

**ORDINANCE NO. 2023-**

**TOWNSHIP OF MIDDLETOWN  
COUNTY OF MONMOUTH**

**AN ORDINANCE AMENDING AND SUPPLEMENTING §§ 355-10 AND 11  
OF THE CODE OF THE TOWNSHIP OF MIDDLETOWN GOVERNING  
SKATE PARK RULES AND REGULATIONS**

**WHEREAS**, the Township of Middletown (the “**Township**”) has developed a new skate park located within Kunkel Park; and

**WHEREAS**, to ensure the public safety of those utilizing the skate park, the Township is amending and supplementing its rules and regulations governing the use of skate parks within the Township.

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey that § 355-10 and 11 of the Code of the Township of Middletown is hereby repealed and replaced in its entirety as follows:

**SECTION 1. § 355-10. Skate Park Rules and Regulations.**

- A. Times of Operation.** The skate park is open from 8:00am until dusk, but in no case later than 8:00pm. The skate park may be closed at the discretion of the Township’s Department of Recreation during weather events or when maintenance is required. Use of the facility outside of the permitted hours of operation, when posted as closed, or during wet, snowy or icy conditions, is strictly prohibited.
- B. Assumption of Personal Liability.** All persons entering the skate park are deemed to have knowledge that the skate park is a non-supervised activity site and that they are using the facility at their own risk. All persons entering and using the skate park are deemed to have agreed to indemnify, defend, and hold harmless the Township, its officers, employees, agents, and volunteers for, from and against any accident, injury, including death, and/or loss of property or damage thereto sustained as a result of entering the skate park.
- C. Types of Skating Permitted.** The Township’s skate park is for skateboard and in-line skaters only. Bicycles, scooters and motorized vehicles of any kind are not permitted. Skateboards with wheelbases longer than 20 inches are also prohibited.

- D. Duty of Care.** All persons using the skate park must skate with due care and circumspection as to avoid accidents or collisions with other skaters. Reckless or dangerous skating is strictly prohibited.
- E. Safety Equipment.** All persons using the skate park must wear helmets. The use of elbow and knee pads and wrist guards is recommended. All equipment must be worn in accordance with manufacturer's specifications.
- F. No Food or Beverages.** No food or beverages of any kind are permitted within the skate park.
- G. No Drugs, Alcohol, Smoking or Vaping.** The use of drugs, alcohol, smoking or vaping are all strictly prohibited at the skate park.
- H. No Personal Installations.** Personal ramps, rails, boxes, other apparatus or modifications to the skate surface are strictly prohibited.
- I. No Vandalism.** Vandalism, graffiti and the placement of unauthorized stickers are prohibited. A violator of this provision shall be subject to all costs incurred to clean, repair and/or replace damaged equipment.
- J. No Music.** The use of radios, stereos or any type of amplified sound is prohibited. Wearing headphones is prohibited while skating.
- K. Adult Supervision.** All persons under 10 years of age must be accompanied by a responsible adult to use the skate park.
- L. Skaters Only.** Only skaters are permitted to be within the skate park, spectators and pets are prohibited from entering the skating area.
- M. Violations and Penalties.** Any person found to be in violation of any provisions of § 355-10 of the Township Code shall be subject to penalties as set forth under § 1-4 of the Township Code.

**SECTION 2. § 355-11. Reserved.**

**SECTION 3. Repealer.**

All ordinances or parts of ordinances which are inconsistent with the provisions of this ordinance are, to the extent of such inconsistency, hereby repealed. All portions of the ordinance not modified herein remain in full force and effect.

**SECTION 4. Severability.**

Should any section, clause, sentence, phrase or provision of this ordinance be declared unconstitutional or otherwise invalid by a court of competent jurisdiction, such decision shall not affect the remaining portions of this ordinance.

**SECTION 5. Effective Date.**

This ordinance shall take effect upon final passage, adoption and publication in the manner prescribed by law.

