

ORDINANCE #2020-4

NOTICE OF PENDING ORDINANCE

The ordinance below was introduced and passed upon first reading at a meeting of the governing body of the Township of Marlboro, in the County of Monmouth, State of New Jersey, on March 19, 2020. It will be further considered for final passage, after public hearing thereon, at a meeting of the governing body to be held remotely on April 23, 2020 at 7 o'clock p.m.

Anyone who wishes to comment on the adoption of this ordinance may do so by contacting the Township Clerk up until 3:30 pm on April 23, 2020 at 732 536-0200 x1805. You will be asked to provide your name, address and phone number, and identify Ordinance #2020-4 as the item you wish to address. If you are directed to voicemail when you call, please indicate that you wish to speak on Ordinance #2020-4 on April 23, 2020, and leave your name, address and phone number. Just prior to the start of the meeting you will be called at your phone number to attend. The call will appear to come from a Webex number in California, and you must accept the call in order to participate. At the appropriate point in the meeting, you will be unmuted by the meeting host so that you may comment. Note that these instructions will also be available on the Township's website at www.marlboro-nj.gov/documents/agendas-minutes.

Below is the ordinance in full:

ORDINANCE # 2020-4

AN ORDINANCE AMENDING AND SUPPLEMENTING LICENSING AND PERMITTING FEES AND POLICIES OF THE CODE OF THE TOWNSHIP OF MARLBORO PERTAINING TO LAND USE; UNIFORM CONSTRUCTION CODE; AMUSEMENT DEVICES AND AMUSEMENT PARK LICENSING; PARKING AT MUNICIPAL FACILITIES; WATER UTILITY SYSTEM SERVICE RATES AND FEES AND CONNECTIONS; TAX SALE ADMINISTRATION AND RECREATION & SWIM PROGRAMS

BE IT ORDAINED, by the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey, that the following sections of the Marlboro Township Code Chapter 220 ("Land Use and Development are hereby amended as follows:

§ 220 Land Use Schedule B: Escrow Fees

Escrow Deposit To Be Posted
Residential Use Variance \$2,000
Commercial/industrial Use Variance \$3,750

§ 220-18 Stormwater Management Maintenance Fees

Specific Provision	Code Location	Type of Fee, Charge or Rate	New Fee
Stormwater Management maintenance fees	Land use and development; Schedule C 220, 18A	Stormwater Improvement Fees (residential and non-residential development per acre)	\$3,450.00

BE IT ORDAINED, by the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey, that Article I of the Marlboro Township Code Chapter 278 ("Property Maintenance Code") is hereby amended and supplemented as follows:

§ 278-1. Adoption of standards.

A. A certain document, three copies of which are on file in the Township of Marlboro, being marked and designated as the "International Property Maintenance Code, 2018 Edition," as published by the International Code Council (ICC), be and is hereby adopted as the Property Maintenance Code of the Township of Marlboro, County of Monmouth, in the State of New Jersey, for the control of buildings and structures as herein provided, and each and all of the regulations of the "International Property Maintenance Code, 2018 Edition", are hereby referred to, adopted and made a part thereof as if fully set out in this chapter.

B. In every case where any newly published addition, modifications or changes in the "International Property Maintenance Code, 2018 Edition" as published by the International Code Council (ICC), are made, any such newly published edition, modification or change will take precedence over any other provision which is inconsistent therewith, and any such provision shall be considered to be conformed to it.

§ 278-2. Certificates of continued occupancy.

A. No person shall sell, transfer, lease or rent any structure located within the Township of Marlboro unless a certificate of continued occupancy certifying that said structure is in compliance with all provisions of the current version of the International Property Maintenance Code adopted by the State of New Jersey and all other applicable ordinances of the Township of Marlboro is issued.

B. No certificate of continued occupancy shall be issued by the Township until the Zoning Officer determines that all structures were built in conformance with the applicable ordinances of the Township and the property owner submits to the Zoning and Construction Offices a home improvement form, which form has been approved by the Construction Office, Zoning Office and the Township Administrator.

C. Housing Inspectors performing the CCO inspection are authorized to sign the Certificate of Smoke Detector, Carbon Monoxide Alarm Compliance and Portable Fire Extinguisher Compliance per N.J.A.C 5:70-2.3(a)1. No certificate of continued occupancy shall be issued by the Township until a Certificate of Smoke Detector, Carbon Monoxide Alarm Compliance and Portable Fire Extinguisher Compliance has been issued.

D. All nonconforming structures (structures built without the required permit or approval or built in violation of applicable Township ordinances) that existed on a parcel of property prior to 1990 shall be exempt from the requirement to obtain the requisite permit or approval as required by Township ordinance or applicable law for that structure in order to remain in compliance with the Township's ordinances and/or in order to obtain a certificate of continued occupancy, provided that:

(1) The structure is not being replaced. If such nonconforming structure is being replaced, the replacement structure must comply with the current version of the International Residential Code adopted by the State of New Jersey and all other applicable zoning standards and ordinances of the Township of Marlboro.

(2) The structure does not present a threat to public health, safety, or welfare. If the structure presents a threat to public health, safety and welfare, as determined by the Building Inspector or Zoning Officer, the structure must be replaced in conformance with the current version of the International Residential Code adopted by the State of New Jersey and all other applicable zoning standards and ordinances of the Township of Marlboro.

(3) The structure is located solely upon the parcel owned by the property owner and does not encroach or trespass onto any parcel owned by a third party.

(4) The property owner submits an affidavit in a form acceptable to the Township attesting that the structure was built prior to 1990 and that the property owner agrees to indemnify and hold the Township of Marlboro, its officers, agents and employees harmless from and on account of any and all incidents and/or damages arising from the structure(s) and/or improvement(s) that were built prior to 1990.

E. Any exemption granted under this section for a nonconforming structure built prior to 1990 shall not extend to the requirements under N.J.S.A. 52:27D-119 et seq., and/or N.J.A.C. 5:23-1 et seq.

§ 278-3. Fees for certificate of continued occupancy.

Application forms for certificates of continued occupancy may be obtained at the office of the Code Enforcement Officer. The following fees shall be charged for certificates of continued occupancy:

- A. Certificates for apartment: \$100.
- B. Certificate for a single-family dwelling unit: \$125.
- C. Certificate for commercial property: \$100.
- D. Reinspection: \$75.
- E. Certificate of Fire Code status for commercial property: \$35.
- F. Certificate of Smoke Alarm, Carbon Monoxide Alarm and Fire Extinguisher Compliance for a one and Two Family Dwelling: As per N.J.A.C 5:70-2.9(d) fee schedule.

~~§ 278-4. Temporary certificates of occupancy.~~

~~The Code Officer may, in his discretion, issue a temporary certificate of occupancy upon written application. The Code Officer may issue a temporary certificate of occupancy only in those circumstances where the code deficiencies do not impair the habitability of the structure. Any temporary certificate of occupancy issued pursuant to the terms of this chapter shall expire within 90 days of the date of issuance thereof. Temporary certificates of occupancy are nonrenewable. The Code Officer may not issue a temporary certificate of occupancy for any apartment complex or multifamily dwelling containing more than three apartments or separate habitations.~~

BE IT ORDAINED, by the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey, that Chapter 125, "Construction Codes, Uniform", Section 125-3 "FEES" is hereby amended and supplemented as follows:

§ 125-3 B Fees Plumbing

Specific Provision	Code Location	Amendment
Gas-to-gas domestic furnace with electric permit ("Furnace")	125-3B (12)	Gas-to-gas domestic furnace with electric permit
Gas-to-gas hot-water boiler with electric permit ("Boiler")	125-3B (18)	Gas-to-gas hot-water boiler with electric permit
Power vent or instantaneous water heater with electric permit ("Power vent or instantaneous water heater")	125-3B (23)	Power vent or instantaneous water heater with electric permit

Gravity water heater (Water heaters)	125-3 B (22)	Eliminate section
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Specific Provision	Code Location	Type of Fee, Charge or Rate	New Fee
Mini split system with 1 wall unit	125-3 B (37)	Plumbing.	75.00
Extra evaporator (mini split)	125-3 B (38)	Plumbing.	25.00
Sewer connection (Residential)	125-3 B (4) a	Plumbing.	100.00
Sewer connection (Commercial)	125-3 B (4) b	Plumbing.	150.00
Water Service (Residential)	125-3 B (3) a	Plumbing.	125.00
Water Service (Commercial)	125-3 B (3) b	Plumbing.	150.00
Air Handler	125-3 B (32)	Plumbing.	75.00
Gas-to-gas domestic furnace with electric permit ("Furnace")	125-3 B (12)	Plumbing.	75.00
Gas-to-gas hot-water boiler with electric permit ("Boiler")	125-3B (18)	Plumbing.	75.00

§ 125-3 D Fees Electrical

Specific Provision	Code Location	Amendment
Electrical: Service panels, entrances, and subpanels	125-3D (2) a, b, c, d, e and f	Service panels, entrances, <u>transfer switches</u> and subpanels
Electrical: Boiler and furnace with plumbing	125-3D (17)	Boiler and furnace with <u>plumbing</u>

Specific Provision	Code Location	Type of Fee, Charge or Rate	New Fee
X-Ray Equipment	125-3D (27)	Electrical.	100.00

Mini split system with 1 wall unit	125-3D (25) a	Electrical.	75.00
Mini split system additional wall unit	125-3D (25) b	Electrical.	25.00
Car charger 60 amp and higher	125-3D (24) f	Electrical.	125.00
Annual Pool Inspection	125-3D (28)	Electrical.	125.00

BE IT ORDAINED, by the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey, that Chapter 258, "Parking at Municipal Facilities", Section 258-4 "PERMITS" is hereby amended and supplemented to increase the fees for licensing and permitting as follows:

Specific Provision	Code Location	Type of Fee, Charge or Rate	New Fee
Permit Fees	Parking at Municipal Facilities; 258, 4C(2)	Meter Parking Union Hill Daily Fee (effective July 1, 2020)	\$4.00
Permit fees (yearly)	Parking at Municipal Facilities; 258, 4C1)	Parking Union Hill/ Cambridge Square and Texas Road Annual Fee (effective January 1, 2021)	\$229
Permit fees (yearly)	Parking at Municipal Facilities; 258, 4C(1)	Parking Union Hill/ Cambridge Square and Texas Road Annual Fee Refund Admin Fee	Per Section 171-5.2
Permit fees (yearly)	Parking at Municipal Facilities; 258, 4C(2)	Parking Union Hill/ Cambridge Square and Texas Road Mid-Year Annual Fee to be prorated on quarterly basis (effective January 1, 2021)	\$57.25/qtr

BE IT ORDAINED, by the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey, that the following sections of

Chapter 88, "Amusement Devices and Amusement Parks", Article I "Amusement Devices" are hereby amended and supplemented as follows:

§ 88-1 Purpose and objective.

C. This Article regulates all amusement devices except those regulated by the State of New Jersey. Refer to ARTICLE II - AMUSEMENT PARKS, ARCADES AND ENTERTAINMENT CENTERS for amusement devices regulated by the State of New Jersey.

§ 88-2 Definitions.

As used in this article, the following terms shall have the meanings indicated:

MECHANICAL OR ELECTRONIC AMUSEMENT DEVICE Any machine which, upon the insertion of a coin, slug, token plate or disc or operated for any other consideration, may be operated by the public for entertainment or amusement, whether or not the machine registers scores or tallies. Examples of "mechanical or electronic amusement devices" include pinball machines, coin-operated pool tables, bowling machines, mechanical grab machines, Skee-ball, Pokerino machines, video games or other video-type computer machines and similar devices, excluding amusement devices regulated by the State of New Jersey. This enumeration is intended to be typical and shall not be construed as exclusive. "Kiddie rides" shall not be considered a mechanical or electronic amusement device for the purpose of this article. A "kiddie ride" is a coin-operated machine which is sat upon or in and causes a certain motor or gyration following the insertion of a coin and is designated primarily for use by children under the age of 10.

§ 88-8 General regulations.

The following regulations shall apply to all mechanical or electronic amusement devices which are not regulated by the State of New Jersey:

BE IT ORDAINED, by the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey, that Chapter 88, "Amusement Devices and Amusement Parks", Article II "Recognized Amusement Parks" shall be renamed "AMUSEMENT PARKS, ARCADES AND ENTERTAINMENT CENTERS" and be replaced in its entirety as follows:

§ 88-13. Definitions.

As used in this article, the following terms shall have the meanings indicated, and shall house one or more devices regulated by the State of New Jersey:

ACCESSORY AMUSEMENT - the operation of electronic amusement devices in commercial establishments that contain no more than three such devices.

AMUSEMENT CENTERS - A commercial establishment that houses four or more electronic amusement devices.

AMUSEMENT MACHINES OR DEVICES - Any machine, contrivance or device which, upon the payment of any price, in any form, operates or may be operated by the public generally.

AMUSEMENT PARK RECOGNIZED - a commercially operated, permanent business, open to the public at least 31 consecutive days annually, whose acreage is designed and themed for the primary purpose of providing participatory amusements, incorporating rides or water slides licensed in accordance with N.J.S.A. 5:3-1, et seq., and food and merchandise concessions in permanent structures, available for use by the general public.

ARCADE - A place where a single player may play any one of a number of machines or devices, upon payment of a fee, to attempt to obtain a prize or tickets or tokens redeemable for a prize, or to attempt to attain a score or result upon the basis of which a prize, ticket or token is awarded.

ELECTRONIC AMUSEMENT - An amusement offered through an electronic device that allows a player to participate in a game of skill or chance through interaction with the device (N.J.S.A. 5:8-101)

GAME - A game or amusement which is authorized under the provisions of the Amusement Games Licensing Law.

OPERATOR - Any person or entity who owns, leases, rents, or operates any premises on or at which any automatic, mechanical, electronic amusement machine or device is kept placed, or exhibited for use or operation by the public.

PUBLIC OR QUASI-PUBLIC PLACE - Any building, store, marketplace, club, tavern, inn, cocktail lounge, restaurant, hotel or other premises wherein the public is expressly or impliedly invited or may enter.

SKILL-BASED ATTRACTION - An amusement utilizing a tangible object such as a ball, puck or other portable object either alone or in competition with other on-premises guest, or requiring the exertion of physical, aerobic activity, such as dancing, climbing, running, or jumping rope; or any amusement that is predominantly skill-based and can be played either alone or in competition with other on-premises guests. (N.J.S.A 5:8-101)

§ 88-14. Scope.

The Amusement Games Licensing Law, N.J.S.A. 5:8-100 et seq., and such regulations as promulgated under Chapter 3, Office of Amusement Games Control, N.J.A.C. 13:3-1.1 et seq. are by this reference hereby incorporated as provisions of this article, as fully as if they were herein at length set out, it being the intention of the Township Council that any violation of such sections by a licensee shall be a violation not only of the Amusement Games Licensing Law but also of this article and

that any duties of a licensee as set out in such sections are duties of a licensee under both the Amusement Games Licensing Laws and this section.

§ 88-15. Designation of Amusement Parks, Arcades and Entertainment Centers.

It is hereby determined, decided and declared that there exists zones within the Township of Marlboro for use as indoor recreational activities in Zone C-3 (Community Commercial District), Zone LI (Light Industrial Zone District) and Zone IOR (Industrial Office Research District) for amusement parks, arcades and entertainment areas in accordance with the definition contained in §88-13, and subject to the restrictions in §88-15.1.

§ 88-15.1 Number of devices permitted and location restrictions. No more than twenty-five (25) mechanical or electronic amusement devices shall be permitted to be licensed and operated for the first 3,000 square feet of any one place of business as calculated within the principal building wherein that business is conducted. Where more than one commercial use or industry is conducted in any one building or in attached buildings on the same property, the square footage for the purposes of this subsection shall be calculated on a per-use basis. Jukeboxes shall not be counted in the determination of the original two mechanical or electronic amusement devices.

§ 88-16. License Required to Operate Games. It shall be unlawful for any person, firm or corporation to own, conduct or operate within this municipality any amusement game or games as said amusement game or games are defined by the Amusement Games Licensing Law, N.J.S.A. 5:8-100 et seq., as amended from time to time, and in § 88-13 "Definitions", hereinabove, whether said amusement game or games are of skill or chance, or both and whether said amusement game is played and operated with or without numbers, symbols, or figures without first having obtained a state issued license. Said license shall be issued subject to the provisions of the Amusement Games Licensing Law and the Revised Amusement Games Regulations, effective April 11, 1966, promulgated by the Office of Amusement Games Control, Department of Law and Public Safety of the State of New Jersey.

§ 88-17 Written Application; state license; fees; term of license; investigatory period.

A. Written Application.

Each applicant for such license shall file with the Municipal Clerk of the municipality a written application in the form as prescribed by the Amusement Games Control Commissioner, duly executed and verified, in which shall be stated the name and address of the applicant, together with sufficient facts relating to its incorporation and organization, if the applicant be a corporation or organization; the specific kind of amusement

games intended to be held, operated and conducted by the applicant, the place or places where, the period, term, date or dates and the time or times when, such amusement games are intended to be conducted by the applicant, under the license applied for; and that no prize or prizes will be offered and given under said license except of merchandize only and same that no prize or prizes will be offered and given under said license except of merchandise only and same shall be of a value not in excess of the sum or value authorized to be offered and given by this act and such other information as shall be prescribed by the Amusement Games Control Commissioner. Said application shall contain the minimum information required by N.J.S.A. 5:8-102 and shall require the applicant to furnish information required by N.J.S.A. 5:8-103, as amended from time to time.

B. State Issued license.

Every such municipal license so issued shall be inoperative unless the licensee named therein shall also, within 90 days from the issuance thereof and prior to the conduct or operation of amusement games thereunder, procure a state license authorizing the licensee holding the municipal license to operate and conduct certain games according to the terms of such municipal license. The said state license shall be issued by the State Amusement Games Control Commissioner, if all conditions, terms and requirements of this act and of said rules and regulations have been fully met and complied.

C. License Fees.

1. State Fees:

As a condition of granting any such state license the applicant shall pay to the State Amusement Games Control Commissioner an annual fee of \$250.00. An applicant who is the owner of an arcade shall pay an additional \$10.00 fee per each machine over fifty (50) machines. If the municipal license authorizes the licensee to conduct and operate games at more than one place or of more than one specific kind of game than the applicant holding a state license shall pay the annual fee of \$250.00 for each place and each specific type of games. Said annual fee shall be payable without proration and shall accompany the license application.

2. Municipal Fees:

a. Permissible Amusement Games Certification No. 1. Throw games wherein a single player upon payment of fee is furnished a number of balls, hoops, darts or other objects, or uses his own coins to be hand thrown, rolled or propelled at, into, or upon targets, with prizes awarded according to results achieved, generally known as a Basketball game, Dart game, Coin Pitch game, Roll Down game, Bushel Basket Ball Toss game and such similar games. \$500.00 per license. In this category, there shall be only one game per license.

b. Permissible Amusement Games Certification No. 2. Arcade games wherein a single player upon payment of fee is permitted to play a machine or device to obtain a prize or attain to score upon the basis of which a prize is awarded, generally known as a Crane machine, Skeeball, Wacky Gator, Rotary Merchandiser, Silver Ski's Coin Pusher, Hoop Shoot and such similar games, including electronic games. - \$500.00 for the first 50 player positions and an additional ten (\$10.00) dollars for each player position thereafter.

c. Permissible Amusement Games Certification No. 3. Games wherein a single player upon payment of fee is permitted to make a blind selection of one object from a number of objects, the object selected being the prize won or indicating the prize won, generally known as Duck Pond Game, Fish Pond Game, Grab-bag Game and Pick-the-Stick Game, and such similar games. \$500.00 per license. In this category, there shall be only one game per license.

d. Permissible Amusement Games Certification No. 4. Competitive games wherein several players upon payment of fee are permitted to compete against each other for a prize to be awarded to the player who first achieves the required result, generally known as Bowlo Game, Fascination Game, Greyhound Game, Skilo Game, Throw Fascination Game, and Water Gun Game, and such similar games. \$500.00 dollars per license up to 100 seats; 100-200 seats, \$1,000.00; 201 - 350 seats, \$1,500.00; over 350 seats - \$2,000.00.

e. Permissible Amusement Games Certification No. 5. A game incorporating, a laydown board marked in segments bearing numbers, names or symbols whereon the player or players place the entry fee as an indication of choice of expected winner. \$500.00 dollars per license. In this category, there shall be only one game per license.

f. Permissible Amusement Games Certification No. 6. Guessing games wherein in a single player upon payment of fee is entitled to win a prize in the event that the operator is unable to guess, within announced limits, the weight or age of the player, generally known as Guess Your Weight Game and Guess Your Age Game. \$500.00 dollars per game. In this category, there shall be only one game per license.

g. Permissible Amusement Games Certification No. 7. A game wherein a single player upon payment of fee is entitled to win a prize in the event that within a permitted number of tries he rings a bell or gong a required number of times by striking with a maul one end of a horizontal level arm the other end of which propels a weight upward along a vertical wire at the top of which the bell or gong is located, generally known as Ring The Bell Game or High Striker Game. \$500.00 dollars per game. In this category, there shall be only one game per license.

h. Permissible Amusement Games Certification No. 8. Miscellaneous skill games wherein a single player upon payment of a fee is entitled to use a

physical skill to attain a predetermined goal for which a prize is awarded, generally known as Log Roll and Rope Climb, and such similar games. \$500.00 per game. In this category, there shall be only one game per license.

i. Permissible Amusement Games Certification No. 9. A game of chance incorporating a laydown board marked in segments bearing numbers, names or symbols whereon the player or players place the entry fee as an indication of the choice of expected winner, which is determined by a non-electrical and non-mechanical device, set in motion by a player or players, coming to rest, generally known as Pan Game, Crazy Ball and Crazy Block. \$500.00 per game. In this category, there shall be only one game per license.

2. In the event of denial or withdrawal of the application, or in the event of the denial or withdrawal of the application for the State License filed with the Legalized Games of Chance Control Commission pursuant to N.J.A.C. 13:3-2, 25% of the total municipal fee paid shall be retained by the Township as and for an investigation fee, and the remainder of the fee, shall be refunded to the applicant.

D. Term of license.

All licenses shall be issued on a calendar-year basis, with a maximum from January 1 to December 31 of the year within which the license is to be operative. (N.J.A.C. 13:3-1.9)

E. Investigatory period.

1. Upon receipt of the application, the Municipal Clerk shall refer a copy of the application to the Chief of Police and copies thereof to the Zoning Officer, Code Enforcement Officer and Fire Official. Thereupon, the Chief of Police or his designee shall cause an investigation to be undertaken into the character, moral turpitude and fitness of the applicant and shall file an investigative report incorporating the findings made and recommendation thereon with the Municipal Clerk within 30 days of referral.

2. Upon receipt of the completed and satisfactory police investigation report and Zoning Officer, Code Enforcement and Fire Official inspection reports, the Municipal Clerk shall request that the Township Council of the Township of Marlboro adopt a resolution approving the application. After the adoption of the resolution, the Municipal Clerk shall file the application, police investigation reports, incorporation papers and annual fee and additional fees, if applicable, to the Director of the Legalized Games Chance Control Commission (LGCCC).

3. If approval for the license is granted, the Zoning Officer, Code Enforcement Officer and Fire Official may continue to make periodic inspections of the premises in which the licensed device(s) is/are located in order to assure compliance with all applicable code provisions.

§ 88-18. Issuance of License; Certificate; Display.

A. Upon proof of compliance with all applicable requirements, the Township Council shall authorize the issuance of a license, to be effective for not more than one year, by resolution, said license to be effective for a term of one year, commencing on the date of issuance and terminating on December 31 in each year. Said resolutions shall specifically recite that the premises to be licensed are located in a recognized amusement and entertainment center within the municipality. A certified copy of the resolution shall be transmitted, together with a copy of the application and license certificate issued to the Legalized Games of Chance Controls Commission. No license shall issue unless the applicant has complied with all of the requirements of N.J.S.A. 5:8-100 et seq. and N.J.A.C. 13:1-1.1 et seq., as amended from time to time.

B. Each license certificate shall be in the form prescribed by the Legalized Games of Chance Controls Commission and shall indicate: the name of the licensee; the address of the licensed premises; the name or description of the kind of games licensed; the amount of fee paid; a statement of the hours between which such games may be conducted.

C. Each license shall be conspicuously displayed at the place where the game is to be conducted at all times during conduct thereof.

D. Each Licensee shall notify the Township of any material change of any relevant fact regarding the License application within ten (10) days of the occurrence thereof.

§ 88-19. Hours and Days of Operation. Amusement Parks, Arcades and Entertainment Centers shall not be operated between the hours of 2:00 a.m. and 7:00 a.m. where such facility is located within 200 feet of any residential use or residential district. The hours of operation shall not be earlier than 7:00 a.m. nor later than 11:00 p.m. on Sundays through Thursdays and not later than 12:00 midnight on Fridays or Saturdays.

§ 88-20. Location of games, devices, machines.

No operable machine or device shall be located in any part of the licensed premises which is not open to the general public.

§ 88-21. Hearing prior to refusal of license; amendments.

1. All applications shall be either approved or denied in accordance with the provisions of N.J.S.A 5:8-100, et seq.

2. No application for the issuance of a license shall be refused by the Township Council until after a hearing is held on due notice to the applicant, at which the applicant shall be entitled to be heard up the qualifications of the applicant and the merits of the application
(N.J.S.A. 5:8-104)

3. Any license issued under this article may be amended upon adoption of a resolution by the Township Council of the Township of Marlboro. Only if the subject matter of the proposed amendment could lawfully have been included in the original license.

§ 88-20. Control and Supervision.

The Township Council shall have and exercise control and supervision over all amusement games operated or conducted under such license with all of the powers authorized and granted to it under the Amusement Games Licensing Law and all amendments and supplements thereto.

§ 88-21. Forfeiture of license for certain acts.

In the event any licensee shall violate any of the provisions of this article, the Amusement Games Licensing Law, the rules and regulations promulgated by the Legalized Games of Chance Controls Commission or the specific terms of the license, such licensee shall be a disorderly person and if convicted as such shall in addition to suffering any other penalties which may be imposed, suffer forfeiture, revocation or suspension of any license issued under this article.

§ 88-22. Violations and Penalties.

Any person who violates any provision of this article shall, upon conviction thereof, in addition to the provisions of §§ 88-20 herein, be punished as provided in § 4-3 of the Code. Each day that a violation occurs or is committed shall constitute a separate offense.

BE IT ORDAINED, by the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey, that Chapter 4, "Administration of Government", Section 88.1 "Division of Water Utility", Section T "Water Customer Charges" is hereby amended to increase the fees as follows:

§ 4-88.1 Division of Water Utility

Specific Provision	Code Location	Type of Fee, Charge or Rate	New Fee
Connection Fee	4-88.1 T 2 D 1	Marlboro Water Utility Division	5,855.00
Cost of standard residential (5/8" x 3/4") water meter and associated equipment including labor/installation	4-88.1 T 2 D 2	Marlboro Water Utility Division	
Connection Fee for Affordable Units 50%	4-88.1 T 2 D 3	Marlboro Water Utility Division	2,927.50

Cost of standard residential (5/8" x 3/4") pit meter and associated equipment including labor/installation	4-88.1 T 2 D 4	Marlboro Water Utility Division	39.00
Single Family Residential - Basic quarterly service charge per meter	4-88.1 T 2 A 1.1	Marlboro Water Utility Division	39.00
Single Family Residential - First 30,000 gallons (0 - 30,000) per thousand gallons	4-88.1 T 2 A 1.2	Marlboro Water Utility Division	3.89
Single Family Residential - Next 20,000 gallons (30,001 - 50,000) per thousand gallons	4-88.1 T 2 A 1.3	Marlboro Water Utility Division	7.08
Single Family Residential - All usage in excess of 50,000 gallons (50,001 +) per thousand gallons	4-88.1 T 2 A 1.4	Marlboro Water Utility Division	8.99
Multifamily Residential - Basic quarterly service charge per unit	4-88.1 T 2 A 1.5	Marlboro Water Utility Division	33.00
Multifamily residential with single meter - First 30,000 gallons (0 - 30,000) per thousand gallons	4-88.1 T 2 A 1.2	Marlboro Water Utility Division	3.89
Multifamily residential with single meter- Next 20,000 gallons (30,001 - 50,000) per thousand gallons	4-88.1 T 2 A 1.3	Marlboro Water Utility Division	7.08
Multifamily residential with single meter - All usage in excess of 50,000 gallons (50,001 +) per thousand gallons	4-88.1 T 2 A 1.4	Marlboro Water Utility Division	8.99
Nonresidential - Basic quarterly service charge per meter	4-88.1 T 2 A 2.1	Marlboro Water Utility Division	39.00
Nonresidential with single meter - First 30,000 gallons (0 - 30,000) per thousand gallons	4-88.1 T 2 A 2.2	Marlboro Water Utility Division	3.89
Nonresidential with single meter- Next 20,000 gallons (30,001 - 50,000) per thousand gallons	4-88.1 T 2 A 2.3	Marlboro Water Utility Division	7.08
Nonresidential with single meter - All usage in excess of 50,000 gallons (50,001 +) per thousand gallons	4-88.1 T 2 A 2.4	Marlboro Water Utility Division	8.99
Basic quarterly service charge per meter	4-88.1 T 2 B 1	Marlboro Water Utility Division	39.00
Basic quarterly service charge, per classroom	4-88.1 T 2 C 1	Marlboro Water Utility Division	20.00
Private Fire Protection Charges - 2" meter	4-88.1 T 2 E 1	Marlboro Water Utility Division	0.00
Private Fire Protection Charges - 4" meter	4-88.1 T 2 E 2	Marlboro Water Utility Division	86.70

Private Fire Protection Charges - 6" meter	4-88.1 T 2 E 3	Marlboro Water Utility Division	115.30
Private Fire Protection Charges - 8" meter	4-88.1 T 2 E 4	Marlboro Water Utility Division	141.80
Private Fire Protection Charges - 10" meter	4-88.1 T 2 E 5	Marlboro Water Utility Division	178.50
Public Fire Protection Charges	4-88.1 T 2 F	Marlboro Water Utility Division	141.80
Water service. Schedule I(2). Water Service Restoration Fee (Normal Hours).	4-88.1 T 2 I 2	Marlboro Water Utility Division	127.00

BE IT ORDAINED, by the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey, that the following section of the Marlboro Township Code be and is hereby supplemented to codify fees pertaining to tax sales authorized pursuant to N.J.S.A. 54:5-52.1 et seq, as follows:

§ 171-7 Fees for copies of tax records from Municipal Tax Collector.

E. Pursuant to the provisions of N.J.S.A. 54:5-52.1, the Tax Collector of the Township of Marlboro is authorized to charge \$100.00 to supply a duplicate tax sale certificate.

BE IT ORDAINED, by the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey, that Article XI (Department of Finance), Section 4-54 (Powers and duties) of the Marlboro Township Code is amended to allow for electronic payments by the Chief Financial Officer where permitted under State law, as follows:

All bills, claims and demands against the Township shall be deemed approved or disapproved by the Township Council in accordance with the recommendation of the Chief Financial Officer and the concurrence of the Mayor. A voucher on a form prescribed by the Chief Financial Officer shall be presented for each bill, claim or demand and shall be paid only upon audit, warrant and approval of the Chief Financial Officer. Disbursement shall be made by ~~check drawn by~~ the Chief Financial Officer and shall be signed by the Mayor. Provision may be made for facsimile signatures on checks to provide for all disbursement of Township funds.

BE IT ORDAINED, by the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey, that a new section to be identified as Article 1 of Chapter 265 ("Parks and Recreation Facilities, General Provisions") is hereby established in order to standardize present in a single location the sections of code applicable to all Parks and Recreation Facilities, and Sections 4-64.4, 265-3, 265-14, 265-16, 265-22, 265-26, 265-27, 265-28, 265-29, 265-33.H(5)a-d, 265-36, 265-37, 265-38, 265-39 and 265-41(A)2(d) of the Code are hereby repealed and related with the new Chapter 265, Article 1 as follows:

A. DEFINITIONS

PARK or RECREATIONAL FACILITY: A park, pool, playground, field, building, open space or other area in the Township which is owned, used or maintained by the Township and is devoted to active or passive recreation.

RESIDENT: An individual, couple or family demonstrating acceptable proof of Marlboro Township residency, the form of which may include: a New Jersey Division of Motor Vehicles-issued license or identification, bank statement, residential lease, utility (gas, electric, water, oil), cable, telephone, internet service or telephone bill.

NON-RESIDENT An individual, couple, or family residing outside of Marlboro Township.

AGE An applicant's age as of the start date of the program being applied to.

SENIOR CITIZEN An individual who is age 60 or older.

ADULT An individual who is age 18 or older.

CHARITABLE ORGANIZATION A nonprofit organization holding a tax-exempt status under the Federal Internal Revenue Code of 1954, i.e., 26 U.S.C. § 501(c) or (d).

COMMERCIAL APPLICANT A for-profit business entity with a physical location in Marlboro Township applying to use a facility as part of or as an extension of its business.

COMMERCIAL OUT OF TOWN APPLICANT A for-profit business entity with a physical location outside of Marlboro Township proposing to use a facility as part of or as an extension of its business.

RESIDENT LEAGUE A group or organization comprised of at least 75% Marlboro residents using the facility as part of a league or single use for its members or employees. All other groups under 75% will be classified as nonresident leagues.

PRIVATE EVENT Any event which is conducted, sponsored or permitted by an individual, family or an organized group of persons, where admissions are not opened to the general public.

B. APPLICATION FOR PROGRAM REGISTRATION

The application form for program registration shall include but not be limited to the following elements:

1. In-person or on-line registration through the Township's website
2. Applicant waiver/indemnification and hold-harmless agreement
3. Proof of residency
4. Proof of age or grade (youth programs)

C. APPLICATION FOR FACILITY USE

A permit is required for the reservation of any Township park or recreational facility. The use of any Township park or recreation facility by any individual or entity providing fee-based programming requires a permit. The application form for a facility use permit shall include but not be limited to the following elements:

1. In-person or on-line registration through the Township's website
2. Applicant waiver/indemnification and hold-harmless agreement
3. Proof of residency or corporate status
4. For use of any Township facility, applicant must furnish a Certificate of Insurance (ACORD 25) providing evidence of general liability limits including Bodily Injury and Property Damage as follows: \$300,000 per occurrence for an individual; \$500,000 per occurrence for a charitable organization; \$1 million per occurrence for any commercial applicant. Any Corporation must also include evidence of Workers Compensation - statutory limits and Employers' Liability minimum of \$300,000 per accident/\$300,000 per employee/\$300,000 policy limit.
5. For use of any Township facility involving the consumption of alcohol, where permitted under the Code, the applicant shall obtain the appropriate permit issued by the New Jersey Division of Alcoholic Beverage Control. A certificate of insurance shall be furnished by an applicant with evidence of Host Liquor Liability coverage of \$1 million per occurrence. If alcohol is to be sold to raise money or any organization is providing alcohol/bartending service in concert with the event the vendor serving alcohol will also be required to supply evidence of Liquor Legal Liability coverage of \$2 million per occurrence. Events involving the consumption of alcohol shall be staffed by the Division of Police in a manner as determined by the Chief of Police, the cost of which shall be borne by the applicant.
6. For use of any Township facility involving a raffle, bingo or a game of chance, applicant shall obtain the appropriate permit issued by the New Jersey Division of Consumer Affairs.
7. In the event of two (2) simultaneous applications for the use of the same facility, or if there is other potential conflict, the Recreation Department shall grant permission to the request first received.

D. GRANTING OF FINANCIAL NEED WAIVERS

Upon application, the Department of Recreation may, after investigation, grant a scholarship for any of the programs conducted by the Department of Recreation in circumstances of financial need. The Recreation Director is hereby authorized and directed to promulgate such reasonable regulations governing the granting of such financial need waivers.

E. AUTHORITY TO MAKE RULES; ENFORCEMENT

1. Rules and regulations shall be determined by the Department of Recreation for the operation of all parks and recreation facilities.

2. Rules and regulations shall be published, posted or readily available upon request and strictly enforced.

F. SUBMISSION OF FALSE OR MISLEADING INFORMATION

Any person submitting or who knowingly provides false or misleading information will be subject to immediate removal from all programs or facilities, and forfeit any and all fees paid. Such person shall also be subject to the penalties provided in section G of this article.

G. VIOLATIONS AND PENALTIES

Violations of the provisions of this article shall be punishable as provided in § 4-3 of the Code.

BE IT ORDAINED, by the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey, that the existing Article 1 of Chapter 265 ("Recreation Program Fees") of the Marlboro Township Code be and is hereby supplemented to provide for the administrative reduction of non-refundable deposits or administrative processing fees and to increase the not to exceed fee amounts for licensing and permitting as follows:

§ 265-1 Authorization to impose fees.

E. Requests for refunds shall be processed pursuant to Section 171-5.2 of the Code. The Recreation Director may, however, reduce or refund the non-refundable deposits or administrative processing fees on a prorated basis, in the following cases:

(1) A letter from a physician is provided stating that a participant is unable to continue in a program due to a documented medical condition which arose after the application deadline.

(2) A participant is approved for a financial need waiver.

(3) Documentation is received from the Marlboro Board of Education or Freehold Regional School District stating that the participant has a conflict with a school-sponsored program.

If requested and in lieu of a refund the Recreation Director may authorize a credit towards future Marlboro Recreation programs without an administrative processing fee.

§ 265-2 Recreation program fees.

A. Basketball Program (not to exceed, per season):

- (1) All grades, rec: \$180.
- (2) All grades, travel: \$190.
- (3) Adult league (per individual): \$160.
- (4) Adult league (per team): \$1,300.
- (5) Spring Youth League: \$125.
- (6) Summer Youth League: \$120.

B. Soccer Program, all grades: not to exceed \$232.50 per season.

D. Summer Camp:

(1) Summer Camp six-week sessions: Not to exceed \$1,463. Non-refundable deposit of \$100 shall apply.

(2) Summer Camp three-week sessions: Not to exceed \$812. Non-refundable deposit of \$100 shall apply.

(3) H2O camp/7th week: Not to exceed \$298. Non-refundable deposit of \$50 shall apply.

(4) Pre camps, six weeks: Not to exceed \$397. Non-refundable deposit of \$50 shall apply.

(5) After camps, six weeks: Not to exceed \$589. Non-refundable deposit of \$50 shall apply.

(6) Pre and after camps, six weeks: Not to exceed \$912. Non-refundable deposit of \$100 shall apply.

(7) Pre camps, three weeks: Not to exceed \$211. Non-refundable deposit of \$50 shall apply.

(8) After camps, three weeks: Not to exceed \$310. Non-refundable deposit of \$50 shall apply.

(9) Pre and after camps, three weeks: Not to exceed \$459. Non-refundable deposit of \$50 shall apply.

E. Travel camp: Not to exceed \$1,860. Non-refundable deposit of \$250 shall apply.

F. Theater Camp: Not to exceed \$718. Non-refundable deposit of \$100 shall apply.

U. Mobile stage rental. Use of Township mobile stage by other municipalities or affiliated agencies:

(1) Fee for single event: \$600.

(2) Fee for continuous multiday use: \$600; \$200 per day for each additional day.

BE IT ORDAINED, by the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey, that the following sections of Article III of Chapter 265 ("Parks and Recreation Facilities, Marlboro Swim Club") of the Marlboro Township Code be and are hereby amended and supplemented to rename the membership categories (Tier I = Early Bird, Tier III = Standard Membership) and increase the not to exceed program fees as follows:

Specific Provision	Code Location	Type of Fee, Charge or Rate	Fee Not to Exceed
Early bird family membership	Parks and Recreation Facilities; 265-18 A 1 a	Membership and other fees, Marlboro Swim Club	\$507

Early bird individual membership	Parks and Recreation Facilities; 265-18 A 1 b	Membership and other fees, Marlboro Swim Club	\$264
Early bird senior membership starting	Parks and Recreation Facilities; 265-18 A 1 c	Membership and other fees, Marlboro Swim Club	\$137
Tier II full-time family membership starting 2019 season	Parks and Recreation Facilities; 265-18 A 2 a	Membership and other fees, Marlboro Swim Club	\$480
Tier II full-time individual membership starting 2019 season	Parks and Recreation Facilities; 265-18 A 2 b	Membership and other fees, Marlboro Swim Club	\$242
Tier II full-time senior membership starting 2019	Parks and Recreation Facilities; 265-18 A 2 e	Membership and other fees, Marlboro Swim Club	\$125
Family membership	Parks and Recreation Facilities; 265-18 A 3 a	Membership and other fees, Marlboro Swim Club	\$601
Individual membership	Parks and Recreation Facilities; 265-18 A 3 b	Membership and other fees, Marlboro Swim Club	\$314
Senior membership	Parks and Recreation Facilities; 265-18 A 3 c	Membership and other fees, Marlboro Swim Club	\$159
Mid-season family membership	Parks and Recreation Facilities; 265-18 A 4 a 1	Membership and other fees, Marlboro Swim Club	\$318
Mid-season individually membership	Parks and Recreation Facilities; 265-18 A 4 a 2	Membership and other fees, Marlboro Swim Club	\$167
Mid-season senior membership	Parks and Recreation Facilities; 265-18 A 4 a 3	Membership and other fees, Marlboro Swim Club	\$101
Non-resident full-time family membership	Parks and Recreation Facilities; 265-18 B 1 a	Membership and other fees, Marlboro Swim Club	\$727
Non-resident full-time individual membership	Parks and Recreation Facilities; 265-18 B 1 b	Membership and other fees, Marlboro Swim Club	\$371
Non-resident senior membership	Parks and Recreation Facilities; 265-18 B 1 c	Membership and other fees, Marlboro Swim Club	\$201
Mid-season Non-resident family membership	Parks and Recreation Facilities; 265-18 B 2 a	Membership and other fees, Marlboro Swim Club	\$399

Mid-season Non-resident individual membership	Parks and Recreation Facilities; 265-18 B 2 b	Membership and other fees, Marlboro Swim Club	\$203
Mid-season Non-resident senior membership	Parks and Recreation Facilities; 265-18 B 2 c	Membership and other fees, Marlboro Swim Club	\$151
Swim Club Day Camp Resident	Parks and Recreation Facilities; 265-18 E 5 a 1	Membership and other fees, Marlboro Swim Club	\$918
Group swimming and diving lessons. Regular group swim lessons (per class)	Parks and Recreation Facilities; 265-18 E 1 a	Membership and other fees, Marlboro Swim Club	\$8.00
Group swimming and diving lessons. Moms and tots (per class)	Parks and Recreation Facilities; 265-18 E 1 b	Membership and other fees, Marlboro Swim Club	\$8.00
Swim Club Activities Camp Resident	Parks and Recreation Facilities; 265-18 E 5 a 1[1]	Membership and other fees	\$949
Swim Club Sports Camp Resident	Parks and Recreation Facilities; 265-18 E 5 a 1[2]	Membership and other fees, Marlboro Swim Club	\$949
Swim Club Day Camp Non-resident	Parks and Recreation Facilities; 265-18 E 5 b	Membership and other fees, Marlboro Swim Club	\$998
Swim Club Activities Camp Non-resident	Parks and Recreation Facilities; 265-18 E 5 b 1[1]	Membership and other fees, Marlboro Swim Club	\$1,027
Swim Club Sports Camp Non-resident	Parks and Recreation Facilities; 265-18 E 5 b 1[2]	Membership and other fees, Marlboro Swim Club	\$1,027

§ 265-40 Facility usage policies.

A. Usage permits and fees. All groups, organizations and/or leagues will be required to apply for a usage permit and to pay a user fee for such usage permit.

B. Exemptions. All Marlboro Township Recreation Department-sponsored programs, all youth programs sponsored by the Marlboro Township Board of Education and all youth programs sponsored by the Marlboro High School, including youth programs operated and attended by Marlboro High School coaches employed by the Marlboro Board of Education or Freehold Regional School District with the express purpose of training and developing Marlboro youth for Marlboro school team sports are exempt from all user fees for usage permits. Any additional fees will be assessed as may be required.

C. Discounts. Charitable organizations may be eligible for a discount on indoor facility usage fees assessed per section 265-41 A(2)a and 265-41 B(1) not to exceed 85%. Said exemption shall be granted upon application to the Recreation Director, along with proof of said tax-exempt status. All Marlboro senior citizens will be eligible for a discount of 10% on indoor facility usage fees assessed under section 265-41 A(1)a, 265-41 A(1)b, 265-41 A(2)a, 265 41 A(3)a, 265-41 A(4), 265 41 B(1) and 265-41 B(2). Cancellation fees, set up and break down fees, security deposits and janitorial services will be assessed as required under section 265-41.

D. Refunds. No refund will be issued for seasonal usage permit holders due to cancellations caused by weather or program scheduling. If available, hourly usage permit holders will be offered another date or refund.

E. Arts and crafts room. In addition to the above policies, there shall be additional policies for the arts and crafts room as follows:

(1) Parties. Due to the nature of the facilities, the arts and crafts room shall be available solely for children's parties.

(2) Adult supervision shall be required as follows:

(a) One to 10 children: 1 adult supervisor.

(b) Eleven to 25 children: 1 adult supervisor plus 1 aide.

§ 265-41 Facility usage fees (indoors).

A. Recreation Community Center.

(1) Meeting fees.

(a) Meeting room or similar (includes setup)

[1] Fee for weekdays, per hour: \$20.

[2] Fee for weekends, per hour: \$20.

(b) Meetings, multipurpose room.

[1] Fifty-one to 300 (chairs only): Fee per hours: \$25.

[2] One hundred to 300 (tables/chairs): Fee per hours: \$25.

(c) Refundable security deposits. There will be a deposit of \$50 for use of the multipurpose room. Such deposit will be returned if the room is cleaned and left as found.

(d) Cancellation fee. If the applicant does not contact the Recreation Department by 12:00 noon of said meeting date, the following cancellation fees will be charged:

[1] Meeting room: \$5.

[2] Multipurpose room: \$25.

(2) Event fees.

(a) Resident and nonprofit organization fees for event size of:

[1] One to 50 people: \$75.

[2] Fifty-one to 150 people: \$200.

[3] One hundred fifty-one to 250 people: \$500.

(b) Refundable security deposits. A security deposit in the amounts set forth below shall be required. Such deposit will be returned if the room is cleaned and left as found.

[1] Event size of one to 50 people: \$150.

[2] Event size of 51 to 150 people: \$300.

[3] Event size of 151 to 250 people: \$500.

(c) Building attendant. A building attendant is required for events from 4:00 p.m. through 12:00 midnight for a fee of \$20 per hour.

(d) Setup and breakdown. Setup and breakdown service is required for all events at a fee of \$30 per hour (total hours based on size of event).

(e) Optional janitorial services. \$25 per hour.

(f) Cancellation fee. If the event is cancelled after 14 days from the posting of the deposit, an administrative fee of \$50 will be charged.

(3) Arts and crafts room (limit from one to 25 people).

(a) Arts and crafts events.

[1] Room only: \$45.

[2] Room with gym use: \$60.

[3] Room gym use and organized activities: \$60 plus instructor/aide rate.

[4] Room with arts and crafts project: \$60 plus instructor/aide rate and cost of materials.

(b) Refundable security deposits. A security deposit in the amount of \$50 shall be required.

(4) Recreation gym.

(a) Weekdays, per hour: \$60.

(b) Weekends, per hour: \$75.

B. Morganville Senior Center.

(1) Resident and nonprofit organization event fees (50 people maximum): \$75.

(2) Meetings.

(a) Single use: \$20 per hour.

(b) Multiple use: \$20 per hour.

(3) Rental options.

(a) Weekend daytime parties (Saturday and/or Sunday): 11:00 a.m. to 4:00 p.m.

(b) Weekend evening parties (Friday, Saturday and/or Sunday): 5:00 p.m. to 11:00 p.m.

(c) Weekdays, meetings only (Monday through Friday): 9:00 a.m. to 10:00 p.m.

(4) Refundable security deposit. A security deposit in the amount of \$150 shall be required for parties only. Such deposit shall be returned if the room is cleaned and left as found.

(5) Building attendant: \$20 per hour.

(6) Setup and breakdown fee, required for all parties: \$30 per each event.

(7) Optional janitorial services: \$25 per hour.

(8) Cancellation fee. If the event is canceled after 14 days from the posting of the deposit, an administrative fee of \$25 shall be charged

§ 265-42 Facility usage fees (outdoors).

These fees include the use of all Township and Marlboro Board of Education facilities.

A. Permit fees.

(1) Single/multipurpose use permit, grass fields.

(a) Marlboro Resident/Marlboro non-profit organization/league: \$10/two hours: \$20 per hour.

(b) Nonresident/Out of Town non-profit organization/league: \$20 per hour.

(c) Marlboro Commercial organization/league: \$50/hour.

(d) Out of Town Commercial organization/league: \$75.00/hour.

(2) Turf field.

(a) Marlboro Resident/Marlboro non-profit organization/league: \$25 per hour.

(b) Nonresident/Out of Town non-profit organization/league: \$50 per hour.

(c) Marlboro Commercial organization/league: \$100/hour.

(d) Out of Town Commercial organization/league: \$150.00/hour.

(3) Fields with lights.

(a) Marlboro Resident/Marlboro non-profit organization/league for lights in addition to permit fees in § 265-42A(1) and (2): \$25 per hour.

(b) Nonresident/Out of Town non-profit organization/league for lights in addition to permit fees in § 265-42A(1) and (2): \$50 per hour.

(c) Marlboro Commercial organization/league for lights in addition to permit fees in § 265-42A(1) and (2): \$35 per hour.

(d) Out of Town Commercial organization/league for lights in addition to permit fees in § 265-42A(1) and (2): \$60 per hour.

B. Seasonal fees (subject to change).

(1) Marlboro Pop Warner, permit fee for August 1 to November 30: \$3,600.

(2) Marlboro Little League, permit fee for April 1 to June 30: \$600.

BE IT FURTHER ORDAINED, that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section paragraph, subsection, clause or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective; and

BE IT FURTHER ORDAINED, that any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict; and

BE IT FURTHER ORDAINED, that this Ordinance shall take effect upon passage and publication in accordance with applicable law.