

Reprinted from Chapter 117, Session of
1907 of the Senate and General Assembly
of the State of New Jersey.
Revised at Session of 1908, Chapter 108.

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No. 60

New Jersey Playground Law

Reprinted by the
Playground Association of America.
1 Madison Avenue, New York City
and by the
Playground Extension Committee of the
Russell Sage Foundation.

NEW JERSEY PLAYGROUND LAW.

Session of 1907, Chapter 117. Revised at Session of 1908,
Chapter 108.

“An act concerning playgrounds and recreation places in cities of this State, and providing for the establishment, equipment, control, use and regulation thereof.”

Be it enacted by the Senate and General Assembly of the State of New Jersey :—

1. In any city of this State the mayor of such city may, in his discretion, appoint three fit and suitable persons, citizens and residents of such city, who shall be confirmed by the Common Council or other governing body of such city as commissioners of playgrounds, and who shall constitute and be known as the Board of Playground Commissioners of such city. The commissioners first appointed under this act in any city shall hold office for the term of one, two and three years, respectively, as fixed and designated by the mayor in their respective appointments, and after the first appointments such commissioners shall be appointed for the full term of three years; vacancies shall be filled for the unexpired term only. They shall not receive any salary or other compensation for their services.

Appointment

2. It shall be the duty of such board, from time to time, to select in different parts and sections of the city for which they are appointed, lands for public playgrounds and recreation places, of such size and dimensions as they shall think suitable, regard being had to the population of the neighborhood, and to cause surveys and maps to be made thereof, together with a careful estimate, as nearly accurate as may be, of the probable cost of acquiring said lands, if it is proposed to purchase or condemn the same, and a statement of the annual rental and

Duties

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Preparing and
Equipping

duration of term, if it is proposed to lease the same, together with an estimate of the cost of preparing said lands, and of suitably equipping the same, by the erection of buildings, stands, seats and other structures and apparatus, for playgrounds and recreation places, which surveys, maps and estimates shall be submitted to the common council or other body of such city having control of the finances with a request that an appropriation be made for the purpose of acquiring or leasing said lands and preparing and suitably equipping the same. If the common council or other body of such city, by resolution, authorize the acquisition of the said lands and appropriate a sum for the purchase and equipment thereof, the said board shall proceed to acquire said lands by purchase or condemnation, or lease the same, as the case may be, and suitably to prepare and equip the same for a playground and recreation place. If the land is condemned and the award exceeds the amount appropriated for its acquisition the commissioners shall immediately submit the award to the common council or body having control of the finances, and unless they approve the same, shall within twenty days from the filing of the report of the commissioners abandon the condemnation proceedings. In case of condemnation proceedings, either party thereto shall have the right to appeal from the award of the commissioners. The title to all lands so purchased or taken shall vest in the city, and all leases of land for the purpose of this act shall be in the name of the city.

Council to
authorize
acquisition

Control and
regulation.

3. The Board of Playground Commissioners shall have full control over all lands, playgrounds and recreation places acquired or leased under the provisions of this act and may adopt suitable rules, regulations and by-laws for the use thereof, and the conduct of all persons while on or using the same; and any person or persons who shall violate any of such rules, regulations or by-laws shall be deemed and adjudged to be a disorderly person. The custodians and assistants appointed by the board shall, while on duty and for the purpose of preserving order and the observance of the rules, regulations and by-laws of the board, have all the powers and authority of police officers of the respective cities in and for which they are

Custodians.

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severally appointed. The said board shall have power and authority, in its discretion, to grant permits, from time to time, for the use of the whole or part of any playground or recreation place having an area of at least five acres, for an outdoor exhibition, concert, game or contest, upon such terms or conditions as it may deem proper. The said board may authorize the holder of any such permit to charge and collect an admission fee from each person entering the playground or recreation place to witness such exhibition, concert, game or contest, provided that no such permit shall be given for the use of such ground or place for more than twenty-four hours. The said board may appoint a secretary or clerk and such number of custodians and assistants for the several playgrounds and recreation places as they shall think necessary, but the salaries of all such officers, custodians and assistants shall be fixed and determined by the common council or other body having control of the finances of the city.

May grant use
of playground
for exhibitions
etc.

Assistants.

Salaries fixed
by council.

4. The common council or body having control of the finances of each city having such playgrounds shall annually fix, determine and appropriate a sum sufficient for the care, custody, policing and maintenance of such playgrounds and recreation places, and for the expenses of the several boards of commissioners, which sum shall be raised by taxation as other taxes are raised in such city. The common council or other body having control of the finances shall provide a suitable office or offices for said board of commissioners of playgrounds.

Funds
provided
by Council

Office

5. The sum or sums of money necessary to pay for lands purchased or condemned for such playgrounds and recreation places and for preparing and equipping the same, from time to time, may be raised and provided by the common council or body having control of the finances by general taxation as other taxes are raised and levied, or by the issue of temporary loan bonds, or by the issue of temporary bonds of the particular city. If permanent bonds are issued they shall be for not less than thirty nor more than fifty years, shall bear interest not exceeding four per centum per annum, and shall be sold at not less than their par value. If permanent bonds are issued there shall be raised each year by general taxation by the city is-

Bond issue
to acquire
Land

Time rate

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Sinking fund suing the same, as other taxes are raised and levied, a sum sufficient to pay the annual interest and also a sum for a sinking fund for such bonds, sufficient to meet, pay and retire the same at maturity. If temporary loan bonds are issued, they shall be so issued that at least one-fifth thereof shall be due and payable each year, and there shall be raised each year by Retirement of bonds general taxation a sum sufficient to pay and retire the temporary loan bonds falling due that year. All moneys received by the said board shall be paid over to the city treasurer and be by him kept in a special fund, which shall be used only for the purpose of defraying the expenses of improving, maintaining or policing the playgrounds of the city.

Sections of act independent. 6. Each section of this act and every part of each section are hereby declared to be independent sections and parts of sections and the holding of any section or part thereof to be void, ineffective or unconstitutional for any cause shall not effect any other section or part thereof; and this act shall take effect immediately.

Approved April 7, 1908.