



BOROUGH OF HIGHLANDS  
COUNTY OF MONMOUTH

## ORDINANCE O-26-04

**AMENDING CHAPTER 2 (ADMINISTRATION), SECTION 41 (USE OF BUILDINGS AND FACILITIES OWNED BY OR UNDER THE SUPERVISION, CONTROL AND MAINTENANCE OF THE BOROUGH OF HIGHLANDS), SECTION 41.1 (AUTHORITY), SCHEDULE A OF SECTION 41.3 (FEES) AND SECTION 41.5 (WAIVER OF FEE) OF THE CODE OF THE BOROUGH OF HIGHLANDS**

**WHEREAS**, Chapter 2, Section 41 of the Code of the Borough of Highlands governs the use of buildings and facilities owned by or under the supervision, control and maintenance of the Borough of Highlands including the Community Center; and

**WHEREAS**, Chapter 2, Section 41.1 designates the director of recreation to accept and process applications by not for profit entities to utilize the Community Center; and

**WHEREAS**, the governing body has determined that it is in the best interest of the Borough to allow for individuals and not for profit entities to utilize the Community Center for non-commercial purposes; and

**WHEREAS**, Schedule A (Chapter 2, Section 41.3) sets forth the general rules and conditions applicable to applications for use of the Community Center, including provisions stating that no alcohol is permitted within the Community Center; and

**WHEREAS**, the governing body has also determined that it is in the best interest of the Borough to permit a process by which the Borough Administrator may approve or deny a waiver of the alcohol prohibition based upon information submitted by an applicant, including the requirement that the applicant provide proof of insurance and name the Borough as an additional insured on the policy of insurance; and

**WHEREAS**, the governing body has also determined that that is in the best interest of the Borough to correct Section 2-41.5 insofar as the waiver of fees is concerned.

**NOW, THEREFORE, BE IT ORDAINED**, by the governing body of the Borough of Highlands as follows:

### SECTION I.

Chapter 2, Section 41 Use of Buildings and Facilities Owned By Or Under The Supervision, Control And Maintenance of the Borough of Highlands, Section 41.1, Authority, Schedule A Section 41.3 Fees, and Section 41.5 Waiver of Fee are hereby amended to provide as follows: (All additions are shown in **bold italics with underlines**. The deletions are shown as ~~**strikeouts in bold italics.**~~)

#### Section 2-41.1 **Authority.**

The governing body does hereby designate the director of recreation to accept and process applications **by individuals** and not for profit entities to utilize the Community Center **for non-commercial purposes.**

#### Section 2-41.2 **Application and Approval.**

No change.

#### Section 2-41.3 **Fees.**

As a condition of any approval, the borough will impose and collect a fee as set forth on Schedule A adopted herewith to defray additional building opening and maintenance costs incurred by the borough in connection with making the facility available and accessible to the applicant during non-business hours. In addition, for programs or activities that require staff assistance in addition to the opening of the center, a rate of \$50 per hour per employee will be charged.

#### **Schedule A**

(Section 2-41)

- A. Recreation Department Activities As Prioritized
- B. Must have Insurance as required by MEL/JIF (T.U.L.I.P. program), or homeowners policy if adequate.
- C. ~~**No Alcohol Permitted**~~ **Alcohol shall not be permitted unless a waiver is granted by the Borough Administrator. Any applicant seeking a waiver of the alcohol prohibition within the Community Center must submit a written request, which shall be reviewed and approved or denied by the Borough Administrator based upon the information provided. Where a waiver is granted, the applicant shall provide proof of insurance in amounts acceptable to the Borough Administrator and name the Borough of Highlands as an additional insured on the policy of insurance.**
- D. Dates of Availability are limited based on scheduling
- E. Exemptions from Fee: HHRS, HES, SHLL or cosponsored activities (HHRS and HES do not charge for gym or field use)

\*\*\* The remainder of Schedule A shall remain unchanged. \*\*\*

#### **Section 2-41.4 Community Program Agreement.**

No change.

#### **Section 2-41.5 Waiver of Fee.**

Concurrent with the filing of an application pursuant to subsection 2-41.2, a not-for-profit corporation, may request that the fee provided for in subsection 2-41.3 **be waived** where the use of the building or facility is not primarily for fund raising purposes, or for other good cause shown.

#### **SECTION II. SEVERABILITY.**

If any section, subsection, sentence clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of the ordinance, which shall otherwise remain in full force and effect.

#### **SECTION III. REPEALER.**

All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

#### **SECTION IV. EFFECTIVE DATE.**

This Ordinance shall take effect after final passage as provided by law.

First Reading and Set Hearing Date for O-26-04:

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
CERVANTES						
CHELAK						
MELNYK						
OLSZEWSKI						
BROULLON						

This is a Certified True copy of the Original Ordinance on file in the Municipal Clerk’s Office.

DATE OF VOTE: February 18, 2026

Nancy Tran, Municipal Clerk  
Borough of Highlands

Public Hearing for O-26-04:

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
CERVANTES						
CHELAK						
MELNYK						
OLSZEWSKI						
BROULLON						

This is a Certified True copy of the Original Ordinance on file in the Municipal Clerk’s office

DATE OF VOTE: March 4, 2026

Carolyn Broullon, Mayor

Nancy Tran, Municipal Clerk  
Borough of Highlands