

TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

ORDINANCE #2018-13

Title: **AN ORDINANCE AMENDING CHAPTER 475, PARKS AND RECREATION, OF THE CODE OF THE TOWNSHIP OF LOWER ADDING SECTION 16 TO ARTICLE IV, FEES AND REIMBURSEMENTS, IN ORDER TO ESTABLISH A MEMORIAL BENCH DEDICATION PROGRAM**

WHEREAS, the Township of Lower has received numerous inquiries and requests from individuals regarding the potential dedication of municipal benches located in the Township of Lower in order to honor deceased loved ones; and

WHEREAS, the Township Council of the Township of Lower has determined that it is appropriate to establish a Memorial Bench Dedication Program in order to establish an application process, and guidelines and procedures governing said process, in which individuals seeking approval to dedicate Township owned benches in the memory of deceased loved ones shall follow; and

WHEREAS, the Township Council of the Township of Lower finds that it is in the best interests of the Township and its residents and visitors alike to permit the dedication and placement of additional benches throughout the Township for the use of the general public; and

WHEREAS, the Township Council of the Township of Lower specifically finds that the implementation of a Memorial Bench Dedication Program which governs the style, color, location and fees associated with the dedication of Township owned benches is the best interests of the Township of Lower.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey as follows:

Section 1. Chapter 475, Article IV, is hereby amended to add new section 475-16, **Memorial Bench Dedication Program**:

§ 475-16 – Memorial Bench Dedication Program.

The Township of Lower shall permit the dedication of benches and installation of memorial plaques to remember deceased individuals and families on Township owned benches through a Memorial Bench Dedication Program. Memorial Plaques shall be installed on benches in accordance with the following regulations:

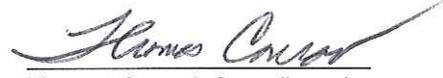
- A. The fee for a dedicated bench and memorial plaque shall be \$1200. No more than one (1) memorial plaque will be permitted on any given bench. The dedication of a bench and installation of a memorial plaque will run for an indefinite period of time. The bench will be purchased by the Township of Lower, from the aforementioned fee and said bench shall become the exclusive property of the Township of Lower.
- B. Applications shall be obtained from and, after completion, returned to the Lower Township Recreation Department. Applications for specific locations shall be considered on a first-come, first-serve basis. The Lower Township Recreation Department will inform the Applicant of the date of the installation.
- C. Benches and Memorial Plaques shall be of a size, style and material determined and approved by the Township Superintendent of Parks and Recreation. Inscriptions set forth on said plaques shall be reviewed and approved at the sole discretion of the Township Superintendent of Parks and Recreation.
- D. Memorial Benches shall be permitted at all existing public parks and locations subject to the final approval of the Superintendent of Parks and Recreation.
- E. No individual or organization may make improvements or install a memorial plaque on any bench or public space without the express approval of the Township of Lower.
- F. The Township of Lower shall not be responsible for the replacement of benches or memorial plaques that have been damaged or destroyed due to vandalism or natural occurrences such as fire or hurricane.

Applicants shall be responsible for the replacement of damaged or destroyed benches and memorial plaques at their sole expense.

Section 2. All other ordinances in conflict or inconsistent with this Ordinance are hereby repealed to the extent of such conflict or inconsistency.

Section 3. Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason, the remaining portions of this Ordinance shall not be affected thereby and shall remain in full force and effect, and to this end the provision of this Ordinance are hereby declared to be severable.

Section 4. This Ordinance shall become effective 20 days after final passage and publication according to law.



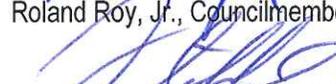
Thomas Conrad, Councilmember



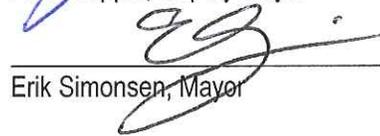
David Perry, Councilmember



Roland Roy, Jr., Councilmember



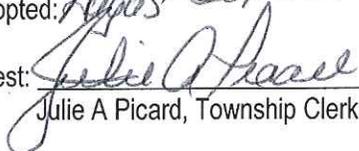
Frank Sippel, Deputy Mayor



Erik Simonsen, Mayor

First Reading: July 16, 2018

Adopted: August 20, 2018

Attest: 
Julie A Picard, Township Clerk