

#2020-05

ORDINANCE OF THE BOROUGH OF AUDUBON PARK, COUNTY OF CAMDEN AND STATE OF NEW JERSEY, REGULATING AND RESTRICTING THE USE OF THE BOROUGH WALKING TRAIL, TO BE ENTITLED “WALKING TRAIL”

WHEREAS, the Borough of Audubon Park (“Borough”) is a municipal entity organized and existing under the laws of the State of New Jersey and located in Camden County; and

WHEREAS, the walking trail located in the Borough located at the Audubon Park Soccer Field between Road A and Road B, or 2 Road C Soccer Field (the “Trail”) is primarily intended for pedestrian use; and

WHEREAS, the use of bicycles on the Trail has presented a safety concern to those using the trail for its intended purpose; and

WHEREAS, the Borough has determined it in the best interests for the health, safety, and welfare of the residents to establish regulations and restrictions concerning the use of the Trail; and

WHEREAS, pursuant to N.J.S.A. 40:48-2, the Governing Body is authorized to enact and amend ordinances as deemed necessary for the preservation of the public health, safety and welfare and as may be necessary to carry into effect the powers and duties conferred and imposed upon the Borough by law.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Audubon Park, County of Camden, and State of New Jersey, as follows:

SECTION 1: Ordinance #2020-05, entitled “Walking Trail” is hereby established to read as follows:

WALKING TRAIL

1.1 Prohibited Activities.

A. It shall be unlawful for any person in the walking trail located within the Borough of Audubon Park at the Audubon Park Soccer Field between Road A and Road B, or 2 Road C Soccer Field to:

- a. Operate a bicycle, skateboard, scooter, or any form of motorized vehicle or use the walking trail for any other non-pedestrian purpose.

1.2 Violations and penalties.

Any person, persons or corporation who shall refuse or neglect to comply with the provisions of this chapter shall, upon conviction thereof, be subject to a fine not exceeding \$1,000 for each

offense or violation, at the discretion of the Judge before whom any such person, persons or corporation may be tried, and in default of the payment of such fine, be imprisoned in the county jail for a term not exceeding 90 days, at the discretion of said Judge.

SECTION 2: Except as set forth in Section 1 the balance of the Borough's ordinances shall not be affected by this Ordinance.

SECTION 3: All ordinances contrary to the provisions of this Ordinance are hereby repealed to the extent that they are inconsistent herewith.

SECTION 4: 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.

SECTION 5: This Ordinance shall take effect upon passage and publication according to law.

Attest:

BOROUGH OF AUDUBON PARK

Introduced: November 2, 2020

Adopted: ____, 2020

LAWRENCE E. PENNOCK, MAYOR

Certified to be a true copy of an Ordinance adopted by the Mayor and Borough Council of the Borough of Audubon Park at a regular meeting held on ____, 2020.

DAWN M. PENNOCK, MUNICIPAL CLERK