

## **Elsinboro Township**

### **Utilization of Areas Open to the Public**

WHEREAS, the purpose of this Ordinance is to assure the safe, orderly use of properties which are open to the public, including, but not limited to: (a) that owned by private entities such as Francis Corporation, including, but not limited to, what is referred to as “Elsinboro Point” and the “Tilbury Boat Ramp” which was built by a subsidiary of PSEG pursuant to a certain NJDEP permit requiring same to be open to the public, but maintained by PSEG and/or its subsidiary, those properties include: Block 10, Lot 12 and Block 11, Lots 4 and 5 (Sinnickson Landing Rd); Block 23, Lot 1 (Salem-Fort Elfsborg Rd); Block 36, Lot 1, Block 40, Lot 2, Block 42, Lot 6, and Block 39, Lots 5 and 6; and (b) the beach front along the Delaware and Salem Rivers completed pursuant to a joint agreement between the State of New Jersey and Elsinboro Township; and

WHEREAS, utilization of the aforementioned areas shall be subject to the following regulations and, in the event any individual(s) violate any regulation, same shall be treated as a trespasser pursuant to N.J.S.A. 2C: 18-3 and may be prosecuted thereunder, or prosecuted for violating this Ordinance at the discretion of the Prosecutor;

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Elsinboro, County of Salem, State of New Jersey, that:

1. Ordinance No. 2008-4 is repealed in its entirety and replaced with the following:

### **ORDINANCE NO. 2015-3**

### **Utilization of Areas Open to the Public**

**Purpose of Act.** The purpose of this Ordinance is to assure the safe, orderly use of properties which are open to the public, including, but not limited to: (a) that owned by private entities such as Francis Corporation, including, but not limited to, what is referred to as “Elsinboro Point” and the “Tilbury Boat Ramp” which was built by a subsidiary of PSEG pursuant to a certain NJDEP permit requiring same to be open to the public, but maintained by PSEG and/or its subsidiary, those properties include: Block 10, Lot 12 and Block 11, Lots 4 and 5 (Sinnickson Landing Rd); Block 23, Lot 1 (Salem-Fort Elfsborg Rd); Block 36, Lot 1, Block 40, Lot 2, Block 42, Lot 6, and Block 39, Lots 5 and 6; and (b) the replenished beach front along the Delaware and Salem Rivers completed pursuant to a joint agreement between the State of New Jersey and Elsinboro Township (Properties).

**Prohibited Acts.** A person’s entry onto the Properties is a privilege, subject to compliance with the following regulations, which privilege shall automatically be revoked if violated:

Hours of Use:

A. Block 23 Lot 1, Block 39 Lots 5 and 6, Block 38 Lot 1 (Adjacent to Salem-Fort Elfsborg Rd)

March 1 – April 30	6 AM to 7 PM
May 1 – September 30	6 AM to 8 PM
October 1 - February 29	7 AM to 5 PM

Block 10 Lot 12 and Block 11 Lots 4 and 5 (Adjacent to Sinnicksons Landing Rd)

OR	September 16 – April 30	6 AM to 8 PM
	May 1 – September 15	6 AM to 9 PM

Block 40 Lot 2, Block 42 Lot 6, (Adjacent to Money Island Road)

5 AM to 9 PM

Oakwood Beach Public Access Points: 8 AM to 6 PM

Hours of use for all other public areas will be as follows:

March 1 – April 30	6 AM to 7 PM
May 1 – September 30	6 AM to 8 PM
October 1 - February 29	7 AM to 5 PM

B. No one shall damage, deface, injure, destroy, displace or remove any buildings, benches, tables, paving, signs, notices, monuments, trees, shrubs, plants, stakes, boundary markers, utilities of other structures or equipment, facilities or appurtenances whatsoever;

C. No one shall construct or erect any tent, building or other structure of whatever kind, whether permanent or temporary, or run or string lines, wires or other lines upon or across the Properties, except upon written permission by the Township Committee, or its designee;

D. Off road vehicles of any type (unless directed by the Township for official business) are prohibited to be operated upon the Properties;

E. Bring in or dump upon, deposit or leave upon the Properties any bottles, broken glass, trash, garbage or other refuse. Any refuse generated in connection with the proper use of the Properties must be placed in the proper receptacles where provided for such matters, and where receptacles are not provided, such materials shall be carried away by the person responsible for its presence and properly disposed of elsewhere. Illegal dumping is expressly prohibited;

F. No one shall drive or park any vehicle on any area except the roadways or provided parking spaces;

G. Parking in areas other than in the established parking areas located thereon.

Elsinboro Point Parking Area (Block 23 Lot 1, adjacent to Salem-Ft. Elfborg Rd.) Designated parking area capacity is 7 vehicles with one additional handicap parking space and one space for a bus or emergency equipment.

Sinnicksons Landing Road Boat Ramp Facility Parking Areas (Block 10 Lot 12 and Block 11 Lots 4 and 5). Designated parking area capacity is 14 vehicles with trailers and no greater than eight additional cars without trailers (Block 11 Lots 4 and 5). One additional handicap-accessible parking space is provided at the ramp location (Block 10, Lot 12).

Terminus of Money Island Road Parking Area (Block 42 Lot 6). Designated parking area capacity is seven vehicles, one additional handicap parking space and one space for a bus or emergency equipment.

Money Island Road Nature Trail Parking Area (Block 40, Lot2). Designated parking area capacity is nine vehicles with one additional space for a bus or emergency equipment.

- H. All entering of the areas open to the public are tacitly acknowledging the Township is not responsible for dangers associated with entering the river(s) and doing so is at the individual(s) own risk;
- I. Entering the areas open to the public during storms and/or other dangerous conditions;
- J. Fires of any kind or type are prohibited;
- K. Alcoholic beverages and/or illegal substances are strictly prohibited;
- L. Nudity is not permitted;
- M. Urinating in public is not permitted.
- N. No person(s) shall interfere in any way with law enforcement in performance of their duties;
- O. Soliciting, begging, and/or panhandling is prohibited; and
- P. Sound devices such as radios, boom boxes, etc. shall be permitted to be operated in accordance with local sound ordinances.
- Q. Loud or offensive language is prohibited.
- R. Pets must be in compliance with local pet ordinances.
- S. Fishing and/or crabbing at the Sinnickson Landing Boat ramp area.

T. Activities which are deemed to cause a hazardous condition are prohibited.

**Penalties:** Any person found violating any of the conditions precedent to being entitled to enter the property shall be deemed a defiant trespasser, a petty disorderly person, as the privilege to remain on the Properties shall automatically be revoked and the violator shall be subject to a fine of up to \$1000 and/or 30 days of imprisonment. Any person found causing damage or destruction to property will be required to pay for cost of repair to original state. Any person found to be leaving items on the properties which need to be discarded will be responsible for all costs associated with said work.

In the alternative, the prosecuting attorney may seek to have the violator prosecuted under one of the subsections of this Ordinance which if found guilty shall be fined \$100 to \$750.

This Ordinance shall take effect following final passage and publication as provided by law.

If the provisions of any section, subsection, paragraph, subdivision, or clause of this ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this ordinance.

All Ordinances or parts thereof, which are inconsistent with the provisions of this Ordinance, are hereby repealed to the extent of such inconsistency.

Introduced- February 2, 2015  
Published - February 14, 2015  
Adopted- March 2, 2015