

**COUNTY OF BERGEN
BOROUGH OF PARAMUS
ORDINANCE 19-29**

**ORDINANCE AMENDING CHAPTER 259 OF THE PARAMUS CODE GOLF AND
COUNTRY CLUBS**

Section 1. Purpose and Authority. The purpose of this Ordinance is to amend Chapter 259 of the Paramus Code, "GOLF AND COUNTRY CLUBS" to N.J.S.A. 40:48-1 and 40:49-2

Section 2. Amendments. Chapter 259 of the Paramus Code is hereby amended to provide, in its entirety, as follows:

**Article I. Public Golf Course
[Adopted 7-8-1976 by Ord. No. 76-12]**

§ 259-1. Golf course established; legislative authority.

Those lands and properties and improvements thereon sometimes referred to as the "Saddle River Golf and Country Club" and being Lot 3 in Block 3001, as shown or referred to on the Tax Map of the Borough of Paramus, in the County of Bergen, New Jersey, and to be acquired pursuant to bond ordinance of the Borough heretofore adopted on May 13, 1976, and entitled "Bond Ordinance providing for acquisition of property known as the Saddle River Golf and Country Club in and by the Borough of Paramus, in the County of Bergen, New Jersey, appropriating \$4,651,220 therefor and authorizing the issuance of \$2,306,000 Bonds and Bond Anticipation Notes of the Borough for financing such appropriation," are hereby found and determined to be and to constitute a public golf course pursuant to and as provided for under the provisions of an Act of the Legislature of the State of New Jersey, constituting Chapter 282 of the Pamphlet Laws of 1945, approved May 2, 1945, and entitled "An Act authorizing the municipalities of New Jersey to acquire land for use as a public golf course and other recreational facilities, and to improve, maintain, and operate the same," as amended and supplemented (herein the "Act") (N.J.S.A. 40:61-22.6 et seq.), and said public golf course is hereby created and established as a municipal public utility as defined in N.J.S.A. 40A:1-1 and for all the purposes and provisions of the Local Bond Law (N.J.S.A. 40A:2-1 et seq.) and the Local Budget Law (N.J.S.A. 40A:4-1 et seq.) and any other laws or provisions thereof applicable. Said municipal public utility of the Borough shall be known and designated as the "Paramus Public Golf Course."

§ 259-2. Powers of Borough.

Said municipal public utility so owned, created and established by the Borough and operated and maintained by it shall include all of the real and personal properties thereof acquired and all improvements or facilities thereof hereafter made or undertaken or such other recreational, playground or public entertainment purposes and activities as may be determined to be

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provided in connection therewith. The Borough shall have and exercise with respect to said municipal public utility all powers granted to it by the Act, Editor's Note: See N.J.S.A. 40:61-22.6 et seq. as the same be presently constituted or hereafter supplemented or amended or as may be provided for by any other laws applicable. The governing body of the Borough shall and is hereby authorized and empowered to establish, charge and collect reasonable fees, rents or other charges for admission to, use or enjoyment of the Paramus Public Golf Course, and to revise the same from time to time, and to make, alter, amend and repeal rules and regulations with respect to such use or activities in connection with said golf course, as shall hereafter from time to time be provided by ordinance of the governing body of the Borough or by resolution pursuant thereto.

**Article II. Permits; Fees; Restrictions
[Adopted 11-23-1976 by Ord. No. 76-16 (Ch. 17A of the 1969 Code)]**

**§ 259-3. Permit required; receipt.
[Amended 4-14-1998 by Ord. No. 98-17]**

No person shall be entitled to use the facilities of the Paramus Golf and Country Club or be on or about the course without having first registered before each play and been issued a permit to do so. Such permit shall be evidenced by a receipt showing that the person or persons using the course have paid the appropriate fees for such use as delineated in this article. Any person obtaining a permit to play must present valid, government-issued personal identification. The golf course staff must record on the point of sales system the identity of all persons issued a permit to play. A person who has signed in for the daily waiting list may use the practice facilities at the golf course while waiting for his or her name to be called, although he/she has not yet registered nor received a permit to play.

§ 259-4. Permit limitations.

Permits when issued shall entitle the holder to use the facilities of the course and to be on or about the course only on the day when issued. One round of golf is equivalent to a total of 9 or 18 holes depending on the rate paid. Those permit holders using the "Quick Golf" mobile application are only entitled to the number of holes they have checked in and out for.

**§ 259-5. Fees.
[Amended 12-13-1979 by Ord. No. 79-43; 1-22-1991 by Ord. No. 91-2; 11-26-1991 by Ord. No. 91-34; 11-24-1992 by Ord. No. 92-23; 12-16-2014 by Ord. No. 14-31; 10-13-2015 by Ord. No. 2015-34; 12-1-2015 by Ord. No. 2015-39; 9-26-2017 by Ord. No. 2017-23]**

Effective January 1st 2019, the fees shall be as set forth in the Schedule of Fees, § A460-21.

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Editor's Note: See § A460-21 for Schedule of Fees.

§ 259-6. Refund of special membership fee; penalty. (Deleted)

§ 259-7. Holiday fees.

[Added 12-13-1979 by Ord. No. 79-43; amended 8-23-1994 by Ord. No. 94-22; 4-14-1998 by Ord. No. 98-17; 4-17-2012 by Ord. No. 12-5]

Holiday fees will be charged on the following days: New Year's Day, Good Friday, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and the day after Thanksgiving.

**§ 259-8. Payment of fees; Membership Cards; Certain Discounts
[Amended 11-24-1992 by Ord. No. 92-23]**

- A. All persons shall pay the fees as set forth in the Schedule of Fees § A460-21, as modified from time to time by resolution of the Borough Council, in full and, upon proof by proper identification, shall obtain a Membership card which may be procured from the golf course office. Said Membership card shall be valid from January 1 to December 31 of each year. Membership cards shall be renewed annually at a rate of \$50. A fee as set forth from time to time by resolution of the Borough Council shall be charged for the reissuance of any lost card.
- B. Junior players as defined in § 259-9 signing up for the first time will be waived the annual Membership fee for that year only.
- C. Membership fees applied for after September 1st for the remainder of the calendar year shall be reduced to \$30.00.
- D. Paramus Veterans and Volunteer Groups shall pay a Membership fee of \$25 with proper identification. Volunteer groups include fire, rescue and police personnel.
- E. Discounts for Veterans shall be permitted as set forth below:
 - a. Discounted Fees for Paramus Veterans: Veterans that served in the USA Armed Forces and who currently reside in Paramus pay \$25 for the yearly membership. They must provide a copy of their DD-214 and have been honorably discharged.
 - b. Discounted Fees for Veterans who do not Reside in Paramus: Veterans that served in the USA Armed Forces that are not Paramus residents but that have completed 20+ years of service are also offered the membership discount of \$25 for the yearly membership. They must provide a copy of their DD-214 and have been honorably discharged.
 - c. Free Admission for Fulltime Active Military Personnel: Fulltime active duty military personnel with proper government identification are offered free admission and use of a Golf Cart, subject to the conditions set forth in § 259-11 and § 259-18.

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All fulltime active military personnel with proper government identification also may play mini-golf for free, limited to a maximum of four (4) players.

- d. All Veterans, Active National Guard and Active Military Reserves: All veterans, active national guard and active military reserve members not included in § 259-5(A)-(C) receive a \$2 discount off the regular greens fee with proper government identification.
- e. All Veterans are also provided a 10% discount on all pro shop merchandise with proper identification.

Editor's Note: Original Art. II, Sections 1 through 3, which dealt with the Board of Governors and immediately followed this section, were deleted 11-24-1992 by Ord. No. 92-23.

**§ 259-9. Junior players.
[Amended 4-14-1998 by Ord. No. 98-17]**

A. Definition. A boy or girl under the age of 17 shall be considered a "junior player." [Amended 12-13-2011 by Ord. No. 11-30]

B. Hours of play. A junior player under 14 years old may play at the Paramus Golf Course while accompanied by an adult that has paid the appropriate membership fees as set forth in this chapter. Junior players over 14 years old are permitted to play as long as they maintain the pace of play and keep up with the group ahead of them.

C. Fees. Fees for junior players shall be the same as those established under § 259-5 and §259-8.

§ 259-10. Restaurant and bar; alcoholic beverages.

A. The restaurant and bar facilities presently existing on the premises shall be permitted to continue to operate as a concession awarded to the highest responsible bidder, after public bidding, subject to the rules and regulations established by the Borough of Paramus and the specification restrictions and contract permitting the operation of the bar and restaurant. Only alcoholic beverages purchased at the bar, restaurant, halfway house or beverage cart may be consumed. Furthermore, there shall be no outside alcoholic beverages brought onto the premises. [Amended 11-20-2012 by Ord. No. 12-26]

B. The provisions of Subsection A of this section shall supersede and amend any provision of any other Borough ordinance prohibiting alcoholic beverages on Borough property, limited, however, to this specific exception only.

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§ 259-11. Use of vehicles.

[Amended 8-23-1994 by Ord. No. 94-22; 11-20-2012 by Ord. No. 12-26]

A. No person shall drive or operate any vehicle other than authorized golf carts ("Golf Cart") upon the grounds of the golf course. To drive or operate a Golf Cart, a person must be at least 18 years of age and possess a valid driver's license. The term "authorized golf carts" means those that are provided by and at the golf course solely for use thereon. Vehicles shall be permitted only upon the driveways, roads and parking lots of the course and only by those persons either employed by the golf course or actually using the course facilities as a member or guest.

B. Rental of a Golf Cart:

No person shall be permitted to rent and operate a Golf Cart unless they sign and affirm the form provided by the Golf Course stating the following:

For and in consideration of the rental of a Golf Cart to me, I promise to be the sole operator of the Golf Cart and agree to return said Golf Cart immediately following the completion of a nine or eighteen hole round, or the allotted designated holes I have checked in and out for as a "quick golf" applicant. The Golf Cart must be returned in as good condition as I have received it, excepting normal wear. I promise and agree to pay for any damages that are sustained to the said Golf Cart, other than normal wear, while the same is in my possession. I promise and further agree to hold this Golf Course, the Golf Course Staff and the Rental Company or any of its agents free and harmless from any damages or claims of any nature whatsoever that may arise from or through my use of said Golf Cart. I represent that I am familiar with the operation and use of said Golf Cart, and that I can safely operate the same. I understand that the permission to use the Golf Cart is conditioned on my presenting to the Golf Course a valid driver's license. A copy of my driver's license will be kept by the Borough.

The GPS device on the Golf Cart is also covered in this ordinance. Any damage to the GPS device is my responsibility as the person that rented the Golf Cart.

I understand that any person that rented a Golf Cart and leaves the Golf Cart damaged will be banned from using the facility until payment has been made for the cost to replace the Golf Cart. Permanent expulsion from membership at the Paramus Golf Course and its related facilities will occur if payment has not been received within one (1) month.

I understand that if I am a permit holder using the "Quick Golf" app, I am only entitled to use the Golf Cart for the number of holes that I have checked in and out for.

C. The restaurant staff may operate a Golf Cart or a privately owned beverage cart on the premises.

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§ 259-12. Rules and regulations.

The rules and regulations controlling the use of the golf course facilities and any future amendments shall be adopted by resolution by the Mayor and Council.

§ 259-13. Violations and penalties.

[Amended 11-24-1992 by Ord. No. 92-23; 3-14-2006 by Ord. No. 06-2]

Any person convicted of a violation of any of the provisions of this article shall, upon conviction, be subject to the penalties provided by § 1-15 of this Code.

**Article III. Board of Commissioners
[Adopted 9-12-1989 by Ord. No. 89-36]**

§ 259-14. Board created; membership; nomination.

[Amended 3-11-1999 by Ord. No. 99-02]

A Board of Commissioners is hereby created which shall consist of five regular members and two alternates. The Mayor shall nominate the regular and alternate members with the advice and consent of the Council as authorized by law.

§ 259-15. Terms; vacancies; meetings; compensation.

A. The terms of office of the members of the Board of Commissioners shall commence upon the day of their appointment and for the respective periods of two for one year, the initial appointment ending January 1, 1990, one for two years, the initial appointment ending January 1, 1991, and two for three years, the initial appointment ending January 1, 1992, next preceding such appointment. The term of each appointee shall be designated in his appointment. All subsequent appointments, except to fill vacancies, shall be for the full term of three years. The two additional members shall initially serve for a term of office as follows: a term to end on January 1, 2000; and a term to end on January 1, 2001. Thereafter, subsequent appointments shall be for a term, except where filling an unexpired term of three years. [Amended 3-11-1999 by Ord. No. 99-02]

B. The Board shall meet at least once each month unless prior approval has been granted by a majority vote of the Borough Council. Absence of three consecutive, scheduled public meetings, other than for illness, shall be cause for removal.

C. They shall serve without compensation or remuneration of any kind.

D. No Commissioner shall serve more than three consecutive terms. [Added 10-24-1989 by Ord. No. 89-38]

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§ 259-16. Powers.

The powers of the Board of Commissioners shall be limited to overseeing the activities and operations and maintenance of the golf course, with direction from the Golf Course Superintendent/ General Manager, and to make recommendations to the Mayor and Council for any change in fees, personnel or substantial changes in operation and/or maintenance of the golf course.

**Article IV. Rules and Regulations
[Adopted 7-10-1990 by Ord. No. 90-13]**

§ 259-17. Regulations established.

The following Paramus Golf and Country Club regulations shall be and are hereby established, and anyone violating these rules and regulations shall be subject to proper disciplinary action as contained herein.

§ 259-18. Club regulations.

A. When the golf course is closed, the office and all practice areas are also closed. Opening and closing of the course shall be at the discretion of the Golf Course Superintendent/ General Manager or his/her designee. When the office closes on a regular playing day, all practice areas, including but not limited to the practice putting green, general practice area and driving range, shall be closed.[Amended 4-14-1998 by Ord. No. 98-17; 3-27-2001 by Ord. No. 01-7]

B. Registered golfers are permitted to play only one round. A replay rate is listed under the greens fee section.

C. Tee times will be issued to registered Member golfers in person on a first-come-first-served basis on the day before play. On the day of play, tee times will be issued on an in person first-come-first-served basis to any person wishing to play that day registered as a Member. [Amended 4-14-1998 by Ord. No. 98-17]

(1) Specific guidelines for tee times. The following specific guidelines for tee-time requests shall apply in addition to such other rules and regulations heretofore established: [Added 5-14-2002 by Ord. No. 02-18]

(a) Tee times shall be available to former and currently serving Paramus Mayors and Councilpersons, who currently reside in the Borough of Paramus, and currently serving Golf Commissioners, subject to the following provisions.

(b) Tee times shall be assigned only by the Golf Course Superintendent/ General Manager.

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(c) Tee times shall be requested at least three days in advance.

(d) Tee-time requests shall be granted solely at the discretion of the Golf Course Superintendent/ General Manager, subject to availability.

(e) Tee times may only be sought for times that are not in high public demand as determined by the Golf Course Superintendent/ General Manager, such as after 11:00 am. on weekdays or after 1:00 pm on weekends.

(f) Tee-time requests by a former or current elected official shall not be made on behalf of a third party.

(g) Tee times shall be limited to one time per week. A second time per week may be granted at the discretion of the Golf Course Superintendent/ General Manager.

D. Twosome regulations. Twosomes will only be permitted on the course when the tee is clear.

E. No one shall be entitled to use the golfing facilities without registering before each day. This includes use of putting greens and also practice areas.

F. Each golfer must pay for his/her greens fee in person. [Amended 4-14-1998 by Ord. No. 98-17]

G. Anyone who falsifies their name or address to hide their identity from the staff or loans their registration card to others will be suspended for the year from the premises. [Amended 4-14-1998 by Ord. No. 98-17]

H. There will be no refunds on greens or cart fees, regardless of whether the course is closed due to inclement weather or other weather-related emergencies.

I. (Deleted)

J. The use of profanity or abusive language or malicious behavior will not be permitted.[Amended 4-14-1998 by Ord. No. 98-17]

K. There will be no card playing at any time in the clubhouse or on the golf course.

L. Tournament regulations. All participants must be a member or a registered golfer.

M. The Borough of Paramus employs Golf Professionals as the only people that are permitted to conduct and provide lessons at the golf course and related facilities. The Golf Professionals will enter into the point of sales system all lesson and Junior camp payments. The Golf Professionals will be paid 90% of the lesson monies collected and the Borough will retain 10%. The payment will be calculated biweekly following the pay period schedule from the Borough.

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N. Any solicitation and/or provision of golf services, including private instructions, club repair or the sale of golf merchandise on course property by any parties, other than the duly appointed Borough employees and Golf Professionals, is strictly prohibited and is punishable under §259-20B.[Added 8-23-1994 by Ord. No. 94-22]

O. Each golfer must have his or her own set of golf clubs and golf bag in order to play.[Added 4-14-1998 by Ord. No. 98-17]

P. (Deleted)

§ 259-19. Course regulations.

A. Riding carts must use the ninety-degree rule unless course conditions require leaving the carts on the path at all times. The decision will be made by the Golf Course Superintendent/General Manager or his/her designee.

B. No Riding carts shall be allowed within 30 feet of greens; Golf carts are not permitted on green or tee banks and must be on the cart path near all tees and greens.

C. Temporary greens and tees must be used when regulation tees or greens are closed. Tee shots must be played between markers.

D. No fivesomes permitted at any time.

E. Only one foursome shall be allowed on the tee at a time.

F. Proper golf attire must be worn at all times. Effective April 1, 2001, no blue jeans and no spiked shoes shall be allowed. Golfers are expected to wear a collared shirt, Bermuda length shorts and spikeless golf shoes or approved sneakers. Female golfers should not have a separate section. All golfers should follow the same dress code.

G. (Reserved) Editor's Note: Former Subsection G, which prohibited profanity and abusive language, was deleted 4-14-1998 by Ord. No. 98-17. See now § 259-18J.

H. No alcoholic beverages, controlled substances or coolers may be brought on the premises.[Amended 11-20-2012 by Ord. No. 12-26]

I. Scheduled Golf Group Outings.

A. All person(s) requesting to schedule a golf outing by a group or party of people must make an application by submitting a "golf outing reservation form" to the General Manager/Superintendent or his/her designee. The golf outing reservation form shall specify the following:

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Below is the golf outing reservation form. This form must be submitted by the applicant to the General Manager/Superintendent or his/her designee. The submittal of the form is not a guarantee that the outing is booked. Only after the staff has signed the form and received the deposit will the outing be considered booked. Groups that have notified the General Manager/Superintendent or his/her designee of the desire to hold regularly scheduled outings in the future may have the corresponding dates held for them. Only after the groups have notified the General Manager/Superintendent or his/her designee that they are not returning in writing, will their held dates be available for other potential outings.

The golf course General Manager/Superintendent or his/her designee are the only party that can postpone or delay an outing. No outing may cancel due to the weather.

Name of Group _____ Date booked _____

Date Requested _____ Rain Date _____ Start Time _____

Group Organizer _____ E-Mail - _____

Phone No. _____ Fax No. _____

Of Players _____ Price Per Person \$ _____ Deposit Amt. _____ Deposit Date _____

Tournament Format _____

Nearest to the Pins: 5 12 15 17 Longest Drive

Special Instructions / Notes:

When you book an outing we will reserve the appropriate number of tee times for the number of players you have requested. If you have a different amount of players you must notify the golf course seven (7) days prior to your outing or you will be responsible for the number you originally booked. Shotgun outings require a minimum of 100 players. If you have less you will be required to pay the full amount for 100 players. This will allow your outing exclusive use of the course.

Any vendors or sponsors looking to set up an area for solicitation of products or services must be approved by the General Manager. No unapproved businesses in competition with Paramus Golf Course will be permitted.

Outings must contract with the restaurant vendor located on the premises for at least one of the meals (lunch or dinner) if the course is closed to the general public for your outing.

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No vehicles are permitted to remain on the Borough of Paramus golf course property after the outing has finished unless the patrons are dining at the restaurant on the golf course property.

New Jersey ABC laws do not allow you to bring your own alcoholic beverages. Anything consumed here must be purchased here.

B. In addition to the form specified in § 259-19(I)(B), the applicant for a group outing must also sign a form pursuant to § 259-11(B), with respect to Golf Cart rentals used for the outing.

§ 259-20. Violations and penalties.

[Amended 11-24-1992 by Ord. No. 92-23; 10-24-2000 by Ord. No. 00-39; 3-14-2006 by Ord. No. 06-2]

A. The Golf Commission shall not tolerate violations of the provisions of this article or any other policies, rules and/or regulations of the Paramus Golf Commission heretofore established. Violators of this article will be dealt with in a manner addressing the violation itself, the violator's history at the Paramus Golf Course as to violations and, if applicable, extenuating circumstances. The Commission hereby authorizes the Golf Course Superintendent/ General Manager or designee to suspend the privileges of golfers at the Paramus Golf Course pending a Commission meeting for violations which, in the opinion of the Golf Course Superintendent/ General Manager, warrants such a suspension of privileges. Such reasons for immediate suspension shall include, but not be limited to, Damage to Borough property including rented golf carts and GPS screens, causing bodily harm to another person (golfer/guest/employee) or themselves; fighting on the premises of the course (including parking lots/restaurant/locker room/pro shop, etc.); falsification of Name or address/loaning registration card (§ 259-18G); and having in one's possession or using/ imbibing alcoholic beverages or controlled substances on the golf course.

B. An individual charged with a violation of the provisions of this article or any other policies, rules and/or regulations of the Paramus Golf Commission heretofore established shall be provided with written notice of the violation(s) and an opportunity to present his/her defense to said violation(s) at a Commission meeting. If the Borough is unable to contact the person charged with a violation (i.e., the person failed to provide proper identification) the Golf Commissions' findings and decisions will have full force and effect. The Commission shall establish, by action of the Commission, procedures for the conducting of a hearing as to violation(s). If a person is found guilty of one or more violations, he/she shall be subject to one or more of the following penalties:

- (1) Written warning.**
- (2) Loss of weekday golfing privileges for a period of time.**
- (3) Loss of weekend golfing privileges for a period of time.**
- (4) A combination of Subsection B (2) and (3).**

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(5) Suspension from the golf course and its related facilities for a period of up to two years.

(6) Permanent expulsion from membership at the Paramus Golf Course and its related facilities.

C. In addition to the above penalties, any person convicted of violating any of the provisions as contained herein shall be subject to the penalties provided by § 1-15 of this Chapter.

Section 3. Repealer. All prior ordinances that are inconsistent with this ordinance are repealed. All ordinances are hereby amended to be consistent with this ordinance and all ordinances, including this one, shall be construed consistent with the express purpose of this ordinance.

Section 4. Savings and Construction. This ordinance shall be construed consistent with the purpose stated in Section 1 hereof. Any ambiguities in this ordinance shall be construed in accordance with the purpose of this ordinance. If any part of this ordinance is invalidated by a court of competent jurisdiction, the remainder of this ordinance shall be saved to the full extent possible. This ordinance repeals provisions of the Paramus Code only where stated herein; otherwise this ordinance is amendatory and supplementary to existing provision of the Paramus Code.

Section 5. Codification. This ordinance shall be codified as amendments to the chapters set forth herein.

Section 6. Effective Date. This ordinance shall take effect immediately upon approval and publication of notice of adoption as provided by law.

Attest:

Approved:



ANNEMARIE KRUSZNIS, RMC
Borough Clerk



RICHARD A. LaBARBIERA
Mayor

Introduced: October 29, 2019
Final: November 12, 2019