

CHAPTER 2

STATE PARK SERVICE CODE

Authority

N.J.S.A. 13:1B, 13:1B-15.100 et seq., and 13:1L-1 et seq.

Source and Effective Date

R.1996 d.524, effective November 18, 1996.
See: 28 N.J.R. 3698(a), 28 N.J.R. 4899(c).

Executive Order No. 66(1978) Expiration Date

Chapter 2, State Park Service Code, expires on November 18, 2001.

Chapter Historical Note

Chapter 2, State Park Service, consisting of Subchapter 1 and Subchapter 3, became effective prior to September 1, 1969 pursuant to authority of N.J.S.A. 13D-1 et seq., 13:1B-3, 13:1B-15.4 et seq., 13:1B-15.12a et seq. and 23:7-9 and the State Park and Forestry Resources Act (N.J.S.A. 13:1L et seq., specifically N.J.S.A. 13:1L-19).

1971 Revisions: Amendments became effective May 26, 1971 as R.1971 d.82. See: 3 N.J.R. 107(b). All Subchapters except Subchapters 1, 3, 14, 16 and 17 were adopted pursuant to authority of N.J.S.A. 13:8-20 as R.1971 d.191, effective October 21, 1971. See: 2 N.J.R. 82(b), 3 N.J.R. 221(e). d

1973 Revisions: Subchapter 16 was adopted as R.1973 d.138, effective May 24, 1973. See: 5 N.J.R. 81(a), 5 N.J.R. 187(a).

1974 Revisions: Amendments became effective January 18, 1974 as R.1974 d.13. See: 5 N.J.R. 405(a), 6 N.J.R. 1760(b).

1975 Revisions: Amendments became effective March 20, 1975 as R.1975 d.75. See: 6 N.J.R. 393(b), 7 N.J.R. 151(b). Subchapter 14 was adopted and Subchapter 15 was repealed by R.1975 d.134, effective May 19, 1975. See: 7 N.J.R. 141(b), 7 N.J.R. 261(c).

1977 Revisions: Amendments became effective April 21, 1977 as R.1977 d.145. See: 9 N.J.R. 114(d), 9 N.J.R. 218(e).

1979 Revisions: Amendments became effective January 26, 1979 as R.1979 d.18. See: 10 N.J.R. 532(a), 11 N.J.R. 63(c).

1981 Revisions: Amendments became effective January 7, 1981 as R.1981 d.4. See: 12 N.J.R. 505(d), 13 N.J.R. 91(a).

1983 Revisions: Pursuant to Executive Order No. 66(1978), Chapter 2, State Park Service, was readopted as R.1983 d.320, effective July 21, 1983. See: 15 N.J.R. 822(b), 15 N.J.R. 1373(d). Subchapter 4, Hunting, Fishing and Trapping; Subchapter 6, Scuba Diving; Subchapter 10, Bathing; and Subchapter 12, Equestrian Use, were repealed by R.1983 d.464, effective October 17, 1983. See: 15 N.J.R. 983(a), 15 N.J.R. 1760(b).

1985 Revisions: Amendments became effective August 19, 1985 as R.1985 d.421. See: 17 N.J.R. 778(a), 17 N.J.R. 201(a).

1986 Revisions: Subchapter 12, Open Lands Management, was adopted as R.1986 d.124, effective April 7, 1986. See: 17 N.J.R. 866(b), 18 N.J.R. 645(b). Amendments became effective June 2, 1986 as R.1986 d.202. See: 18 N.J.R. 139(a), 18 N.J.R. 1200(a).

1987 Revisions: Subchapter 11 was repealed and a new Subchapter 11, Natural Areas and the Natural Areas System, was adopted as R.1987 d.533, effective December 21, 1987. See: 18 N.J.R. 2349(b), 19 N.J.R. 2409(a).

1988 Revisions: Pursuant to Executive Order No. 66(1978), Chapter 2, State Park Service, was readopted as R.1988 d.340, effective June 24, 1988. See: 20 N.J.R. 714(a), 20 N.J.R. 1743(e).

1991 Revisions: Chapter 2, State Park Service, was repealed, and a new Chapter 2, State Park Service Code, was adopted by R.1991 d.487, effective October 7, 1991. See: 22 N.J.R. 2652(a), 23 N.J.R. 3005(a). As part of R.1991 d.487, Subchapter 11, Natural Areas and the Natural Areas System, was recodified to N.J.A.C. 7:5A and Subchapter 12, Open Lands Management, was recodified to N.J.A.C. 7:5B.

Pursuant to Executive Order No. 66(1978), Chapter 2, State Park Service Code, expired on October 7, 1996.

Chapter 2, State Park Service Code, was adopted as new rules by R.1996 d.524, effective November 18, 1996. See: Source and Effective Date.

CHAPTER TABLE OF CONTENTS

SUBCHAPTER 1. GENERAL PROVISIONS

- 7:2-1.1 Short title
- 7:2-1.2 Scope
- 7:2-1.3 Construction
- 7:2-1.4 Practice where rules do not govern
- 7:2-1.5 Relationship to Federal and State law
- 7:2-1.6 Severability
- 7:2-1.7 Definitions

SUBCHAPTER 2. GENERAL USE

- 7:2-2.1 Purpose/powers
- 7:2-2.2 Designation of land use
- 7:2-2.3 Limitation or closing of land and water use
- 7:2-2.4 Posting, selling and soliciting
- 7:2-2.5 Commercial use
- 7:2-2.6 Alcoholic beverages prohibited
- 7:2-2.7 Dumping, littering and garbage
- 7:2-2.8 Furred animals and pets
- 7:2-2.9 Seeing eye, companion and hunting dogs
- 7:2-2.10 Damage to property/tampering
- 7:2-2.11 Conduct
- 7:2-2.12 Fires, stoves and lanterns
- 7:2-2.13 Posted signs; issued permits; verbal instructions
- 7:2-2.14 Changing clothes; nudity
- 7:2-2.15 Military use
- 7:2-2.16 Metal detectors
- 7:2-2.17 Target practice; firearms; fireworks
- 7:2-2.18 Restrictions on hunting, fishing, and trapping
- 7:2-2.19 Indecency; immorality; profanity
- 7:2-2.20 Swimming/bathing areas
- 7:2-2.21 Horseback riding
- 7:2-2.22 Restricted recreational activities
- 7:2-2.23 Lost articles
- 7:2-2.24 Winter activities restrictions
- 7:2-2.25 Bicycles, roller skates, and skateboards

SUBCHAPTER 3. MOTORIZED VEHICLES

- 7:2-3.1 Identification and license
- 7:2-3.2 Unauthorized motor vehicle use
- 7:2-3.3 Conformance to State laws
- 7:2-3.4 Restriction on operation of motor vehicles
- 7:2-3.5 Snowmobiles
- 7:2-3.6 Motor vehicle speed limits
- 7:2-3.7 Parking
- 7:2-3.8 Traffic direction
- 7:2-3.9 Motorized bicycle restrictions

SUBCHAPTER 4. (RESERVED)

SUBCHAPTER 5. OCEAN PARKS AND INLAND PARKS BEACH RESTRICTIONS

- 7:2-5.1 Trespassing
- 7:2-5.2 Entry by boat or vessel

- 7:2-5.3 Fires (open)
- 7:2-5.4 Camping/erection of tents and shelters
- 7:2-5.5 Restricted activities

SUBCHAPTER 6. CAMPING

- 7:2-6.1 Camping
- 7:2-6.2 Campsite occupancy limits
- 7:2-6.3 Occupancy of campsites
- 7:2-6.4 Time limits; overnight camping
- 7:2-6.5 Removal of equipment and personal property
- 7:2-6.6 Visitors in campsite
- 7:2-6.7 Campsite, lean-to's, group campsite reservation procedures
- 7:2-6.8 Cancellations and refunds
- 7:2-6.9 Wilderness campsites
- 7:2-6.10 Group campsites
- 7:2-6.11 Group camper supervisor requirements
- 7:2-6.12 Emergency transportation
- 7:2-6.13 Emergency camping
- 7:2-6.14 Abuse of the camping system

SUBCHAPTER 7. OVERNIGHT FACILITIES USE

- 7:2-7.1 Overnight facilities
- 7:2-7.2 Overnight facilities reservation procedures
- 7:2-7.3 Cancellation and refunds
- 7:2-7.4 Visitors

SUBCHAPTER 8. BOATING/WATERCRAFT

- 7:2-8.1 Launching of boats
- 7:2-8.2 Power boats and motorized jet skis use restrictions
- 7:2-8.3 Powerboat size restrictions
- 7:2-8.4 Sailboats and ice sailboats mast height on the Round Valley, Spruce Run and Monksville Recreation Reservoirs
- 7:2-8.5 Use of boat ramps
- 7:2-8.6 Boating near bathing areas
- 7:2-8.7 Swimming and diving from objects, scuba diving, and skin diving
- 7:2-8.8 Round Valley and Spruce Run wind speed notification systems
- 7:2-8.9 Boat storage at the Spruce Run Recreation Area
- 7:2-8.10 Ice boating
- 7:2-8.11 Towing behind boats
- 7:2-8.12 Conformance with State boating laws
- 7:2-8.13 Lifejackets
- 7:2-8.14 Careless and negligent operations
- 7:2-8.15 Rules of the road
- 7:2-8.16 Speed
- 7:2-8.17 Obeying orders
- 7:2-8.18 Exclusion of racing events
- 7:2-8.19 Vessel use restrictions
- 7:2-8.20 Operating vessels during nighttime
- 7:2-8.21 Disposal of waste from vessels
- 7:2-8.22 Low water levels Round Valley, Spruce Run and Monksville Reservoirs
- 7:2-8.23 Scuba and skin diving at Round Valley and Spruce Run Recreation Areas
- 7:2-8.24 Lake Hopatcong Dock Restrictions

SUBCHAPTER 9. DAY USE GROUP

- 7:2-9.1 Day use group reservation
- 7:2-9.2 Failure to make a reservation
- 7:2-9.3 Adult supervision
- 7:2-9.4 Group leader
- 7:2-9.5 Day use group roster
- 7:2-9.6 Buses transporting day use groups
- 7:2-9.7 Group picnicking and reservation procedures
- 7:2-9.8 Group use of facilities on weekends and holidays

SUBCHAPTER 10. GOLF COURSES

- 7:2-10.1 Local rules
- 7:2-10.2 Reservations—golf course
- 7:2-10.3 Fees

- 7:2-10.4 United States Golf Association and local rules
- 7:2-10.5 Tournament restrictions
- 7:2-10.6 School team practice
- 7:2-10.7 Driving range rules
- 7:2-10.8 Golf etiquette
- 7:2-10.9 Priority on the course
- 7:2-10.10 Care of the course

SUBCHAPTER 11. (RESERVED)

SUBCHAPTER 12. HIKING TRAILS

- 7:2-12.1 Scope
- 7:2-12.2 Hiking trail use
- 7:2-12.3 Hiking trail restrictions
- 7:2-12.4 Fires on hiking trails
- 7:2-12.5 Hiker camping

SUBCHAPTER 13. STATE MARINAS

- 7:2-13.1 Scope
- 7:2-13.2 Application for vessel berth permits at State marinas
- 7:2-13.3 Berth permits
- 7:2-13.4 Berth assignment
- 7:2-13.5 Berth reassignment
- 7:2-13.6 Multiple ownership of a vessel
- 7:2-13.7 Marina regulations

SUBCHAPTERS 14 THROUGH 15. (RESERVED)

SUBCHAPTER 16. ISLAND BEACH STATE PARK RULES

- 7:2-16.1 Scope
- 7:2-16.2 Mobile sport fishing vehicles/permits/restrictions
- 7:2-16.3 Surf fishing
- 7:2-16.4 Mobile sport fishing vehicle regulations
- 7:2-16.5 Island Beach State Park
- 7:2-16.6 MSFV suspension

SUBCHAPTER 17. FEES FOR SERVICES AND FACILITIES PROVIDED BY THE STATE PARK SERVICE

- 7:2-17.1 Day use fees for services and facilities provided by the State Park Service
- 7:2-17.2 Overnight use fees for services provided by the State Park Service
- 7:2-17.3 Miscellaneous fees for services when and where provided by the State Park Service
- 7:2-17.4 Fees for services provided by the State Park Service at State marinas
- 7:2-17.5 Adjustment of fees for services and facilities provided by the State Park Service

SUBCHAPTER 1. GENERAL PROVISIONS

7:2-1.1 Short title

The title of this chapter shall be known as the "State Park Service Code."

7:2-1.2 Scope

This chapter shall constitute the rules of the State Park Service and shall govern the use of all State parks, forests, recreation areas, historic sites, natural areas, marinas, golf courses, botanical gardens, and other lands, waters and facilities under the jurisdiction of the Department of Environmental Protection and assigned to the State Park Service in the Division of Parks and Forestry.

7:2-1.3 Construction

(a) These rules shall be liberally construed to permit the Department, the Division of Parks and Forestry, the State Park Service and its various agencies to discharge its statutory functions.

(b) The Commissioner, the Director of the Division of Parks and Forestry or the Assistant Director of the Division for the State Park Service may, in the public interest, or in an emergency, relax the application of these rules.

7:2-1.4 Practice where rules do not govern

(a) The Commissioner may rescind, amend or expand these rules from time to time, as in accordance with the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq.

(b) The Commissioner, the Director of the Division of Parks and Forestry or the Assistant Director of the Division for the State Park Service shall exercise their authority in respect to any other matters not governed by these rules.

7:2-1.5 Relationship to Federal and State law

The provisions of this chapter are not intended to and do not relieve any person of the duty to comply with all other valid governmental regulations governing activities regulated under this chapter, including rules of the Department of Environmental Protection, and other appropriate State and Federal agencies.

7:2-1.6 Severability

If any section, subsection, provision, clause or portion of this chapter or the application thereof to any person or circumstance is adjudged invalid or unconstitutional by a court of competent jurisdiction, the remainder of this chapter or the application of such section, subsection, provision, clause or portion of this chapter to persons or circumstances, other than those which is held invalid or unenforceable, shall not be affected thereby.

7:2-1.7 Definitions

The following words and terms, when used in this chapter, shall have the following meaning unless the context clearly indicates otherwise.

“ATV” means a motor vehicle, designed to travel over any terrain, which is of a type possessing between three to six rubber tires, and powered by a gasoline with a piston displacement engine not exceeding 400 cubic centimeters, but shall not include golf carts.

“Bicycle” means a device upon which any person may ride propelled by human power through a belt, chain or gears, and having either two or three wheels in a tandem or tricycle arrangement.

“Boat” means a small open vessel or water craft propelled by human power by oars, rowing, paddling or pedaling.

“Camping” means the temporary placing of a tent, shelter, lean-to, sleeping bag, bedding material, or recreational mobile camping units of any type, on State Park Service property for sleeping overnight in an outdoor setting.

“Closed” means a complete prohibition of access except by authorized personnel.

“Closed season” means the time during the year when fish, game, birds, or other animals, may not be captured, taken, killed or had in possession.

“Commissioner” means the Commissioner of the Department of Environmental Protection.

“Designated bathing area” means any swimming pool, wading pool or the area of a natural or artificially constructed pond, lake, stream, river, bay, tidal waters, ocean or other body of fresh or salt water, which is designated, developed, maintained and operated by the State Park Service for bathing and swimming purposes together with buildings, equipment, and appurtenances, if any, and the land area used in connection therewith.

“Department” means the Department of Environmental Protection.

“Division” means the Division of Parks and Forestry.

“Facilities” means the combination of all State Park Service resources designed or utilized for conservation, recreation, and environmental purposes.

“Family” means a husband, wife and their children.

“Fire” means the phenomenon of combustion manifested in light, flame and heat.

“Mobile sport fishing vehicle” means a four-wheel drive motor vehicle designed to be licensed and operated on the public roadways and highways of the State and capable of four-wheel drive operation when off the public roads on the beach. ATV’s, golf carts and specialty vehicles are specifically excepted from this definition.

“Motor vehicle” means any vehicle propelled other than by muscular power, except motorized bicycles and vehicles that run only upon rails or tracks.

“Motorized bicycles” means a pedal bicycle having a helper motor characterized in that either the maximum piston displacement is less than 50 cubic centimeters or said motor is rated at no more than 1.5 brake horsepower and said bicycle is capable of no more than 25 miles per hour on a flat surface.

“Officer-in-Charge” means the area Park Superintendent, designated Chief Ranger or other designee of the Director of the Division of Parks and Forestry or the Assistant Director of the Division for the State Park Service.

“Open fire” means any fire built for cooking or recreational purposes on State Park Service property, outside the confines of a structure, or vehicle, which cannot be immediately shut off.

“Open season” means the time during the year when fish, game, birds, or other animals may be captured, taken, killed or had in possession.

“Overnight facilities” means any permanent cabin, shelter, lean-to, lodge or other State Park Service building or structure designated by the State Park Service for overnight use by the general public.