

**ORDINANCE NO.: 2009-13**  
**AN ORDINANCE TO REGULATE THE USE OF**  
**THE BOROUGH OF BERLIN COMMUNITY CENTER**

**WHEREAS**, the Borough Council of the Borough of Berlin, County of Camden and State of New Jersey (the “Borough”), have deemed it appropriate to cause the Borough Administrator, or her designee, to control the use and scheduling of activities in the Berlin Community Center, located at 251 South Franklin Avenue, Berlin, New Jersey, and to establish a fee structure for such use.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the Borough of Berlin, County of Camden, State of New Jersey:

**SECTION 1:** The Borough Administrator or the Borough’s employee designated by her/him but under her/his ultimate responsibility and control, shall approve all use of the Berlin Community Center and control the scheduling of events in such facility so as to ensure that, as much as possible, the facility is used primarily by Borough residents. The Berlin Community Center may only be used for social and non-social functions of the following:

- a. Individual residents;
- b. Borough Senior Citizen groups and organizations;
- c. Recognized Borough Organizations. Organizations falling in this category must apply for status as a recognized Borough organization in order to use the Berlin Community Center under this category. The application must include a copy of the bylaws, charter or other organization governing document that requires the organization to maintain a membership comprised of at least 51% Borough of Berlin residents or businesses with officer or business locations within the Borough limits. Borough Organizations will be given preference where appropriate.
- d. Non-Borough Organizations, which provide that residents have the right to be members of such organizations. Examples of such organizations are County political groups, regional or county business organizations and county or regional athletic groups.

**SECTION 2:** At least annually, the Borough Council, shall review and/or consider a modification to the fee schedule for use of the Berlin Community Center which shall be establish and amended, if necessary, by Ordinance. A Borough employee must be used, and a separate fee at the per hour rate established in the fee schedule will be charged for such employee’s services, to oversee the use and clean-up of the Berlin Community Center for all social functions.

**SECTION 3:** All use of the Berlin Community Center will be in compliance with all laws, ordinances and regulations of the State of New Jersey, in the County of

Camden Health Department an the Borough of Berlin, including, but not limited to, the sale or distribution of alcoholic beverages. The Council shall adopt such additional regulations as it deems necessary with respect to the use of the Berlin Community Center, such as insurance requirements and fines and penalties for misuse or damage.

**SECTION 4:** 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 adjudged and the remainder of this Ordinance shall be deemed valid and effective.

**SECTION 5:** All other ordinances or parts of ordinances inconsistent with the provision of this Ordinance are hereby repealed to the extent of such inconsistency.

**SECTION 6:** This Ordinance shall become effective immediately upon final passage and publication as required by law.

**BOROUGH OF BERLIN**

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**By: John J. Armano, Mayor**

**ATTEST:**

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**Charleen Santora, R.M.C.**

The foregoing Ordinance was introduced and adopted on first reading of the Mayor and Council of the Borough of Berlin on August 3, 2009. It will be considered for final adoption following a public hearing to be held at a meeting beginning 7:00 p.m. on November 2, 2009 in the Council Chambers of the Municipal Building, 59 South White Horse Pike, Avenue, Berlin, NJ 08009.

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**Charleen Santora, R.M.C.**

**INTRODUCED:**

**ADOPTED:**