

ORDINANCE NO. 3628

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF FRANKLIN, COUNTY OF SOMERSET AND STATE OF NEW JERSEY, MORE PARTICULARLY CHAPTER 260, PARKS AND RECREATION, SECTION 260-6, PROHIBITED ACTIVITIES, SUBSECTION (C) ANIMALS AND ADDING NEW ARTICLE VI, GRIGGSTOWN NATIVE GRASSLAND PRESERVE (PART OF TEN MILE RUN GREENWAY) REGULATIONS AND ARTICLE VII, NEGRI-NEPOTE NATIVE GRASSLAND PRESERVE (PART OF THE MIDDLEBUSH GREENWAY) REGULATIONS.

SUMMARY

An ordinance amending Code Chapter 260, Parks and Recreation, Section 260-6, Prohibited Activities, Subsection C, Animals and the addition of new Article VI, Griggstown Native Grassland Preserve (Part of Ten Mile Run Greenway) Regulations and Article VII, Negri-Nepote Grassland Preserve (Part of the Middlebush Greenway) Regulations.

BE IT ORDAINED by the Township Council of the Township of Franklin, County of Somerset and State of New Jersey that the Code of the Township of Franklin be and it is hereby amended as follows:

SECTION I

Chapter 260, Article I, General Provisions, Section 250-6 – Prohibited Activities, is amended as follows:

§ 260-6. Prohibited activities.

- C. Animals. No person shall cause or permit any animal owned by him, in his custody or under his control to go or be at large.
- (1) Dogs shall be restrained by a leash not exceeding six feet in length.
 - (2) No person shall ride or drive a horse unless it is well broken and constantly held in such control that it may be easily or quickly turned and stopped.
 - (3) No horse shall be unbridled or left unattended in any unenclosed area without being securely fastened.
 - (4) No horse shall be driven or ridden in the parks, except at such locations designated for this purpose by the Department.
 - (5) No person shall hunt, molest, kill, wound, trap, take, chase, shoot or throw missiles at, remove or have in his possession any animal, reptile or bird or knowingly buy, receive, have in his possession, sell or give away any such animal, reptile, bird or eggs so taken.
 - (6) No person shall fish in any of the rivers and canals bordering the parks unless he has a state license. No person shall kill, wound, discharge or throw missiles at any fish in such waters, or place therein any piscivorous fish, poison or any other substances injurious to fish.
 - (7) Dogs and horses are prohibited at all times at Bunker Hill Environmental Center.
 - (8) No person shall cause or permit any animal owned by him, in his custody or under his control to go or be at large at other parks, parkways, preservation areas and reservations.
 - (9) ~~Dogs and horses are prohibited at all times at Griggstown Native Grassland Preserve and Negri-Nepote Native Grassland Preserve.~~ **Griggstown Native Grassland Preserve and Negri-Nepote Native Grassland Preserve – Dogs and horses are prohibited at all times except that horses may be ridden on the Griggstown Preserve on specially designated trails only upon obtaining a township-issued permit from the Parks and Recreation Department.**

SECTION II

Article VI, Griggstown Native Grassland Preserve (Part of Ten Mile Run Greenway) Regulations is added to Chapter 260, Parks and Recreation as follows:

§260-25. General Open Space Preserve Rules

Franklin Township Parks and Open Space Preserves are intended for the recreation and enjoyment of its residents and their guests. Patrons are expected to refrain from behavior affecting the safety, peace and good order of the parks and park visitors.

- A. All motorized vehicles are restricted to designated driveway and parking areas.
- B. The Open Space Preserve's speed limit is 5 miles per hour on all driveways and parking lots.
- C. The following is prohibited on open space preserve property:
 - (1) Alcoholic Beverages.
 - (2) Dumping or littering. Use of receptacles are required.
 - (3) Pets.
 - (4) Disturbing of wildlife animals of the habitats of wildlife animals.
 - (5) Hunting, weapons or firearms except by township-issued white-tailed deer hunting permit. (See hunting below.)
 - (6) Swimming.
 - (7) Boating.
 - (8) Cutting of timber.
 - (9) Removal of any natural material.
 - (10) Fires or open flames.
 - (11) Playing of music.
 - (12) Camping or erection of tents or any other temporary structures.

§260-26. Trail Use Rules.

A. Biking, Snow Mobiles and All-Terrain Vehicles (ATVs)

The trails are closed to biking, snowmobiles and all-terrain vehicles (ATVs) due to the sensitive habitat being managed for threatened and endangered species, for erosion prevention and in the interest of visitor safety.

B. Equestrian Use

1. Most trails in this open space preserve are closed to equestrian use due to the sensitive habitat being managed for threatened and endangered species and for erosion prevention. However AN EQUESTRIAN TRAIL IS AVAILABLE FOR USE BY PERMIT ONLY. It is the rider's responsibility to obtain the permit by contacting the Recreation Department at (732) 873-1991. Applications may be picked up between 9 a.m. and 4 p.m. at the Franklin Township Recreation Office, located in the Senior/Community Center at the Municipal Complex.
2. Once a permit is issued, the rider must have the permit in their possession at all times when on Township property and must show the permit to any person who asks to see the permit.
3. Horses are prohibited in the fields, agricultural areas or pastureland.
4. Equestrians are to defer to pedestrians when passing.
5. Trails should not be utilized whenever the trails can be damaged due to weather conditions.

A complete list of equestrian rules is available from the Recreation Department.

§260-27. Open Space Preserve Hours.

- A. Open Space Preserve Hours are from sunrise to 30 minutes after sundown.
- B. The grounds and parking lots must be vacated at closing.

§260-28. Motor Vehicle Parking.

No operator of any automobile, trailer, camper, boat trailer, or other motor vehicle shall park such vehicle in any area other than the designated motor vehicle parking areas. No person shall park, leave standing, or abandon a motor vehicle, camper or trailer in any open space area after closing time. Any vehicle found parked in violation will be towed away at the owner's or operator's expense and cited.

§260-29. Hunting.

- A. Hunting is prohibited in the open space preserve unless a permit is obtained from the

Township to hunt white tailed deer. White-tailed deer hunting applications are available by contacting the Animal Control Officer of the Township. (White-tailed deer are being hunted because they are over-browsing our forests and preventing forest regeneration.)

- B. Dates of the white-tailed deer hunt are posted on the kiosk and at various points around the edges of the property. Hunting is not permitted in any posted Safety Zones.
- C. Those entering the property during hunting season must wear blaze orange except when in the posted "Safety Zones".

§260-30. Cross Country Skiing.

When using groomed trails in open space preserves, skiers should use field edges and forest trails. Skiing is prohibited through the tall native grasses in the fields.

§260-31. Snowshoes.

- A. Snowshoeing is permitted on trails or in the forest.
- B. Snowshoeing is prohibited through the tall native grasses.

§260-32. Violations.

Violations of any part of the article may result in fines not exceeding two hundred and fifty dollars (\$250) for each offense.

SECTION III

Article VII, Negri-Nepote Native Grassland Preserve (Part of the Middlebush Greenway) Regulations is added to Chapter 260, Parks and Recreation as follows:

§260-33. General Open Space Preserve Rules

Franklin Township Parks and Open Space Preserves are intended for the recreation and enjoyment of its residents and their guests. Patrons are expected to refrain from behavior affecting the safety, peace and good order of the parks and park visitors.

- A. All motorized vehicles are restricted to designated driveway and parking areas.
- B. The Open Space Preserve's speed limit is 5 miles per hour on all driveways and parking lots.
- C. The following is prohibited on open space preserve property:
 - (1) Alcoholic Beverages.
 - (2) Dumping or littering. Use of receptacles are required.
 - (3) Pets.
 - (4) Disturbing of wildlife animals of the habitats of wildlife animals.
 - (5) Hunting, weapons or firearms except by township-issued white-tailed deer hunting permit. (See hunting below.)
 - (6) Swimming.
 - (7) Boating.
 - (8) Cutting of timber.
 - (9) Removal of any natural material.
 - (10) Fires or open flames.
 - (11) Playing of music.
 - (12) Camping or erection of tents or any other temporary structures.

§260-34. Trail Use Prohibitions.

- A. Biking, Snow Mobiles and All-Terrain Vehicles (ATVs)

The trails are closed to biking, snowmobiles and all-terrain vehicles (ATVs) due to the sensitive habitat being managed for threatened and endangered species, for erosion prevention and in the interest of visitor safety.

- B. Equestrian Use

All of the trails in this open space preserve are closed to equestrian use due to sensitive habitat being managed for threatened and endangered species and for erosion prevention.

§260-35. Open Space Preserve Hours.

- A. Open Space Preserve Hours are from sunrise to 30 minutes after sundown.**
- B. The grounds and parking lots must be vacated at closing.**

§260-36. Motor Vehicle Parking.

No operator of any automobile, trailer, camper, boat trailer, or other motor vehicle shall park such vehicle in any area other than the designated motor vehicle parking areas. No person shall park, leave standing, or abandon a motor vehicle, camper or trailer in any open space area after closing time. Any vehicle found parked in violation will be towed away at the owner's or operator's expense and cited.

§260-37. Hunting.

- A. Hunting is prohibited in the open space preserve unless a permit is obtained from the Township to hunt white tailed deer. White-tailed deer hunting applications are available by contacting the Animal Control Officer of the Township. (White-tailed deer are being hunted because they are over-browsing our forests and preventing forest regeneration.)**
- B. Dates of the white-tailed deer hunt are posted on the kiosk and at various points around the edges of the property. Hunting is not permitted in any posted Safety Zones.**
- C. Those entering the property during hunting season must wear blaze orange except when in the posted "Safety Zones".**

§260-38. Cross Country Skiing.

When using groomed trails in open space preserves, skiers should use field edges and forest trails. Skiing is prohibited through the tall native grasses in the fields.

§260-39. Snowshoes.

- A. Snowshoeing is permitted on trails or in the forest.**
- B. Snowshoeing is prohibited through the tall native grasses.**

§260-40. Violations.

Violations of any part of the article may result in fines not exceeding two hundred and fifty dollars (\$250) for each offense.

SECTION IV

Each clause, section or subsection of this ordinance shall be deemed a separate provision to the intent that if any such clause, section or subsection should be declared invalid, the remainder of the ordinance shall not be affected.

SECTION V

All ordinances or parts of ordinance inconsistent with this ordinance are hereby repealed as to the extent of such inconsistency.

SECTION VI

This ordinance shall take effect immediately upon adoption and publication according to law.

ORDINANCE NO. 3628

THIS IS A TRUE COPY OF AN ORDINANCE ADOPTED BY THE TOWNSHIP COUNCIL, TOWNSHIP OF FRANKLIN, SOMERSET, NJ

INTRODUCED:	August 8, 2006
PUBLIC HEARING:	September 12, 2006
ADOPTED:	September 12, 2006
NOTICE OF FINAL ADOPTION:	September 18, 2006
EFFECTIVE DATE:	October 2, 2006

ANN MARIE McCARTHY, TOWNSHIP CLERK