

ORDINANCE #1222

AN ORDINANCE AMENDING CHAPTER VI OF "REVISED GENERAL ORDINANCES OF THE BOROUGH OF DEAL, 1982" Beach Regulations

THE BOARD OF COMMISSIONERS OF THE BOROUGH OF DEAL HEREBY
ORDAIN:

Section 1. That Chapter VI, Beach Regulations, of the "Revised General Ordinance of the Borough of Deal, 1982 be and it hereby is amended in the following particulars:

Section 2. Subsection 6-1 **Conover Pavilion** is amended to read as follows:

6-1.4 Conover Pavilion Rates; Charges; Qualifications for Use

Rates and charges at the Conover Pavilion are fixed as follows:

a. Bathhouse-Season Rate:

- | | |
|---|----------|
| 1. Two (2) members | \$750.00 |
| 2. Each additional member 8 to 17 years of age | \$100.00 |
| 3. Each additional member 18 years of age and older | \$150.00 |
| 4. Senior Citizens (62 and older) | \$675.00 |

b. Children under 8 years of age No Charge

c. Seasonal walk-on fee (8 years of age and older) \$150.00

d. Weekday admission (Monday -Thursday) \$10.00

e. Weekend and holiday admission (Friday-Sunday) \$12.00

f. No refunds or rain checks.

g. Charges to be reviewed annually.

6-1.5 Definition.

Member shall mean any family member or friend.

6-1.6 Rules and Regulations.

- Payment in full is due by April 15. If payment in full is not received by April 15, a \$350 late fee will be added. If payment is not received by April 30, the locker will be given away to the next person on the waitlist. The maximum number of members in each locker may not exceed 10 persons.
- No one will be permitted entrance into the Conover Pavilion without being identified as a member or daily guest.
- All persons are restricted from remaining on the beach after 10:00 p.m. except during approved special events and ceremonies. Individuals actively engaged in fishing or surfing may be upon any the Conover beach at any time between the applicable beach closing hour of any day.

- d. No tent or similar structures shall be permitted on the beach
- e. No dogs, pets or other animals are permitted on Conover Pavilion property and beaches during the bathing season, with the exception of service animals.
- f. Smoking is prohibited at the Conover Pavilion and on the Beach, except in a designated area determined by the Board of Commissioners.
- g. Bathers are forbidden to bathe outside the designated areas and unprotected areas, or at such times, when in the opinion of the Management or Lifeguards, ocean bathing is unsafe. Operation and use of Jet Skis are prohibited on Deal beaches except for use by emergency personnel and lifeguards. The use of surf boards on the beaches of the Conover Pavilion are prohibited during the hours the clubs are open. Any person using diving apparatus or other equipment whether or not belonging to the Conover Pavilion, does so at his or her own risk.
- h. The Conover Pavilion assumes no responsibility for damages or loss of property belonging to a guest or member, whether or not the same be entrusted to employees of the Club or checked with the Management.

6:1-7 Hours

The Pavilion will be open Monday-Thursday from 10:00am until 7:00 pm. On Fridays, Saturdays, Sundays and Holidays the Pavilion will be open from 9:00am-7:00 pm.

The beach will be open Monday-Thursday from 10:00 am until 6:30 pm. On Fridays, Saturday, Sundays and Holidays the beach will be open from 9:00 am until 6:30 pm.

Lifeguards will be on-duty Monday-Thursday from 10:00 am until 6:00 pm. On Friday, Saturday, Sundays and Holidays, lifeguards will be on-duty from 9:00 am until 6:00 pm.

The Pavilion will be exit only from 6:30 pm – 7:00 pm daily. No entry will be permitted during this time.

The Borough reserves the right to close beaches or other areas during inclement weather or other emergent situations (Ord. No. 1196)

Section 3. Subsection 6-2 **Deal Casino Beach Club** is amended to read as follows:

6-2.2 Club Rules and Regulations

2. ADDITIONAL MEMBERS

Any family or friend may be added as additional members. The maximum number of members in each bath house may not exceed 10 persons. Current bath houses with more than 10 persons may continue with the additional persons only with full payment by the due date listed. If

payment in full is not received, no more than 10 persons may be on the bath house.

1. 3. APPLICATION AND PAYMENT DEADLINE

A \$500 deposit to hold your bath house is due on December 1. If deposits are NOT received by this date your bath house will be given away to someone on the waitlist. Payment in full is due by April 15.

If payment in full is not received by April 15 a \$350 late fee will be added to your total. If payment in full is not received by April 30, the bath house will be given away to the next person on the wait list and all deposits will be forfeited.

THESE DATES WILL BE STRICTLY FOLLOWED AND THERE WILL BE NO EXCEPTIONS MADE.

4. HOURS

The beach club will be open Monday-Thursday from 10:00am until 7:00 pm. On Fridays, Saturdays, Sundays and Holidays the beach club will be open from 9:00am-7:00 pm.

The beach will be open and lifeguards on duty Monday-Thursday from 10:00 am until 6:00 pm. On Fridays, Saturday, Sundays and Holidays the beach will be open from 9:00 am until 6:00 pm.

The Borough reserves the right to close beaches or other areas during inclement weather or other emergent situations.

All persons are restricted from remaining on the beach after 10:00 p.m. except during approved special events and ceremonies. Individuals actively engaged in fishing or surfing may be upon any the Deal Casino beach at any time between the applicable beach closing hour of any day.

6. GUESTS

All guest passes must be purchased by a member of the club and can be done so ahead of time online (www.dealborough.com) or at the casino office. Each bathhouse is limited to 40 peak passes for the season. Off-peak passes are unlimited.

Peak times are Fridays, Saturdays, Sundays and Holidays between the hours of 9am – 5pm. Off-peak times will be Monday – Thursday and Fridays, Saturdays, Sundays and Holidays after 5pm.

Guest passes purchased will not expire and may be used at any time. Upon cancellation of membership, the associated passes will no longer be valid. Absolutely no refunds or rainchecks will be issued for guest passes. Guest passes are not transferable.

Off-Peak guest passes are limited in use to 10 passes per day.

Sale and purchase of guest passes other than from the Borough of Deal is prohibited.

Any member found bringing a guest into the Beach Club without paying the guest fee will be subject to revocation of membership.

10. FURNITURE

Beach Club furniture may not be moved from pool deck, common areas, eating areas, or pool side cabanas. Furniture which is included with cabanas or beach houses is reserved for that specific unit only. Misplaced furniture will be removed. Reserving or rearranging pool deck furniture is prohibited. No Glass Tables will be allowed on beach club property. Refrigerator over 11 cubic feet will be assessed a \$200 surcharge. Refrigerators shall be placed in a deluxe cabana and plugged directly into the receptacle, use of extension cords is prohibited.

No outside furniture, rugs or other furnishings may be permitted onto the Public Area of the Deal Casino premises unless expressly approved by Deal Casino Management in writing. Any outside furniture that is brought onto the premises without written permission may be removed and discarded without notice. Outside furniture must be blue and/or white in color only.

11. Play Pens

For safety purposes, play pens are prohibited at pool side deck area.

12. USE OF BEACHES

Bathers are forbidden to bathe outside the designated areas and unprotected areas, or at such times, when in the opinion of the Management or Lifeguards, ocean bathing is unsafe. Operation and use of Jet Skis are prohibited on Deal beaches except for use by emergency personnel and lifeguards. The use of surf boards on the beaches of the Conover Pavilion and the Deal Casino are prohibited during the hours the clubs are open. Any person using diving apparatus or other equipment whether or not belonging to the Deal Casino, does so at his or her own risk.

No tent or similar structure shall be permitted on the beach

16. POOL CONDUCT

Ball playing, floating objects, swim boards, tubes, etc. will only be allowed at the discretion of the lifeguards when it is deemed safe in either the main or baby pools. Children using swimmies are permitted if accompanied in the pool by an adult. Children in diapers are not allowed in either pool per the New Jersey Sanitary Code.

Baby pool is designated for children 4 years of age and under. Each child must be accompanied and watched by a parent or guardian.

25. SMOKING

Smoking is prohibited inside the Deal Casino and on the Beach, except in a designated area designated by the Board of Commissioners.

31. MEMBERSHIP

If and when unsold cabanas and bathhouses are available, membership will be offered on a "first come" basis. Priority will be given to residents who have indicated their interest in membership prior to each season. Membership in the Deal Casino is limited to "Head of Household" and "Additional Family Members" of property owners and families residing or renting in the Borough of Deal. When available space permits, non-residents, following the same rules for "family membership" as Borough residents, will be allowed membership for that year according to a schedule and fees established by the Board of Commissioners.

6-2.3 Membership Fee Schedule

2021 Membership Fees

(1) SMALL BATHHOUSE – Two (2) members	\$2,150.00
(2) DELUXE BATHHOUSE – Two (2) members	\$2,750.00
(3) CABANAS SOUTH TERRACE – Two (2) members	\$3,800.00
(4) CABANAS NORTH POOL – Two (2) members	\$3,800.00
(5) CABANAS SOUTH POOL – Two (2) members	\$3,700.00
(6) CABANAS NORTH AISLE A – Two (2) members	\$3,700.00
(7) BEACH CABANAS – Two (2) members	\$4,200.00
(8) Resident and Borough Employee Discount	\$500.00
(9) Additional Family Members	
a. Each additional child member	\$200.00
Each additional child member (After May 1)	\$300.00
b. Each additional adult member	\$375.00
Each additional adult member (After May 1)	\$475.00
(10) Members Children Under 5 Years of Age	No charge
(11) GUEST FEES:	
Off-Peak Passes: Monday-Thursday and Peak Pass Day after 5pm	
Single	\$15.00
Pack of 10 Guest Passes	\$145.00
Peak Passes: Friday, Saturday, Sunday and holidays 9am-4pm (Limited to 40 passes)	
Single	\$30.00
Pack of 10 Guest Passes	\$250.00
(12) Refrigerator Fee (over 11 Cubic feet)	\$200.00
(13) Kayak/Paddle Board Registration and Storage	\$50.00

Charges to be reviewed annually and dates adjusted to accommodate the operations calendar. The user charges set in this section shall be reviewed annually and revised periodically by resolution of the Board of Commissioners to reflect actual costs associated with the operation of the Deal Casino.

Section 4. Subsection 6-3 **Use of Non-Inflatable Surfing Equipment** is amended to read as follows:

The practice of participating in the sport commonly known as "surfing," or any use of noninflatable surf riding equipment shall be prohibited in the area of the Atlantic Ocean in all designated swimming areas between May 15 and September 15 of each year. It is the intention of this section to prohibit surfing in areas designated as protected beaches reserved for swimmers and other areas designated for recreational activities inconsistent with surfing.

Section 5. Subsection 6-4 **Bathing in Unprotected Waters** is amended to read as follows:

6-4.2 Definitions.

As used in this section:

Protected beach shall be defined as one which has the following equipment and personnel:

- a. Two (2) parallel lines of sound, serviceable and strong manila or hemp rope, not less than one (1) inch in diameter, anchored at some point above high water. Such lines shall be made to extend as far into the surf as bathing is ordinarily safe for persons who are not expert in swimming, and, at such points of safety, shall be anchored and buoyed. Such points shall be at least far enough seaward so that at low tide the depth of the water at such points is at least five (5) feet. Such lines shall be such distance apart so as to provide and identify the space set apart for such bathing and swimming.

The swimming area may also be designated by the use of beach flag markers posted on the beach.

Section 6. Subsection 6-6 **Public Beach** is amended to read as follows:

6-6.2 Municipal Beach Delineated.

The entire beach area lying between the border of the City of Long Branch and the Borough of Allenhurst. The existing public access points will be utilized. The Conover Pavilion and Deal Casino Beach Club rules and regulations will be separately outlined in Section 6-1 and 6-2, respectively.

6-6.3 Pass / Bracelet Required; Transferability and Loss.

- a. No person eight (8) years of age and over shall bathe at or otherwise use or be upon the beaches or areas set forth in subsection 10-6.2 without having first acquired and then having in his or her possession a proper and effective season pass, daily bracelet or other insignia to use the beaches, which shall be worn conspicuously by such person during said use, so that it shall be visible at all times and shall be exhibited on demand to the beach inspectors, gate tenders, Police of the Borough of Deal or other duly authorized representative of the Borough.
- b. All daily bracelets or other insignia issued shall be for the exclusive use of the holder, and shall not be loaned, given, sold or transferred to any other person, and shall be used only by the person to whom originally issued.

6-6.4 Fees and Charges.

In order to provide funds to improve, maintain and police the municipal beach and to provide facilities and safeguards for public bathing and recreation, including the employment of lifeguards, the following reasonable fees shall be charged the person using said lands and bathing facilities for access to the beaches and bathing and recreational facilities during the normal bathing season:

- a. Daily admission to the beach:
 1. No fee shall be charged of children under the age of eight (8).
 2. Ten Dollars (\$10.00) per day per person on all days with the exception of Fridays, Saturdays, Sundays and holidays.
 3. Twelve dollars (\$12.00) per day per person during Fridays, Saturdays, Sundays, and holidays.
- a. Seasonal admission to the beach:
 1. One hundred fifty (\$150.00) dollars for a seasonal pass ages 8 and over for admission to the beach for the entire bathing season for one year.

6-6.5 Hours.

The respective beaches and other areas established by subsection 6-6.2 shall be open for such periods as the Board of Commissioners shall annually designate by resolution. Unless otherwise designated by resolution of the Board of Commissioners, beach season pass, daily bracelet or other insignia shall be required between the hours of 9:00 a.m. and 6:00 p.m. prevailing time daily. The Borough reserves the right to

close beaches or other areas during inclement weather or other emergent situations.

All persons are restricted from remaining on the beach after 10:00 p.m. except during approved special events and ceremonies. Individuals actively engaged in fishing or surfing may be upon any Municipal beach at any time between the applicable beach closing hour of any day.

6-6.8 Rules and Regulations.

- o. No dogs, pets or other animals are permitted on Conover Pavilion property and beaches during the bathing season, with the exception of service animals.
- p. No tent or similar structure shall be permitted on the beach
- q. Any event such as marriage ceremonies, fireworks or gatherings shall be required to obtain a permit from the Borough of Deal. The fee for the permit shall be \$100.00

Section 7. This Ordinance shall take effect upon passage and publication according to law.

Introduced by Commissioner Simhon on September 2, 2020
Seconded by Commissioner Ades
Roll Call: Ayes 3; Cohen, Ades & Simhon

Motion to Adopt by Commissioner Simhon on October 2, 2020
Seconded by Commissioner Ades
Roll Call: Ayes 3; Cohen, Ades & Simhon