or by such person designated by the Director, has been issued. Vehicle beach access permits shall be provided upon submitting a complete application and the application fee. The application fee for a vehicle beach access permit shall be fifty (\$50.00) dollars. Vehicle beach access permits shall only allow for vehicle beach access between September 15th and May 15th of each year.

REPLACEMENT SECTION:

21-2.2 Vehicles Prohibited; Exceptions.

The driving or moving of any vehicle on the beach, Promenade, or approaches thereto, is prohibited, except in cases where a written permit therefore, signed by the Chief of Police or by such person designated by the Chief, has been issued. Vehicle beach access permits shall be provided upon submitting a complete application and the application fee. The application fee for a vehicle beach access permit shall be fifty (\$50.00) dollars. Vehicle beach access permits shall only allow for vehicle beach access between September 15th and May 15th of each year.

SECTION XVI. Chapter 21 Section 2.3 of the Revised General Ordinances of the City of Sea Isle City, entitled “Use Prohibited at Certain Times; Exceptions” is hereby amended to delete the following section letter “b” only in its entirety and replace same as follows:

DELETED SECTION:

21-2.3 Use Prohibited at Certain Times; Exceptions.

b. The Director of Public Safety or any person designated by him/her is hereby authorized to grant permission to any person, persons or group of persons to be on the public beach areas of the City during the time referred to in paragraph a. hereof, for such purposes and under such terms and conditions as are consistent with the general meaning, intent and purposes of this section, namely, the protection of the people, their property and rights, the protection of public property, and the general public safety, health and welfare of the inhabitants and guests in the City.

REPLACEMENT SECTION:

21-2.3 Use Prohibited at Certain Times; Exceptions.

b. The Chief of Police or any person designated by him/her is hereby authorized to grant permission to any person, persons or group of persons to be on the public beach areas of the City during the time referred to in paragraph a. hereof, for such purposes and under such terms and conditions as are consistent with the general meaning, intent and purposes of this section, namely, the protection of the people, their property and rights, the

protection of public property, and the general public safety, health and welfare of the inhabitants and guests in the City.

SECTION XVI. Severability. If for any reason any section of this Ordinance shall be declared illegal by any Court of competent jurisdiction, the remaining section of the Ordinance shall remain in full force and effect, notwithstanding.

SECTION XVII. Repealer. Any Ordinance or provision thereof inconsistent with this Ordinance is hereby repealed to the extent of such inconsistency.

SECTION XVIII. Publication. This Ordinance shall take effect immediately upon the adoption and publication in accordance with the law.

William Kehner, Councilman

Mayor Leonard C. Desiderio

I HEREBY CERTIFY THAT the foregoing ordinance was duly passed by the City Council of the City of Sea Isle City, New Jersey on first reading at the regular meeting of said Council held on the 13th day of March, 2018 and was taken up for second reading, public hearing and final passage at the regular meeting of said Council held on the 10th day of April, 2018, in City Hall, 3rd Floor Council Chambers, 233 JFK Blvd., Sea Isle City, New Jersey at 10:00 a.m.

Shannon Romano, Municipal Clerk