

CHAPTER 2

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STATE PARK SERVICE CODE

Authority

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

Source and Effective Date

R.2001 d.414, effective October 17, 2001.
See: 33 N.J.R. 2379(a), 33 N.J.R. 3956(a).

Chapter Expiration Date

Chapter 2, State Park Service Code, expires on October 17, 2006.

Chapter Historical Note

Chapter 2, State Park Service, was adopted and 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).

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).

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

Subchapter 14, Round Valley Reservoir, was adopted and Subchapter 15, Spruce Run Reservoir, was repealed by R.1975 d.134, effective May 19, 1975. See: 7 N.J.R. 141(b), 7 N.J.R. 261(c).

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Fishing and Trapping; Subchapter 6, Scuba Diving; Subchapter 10, Bathing; and Subchapter 12, Equestrian Use, were repealed by R.1983 d.464, effective October 17, 1983.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).

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).

Subchapter 11, State Park Service, was repealed and a new Subchapter 11, Natural Areas and the Natural Areas System, was adopted as R.1987 d.533, effective December 21, 1987.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).

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).

Chapter 2, State Park Service, was repealed, and a new Chapter 2, State Park Service Code, was adopted by R.1991 d.487, effective October 7, 1991.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: 28 N.J.R. 3698(a), 28 N.J.R. 4899(c).

Chapter 2, State Park Service Code, was readopted as R.2001 d.414, effective October 17, 2001. See: Source and Effective Date.

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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.

2. A tire gauge;
3. A workable jack and board or other material for supporting the jack (3/4 inch by 12 inch by 12 inch plywood minimum);
4. A tow chain or snatch line;
5. A shovel;
6. A flashlight—mandatory during hours of darkness;
7. A fire extinguisher;
8. An auto first aid kit;
9. A litter bag; and
10. At least a quarter tank of fuel.

(c) MSFV permits are available for a calendar year or a three-day period. The permit grants entry to Island Beach State Park free of charge to the vehicle and operator complying with N.J.A.C. 7:2-16.3(b) and (c). All other occupants shall adhere to the current admission fee policy as provided in N.J.A.C. 7:2-17.1.

(d) MSFV permits are non-refundable and non-transferable.

(e) MSFV permits for a three-day period are available at the Island Beach Gate House. Annual MSFV permits are available through the Island Beach State Park office by mail or in person.

(f) The area Officer-in-Charge may limit the number of three-day MSFV permits which may be in effect at any one time. Three-day permits expire at midnight on the third full day after the day of issue. Three-day permits may be renewed only after a 24-hour waiting period.

(g) The number of MSFVs on the open beach at any one time, whether three-day or annual, may be limited by the area Officer-in-Charge in the interest of safety or responsible management of the resource.

7:2-16.3 Surf fishing

(a) Surf fishing is permitted only on the ocean side of Island Beach State Park in specifically designated areas approved by the area Officer-in-Charge. An annual surf fishing permit shall be issued upon:

1. Completion and approval of a surf fishing permit application at the Gate House at Island Beach State Park; and
2. Payment of the annual surf fishing permit fee as provided in N.J.A.C. 7:2-17.3(d)1.

(b) All persons over the age of 12 years on the beach under the authority of a MSFV or surf fishing permit shall have fishing gear or tackle (rod, reel, line, hooks, any bait or lures).

(c) All persons over the age of 12 years on the beach under the authority of a MSFV or surf fishing permit are restricted in their activities to the act of catching fish or trying to catch fish and those activities reasonably incidental thereto including: travel to and from a fishing location, setting up, time to stow gear, use of sanitary facilities and the like.

(d) The annual surf fishing permit allows fishermen to park their automobiles and walk to the designated surf fishing areas. The permit grants entry for the licensed vehicle and listed permit holder free of charge. All other occupants of the vehicle shall adhere to the admission fee policy as provided in N.J.A.C. 7:2-17.1.

7:2-16.4 Mobile sport fishing vehicle regulations

(a) The maximum speed limit for MSFVs is 10 miles per hour while on the open beach or sand access roads.

(b) Drivers shall yield to the right.

(c) Vehicles shall be parked facing away from the ocean to avoid moisture and salt spray on the windshield and ignition system.

(d) MSFV operators shall park so as to avoid obstructing access to other MSFV and administrative and operational vehicles.

(e) The MSFV shall be parked far enough from the water to avoid the incoming tide.

(f) MSFV operators shall use extreme caution when operating on the beach to avoid other beach users, fishing equipment, and any other paraphernalia lying in or about the sand.

(g) MSFV operators shall not drive on grasses or dunes.

(h) MSFV's shall be in good repair and shall not leak vehicle fluids.

7:2-16.5 Island Beach State Park

(a) Island Beach State Park shall be closed to all persons, excepting MSFV permit holders surf fishermen and Barnegat Bay waterfowl hunters between 8:00 P.M. and 8:00 A.M. from April 1 through October 31 and between 8:00 P.M. and 5:00 A.M. from November 1 through March 31 annually.

(b) Residents, leaseholders, and persons on official business are exempt from the closure specified in (a) above. Leaseholders are restricted to their leased premises between 12:00 midnight and 4:00 A.M., except as provided in (c) below.

(c) During the hours from 12:00 midnight to 4:00 A.M., all persons on the beach shall be actively engaged in surf fishing. MSFV permit holders not fishing may park and

remain in designated MSFV parking locations posted or directed by the Officer-in-Charge. All others shall leave the park as soon as they stop surf fishing.

Amended by R.1993 d.657, effective December 20, 1993.
See: 25 N.J.R. 2799(b), 25 N.J.R. 5953(a).

7:2-16.6 MSFV suspension

(a) The area Officer-in-Charge may suspend for up to 90 days the MSFV permit of any person found in violation of any law including this chapter.

(b) No refunds will be made when suspension occurs.

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

(a) Except as provided in (i) below, daily parking fees for automobiles at designated State parks, for the period beginning with Memorial Day weekend and ending on Labor Day inclusive, are as follows:

Area	Weekdays	Weekends and Holidays
1. Allaire	\$4.00	\$5.00
2. Atsion	\$5.00	\$7.00
3. Bass River	\$5.00	\$7.00
4. Batsto		\$5.00
5. Belleplain	\$5.00	\$7.00
6. Cheesequake	\$5.00	\$7.00
7. Hacklebarney		\$4.00
8. High Point	\$5.00	\$7.00
9. Hopatcong	\$5.00	\$7.00
10. Island Beach	\$6.00	\$7.00
11. Lebanon		\$5.00
12. Ringwood Manor	\$4.00	\$5.00
13. Skylands		\$4.00
14. Shepard Lake	\$5.00	\$7.00
15. Round Valley	\$5.00	\$7.00
16. Spruce Run	\$5.00	\$7.00
17. Stokes (Stony Lake)	\$5.00	\$7.00
18. Swartswood	\$5.00	\$7.00
19. Washington Crossing		\$4.00
20. Wawayanda	\$5.00	\$7.00

(b) Except as provided in (i) below, a daily day use parking fee of \$4.00 for automobiles shall be in effect at Island Beach State Park for the period commencing on the day after Labor Day and ending on the day before Memorial Day Weekend.

(c) Except as provided in (i) below, daily parking fees for motorcycles, mopeds and buses at State parks, forests and recreational areas are as follows:

Vehicle	Daily Fee
1. Motorcycle	\$ 2.00
2. Moped	\$ 1.00

Vehicle	Daily Fee
3. Bus (out-of-State groups)	\$80.00/Bus
4. Bus (in-State groups)	\$40.00/Bus

(d) The fee for an annual parking pass for automobiles, motorcycles, and mopeds at all State parks, forests and recreation areas is \$35.00.

(e) The daily or annual walk-in and bicycle fee for persons 12 years old and above at designated State parks, forests and recreation areas is as follows:

Area	Daily Fee	Annual Walk-In and Bicycle Pass
1. i. Atsion	\$1.00	\$35.00
ii. Bass River	\$1.00	\$35.00
iii. Hopatcong	\$1.00	\$35.00
iv. Parvin	\$1.00	\$35.00
v. Round Valley	\$1.00	\$35.00
vi. Spruce Run	\$1.00	\$35.00

2. An annual walk-in and bicycle pass purchased at one of the State parks, forests and recreation areas listed in (e)1 above shall be honored for walk-in and bicycle admittance at any of the designated State parks, forests and recreation areas.

(f) The daily or annual fee for boat launching at designated State parks and marinas are as follows:

Area	Daily Fee	Annual Fee
1. Leonardo State Marina	\$9.75/launch	\$106.00
2. Liberty State Park	\$9.75/launch	\$106.00

(g) The fee for dry boat storage permits at designated State parks and recreational areas for the period from April 1 to October 31, issued pursuant to N.J.A.C. 7:2-8.9, is as follows:

Area	Type	Seasonal Fee
Spruce Run	Single Boat Trailer	\$125.00
Spruce Run	Double Deck Boat Trailer	\$187.50
Corson's Inlet (Half Rate after August 1)	Catamaran	\$150.00

(h) No parking fee for automobiles, motorcycles and mopeds pursuant to (a), (b) and (c) above and no daily walk-in fee pursuant to (e) above shall be charged for New Jersey residents age 62 and over or who are totally disabled.

(i) No daily parking fee for automobiles, motorcycles and mopeds pursuant to (a), (b) and (c) above and no daily walk-in fee pursuant to (e) above shall be charged on Tuesday, except when a State designated holiday falls on a Tuesday.

(j) Fees for the Spring Meadow Golf Course are as follows:

Type	Fee
1. Greens Fees	
i. Weekdays	\$23.00

Type	Fee
ii. Saturdays, Sundays and State designated Holidays	\$28.00
iii. Senior citizens (New Jersey Resident—Age 62 and over) (weekdays only before 10:00 A.M.)	\$13.00
iv. Twilight, weekdays (three hours before closing)	\$19.00
v. Twilight, weekends and State designated holidays (three hours before closing)	\$23.00
2. School team member practice	\$6.00/student
3. Golf Carts:	
i. Power (daily)	\$30.00
ii. Power (twilight—three hours before closing)	\$25.00
iii. Power (disabled persons) (daily)	\$15.00
iv. Power (disabled persons) (twilight—three hours before closing)	\$12.50
v. Hand	\$5.00
4. Club Rental	\$20.00
5. Driving Range—includes one club and one basket of balls	
i. Small basket	\$4.00
ii. Large basket	\$7.00

(k) Fees for the Batsto Historic Tour are as follows:

Age	Fee
1. 6-11	\$1.00/person; and
2. 12 and above	\$2.00/person.

(l) Except when parking fees are in effect pursuant to (a) and (c) above, a fee of \$1.00 for each person age 12 and over shall be charged for admission to the High Point Monument.

(m) Daily fee per person for admission to the swimming pool at Liberty State Park for the period beginning on Memorial Day Weekend and ending on Labor Day inclusive is as follows:

Ages	Weekday	Weekend and Holidays
1. Adults (age 12 and over)	\$3.00	\$4.00;
2. Children (age 6-11)	\$2.00	\$3.00;
3. Children (age 5 and under)	No Fee	No Fee;
4. Senior citizens (New Jersey residents age 62 and over)	No Fee	No Fee; and
5. Totally disabled	No Fee	No Fee.

(n) The daily fee per person for admission to the Barnegat Lighthouse will be \$1.00 for each person age 12 and over for the period beginning Memorial Day weekend and ending on Labor Day.

Amended by R.1993 d.657, effective December 20, 1993.
 See: 25 N.J.R. 2799(b), 25 N.J.R. 5953(a).
 Administrative Change to (f).
 See: 27 N.J.R. 92(a).
 Administrative Change to (j).
 See: 27 N.J.R. 1404(b).
 Administrative change.
 See: 29 N.J.R. 126(a).
 In (f), raised fees.
 Administrative change.

See: 29 N.J.R. 1308(a).
 In (j), raised fees for the Spring Meadow Golf Course effective May 1, 1997.
 Amended by R.2001 d.382, effective October 15, 2001.
 See: 33 N.J.R. 2235(a), 33 N.J.R. 3677(a).
 Rewrote (j).

7:2-17.2 Overnight use fees for services provided by the State Park Service

(a) Campsite permit fees shall be as follows:

Type	Fee
1. Group campsites:	
i. With flush toilets	\$1.00/person/night; and
ii. Without flush toilets	\$.75/person/night;
2. Family campsites:	
i. With flush toilets	\$10.00/night; and
ii. Without flush toilets	\$ 8.00/night;
3. Wilderness campsites	\$ 8.00/night;
4. Open lean-tos	\$12.00/night;
5. Closed lean-tos	\$15.00/night;
6. Camp shelter	\$20.00/night.

(b) Campsite permits issued to any New Jersey resident who is 62 or more years of age or is totally disabled shall receive a \$2.00 per night reduction from the family campsite rates in (a)2 above.

(c) Cabin permit fees shall be as follows:

Size and Type	Fee
1. Four bunks	\$ 28.00/night;
2. Six bunks	\$ 42.00/night;
3. Eight bunks	\$ 56.00/night;
4. 12 bunks (group cabin)	\$ 70.00/night; and
5. 24 bunks (lodge)	\$100.00/night.

(d) Miscellaneous campsite and cabin fees.

Type	Fee
1. Reservation fee	\$ 7.00/reservation;
2. Cancellation fee	\$20.00 or two night's stay whichever is less;
3. Equipment removal fee	\$25.00; and
4. Equipment storage fee	\$10.00/night.

7:2-17.3 Miscellaneous fees for services when and where provided by the State Park Service

(a) Miscellaneous fees for services when and where provided by the State Park Service shall be as follows:

Service	Fee
1. Bait platforms	\$100.00 each;
2. Bathhouse clothes locker	\$ 0.25 person;
3. Campwood	\$ 4.00/bundle (equals 1/24 cord);
4. Commercial photography	\$250.00/day plus staff costs;
5. Cordwood	\$ 15.00/cord;
6. Clothes dryer	\$ 0.75;
7. Clothes washer	\$ 0.75;
8. Organized group picnic:	
i. Operational toll booth	\$ 25.00/day reservation fee plus applicable vehicle parking fee (reservation fee under 9 below (included)
ii. No toll booth	\$ 50.00/day (reservation fee under 9 below included)

Service	Fee
iii. During period from day after Labor Day to day before Memorial Day Weekend	\$ 50.00/day (reservation fee under 9 below included)
9. Reservation fee	\$ 7.00/reservation;
10. Special use permit	\$ 50.00;
11. Transient R/V trailer dumping fee	\$ 5.00/dump;
12. Yarded cordwood	\$ 35.00/cord; and
13. Employee rate charges for special permit uses	\$ 40.00/hour for each employee assigned.

(b) Miscellaneous fees for services provided by the State Park Service at Ringwood State Park are as follows:

Service	Fee
1. Wedding and one rehearsal at Shepard Lake Chapel	\$100.00;
2. Functions at Skylands Manor House:	
i. Lunch	\$ 75.00; and
ii. Dinner	\$150.00.

(c) Miscellaneous fees for services provided by the State Park Service at Wharton State Forest are as follows:

Service	Fee
Batsto stagecoach ride (age 6 and over)	\$1.00 person.

(d) Miscellaneous fees for services provided by the State Park Service at Island Beach State Park are as follows:

Service	Fee
1. Annual surf fishing permit	\$ 35.00;
2. Annual mobile sportfishing vehicle permit	\$125.00;
3. Three-day mobile sportfishing vehicle permit	\$ 25.00; and
4. Second gate fee (Memorial Day to Labor Day)	\$ 1.00/car.

(e) Miscellaneous fees for services provided by the State Park Service at Liberty State Park are as follows:

Service	Fee
1. Fee for use of Interpretive Center	\$ 40.00/hour for each State Park Service employee assigned
2. Fee for use of Terminal Building for a day or part of a day longer than four hours	\$1,000/day for each event
3. Fee for use of Terminal Building for a half day (four hours or less)	\$500.00/half day for each event
4. Boat docking fee for one arrival and one departure	\$250.00
5. Fee for use of North or South Field	\$250.00/event

Amended by R.1993 d.657, effective December 20, 1993.
See: 25 N.J.R. 2799(b), 25 N.J.R. 5953(a).

7:2-17.4 Fees for services provided by the State Park Service at State marinas

(a) Fees for services provided by the State Park Service at the Forked River State Marina are as follows:

1. Pleasure seasonal berthholder permit fee \$45.00/foot:

Berth Size	Summer (April 1 to October 31)	Winter (November 1 to March 31 Occasional Electricity)
i. Thirty feet	\$1,350.00 minimum	\$18.00/foot length overall;
ii. Thirty-five feet	\$1,575.00 minimum	\$18.00/foot length overall;
iii. Forty feet	\$1,800.00 minimum	\$18.00/foot length overall;
iv. Forty-five feet	\$2,025.00 minimum	\$18.00/foot length overall;
v. Fifty feet	\$2,250.00 minimum	\$18.00/foot length overall;
vi. Over 50 feet	\$45.00/foot length overall	\$18.00/foot length overall;
vii. T-Head	Fee equal to corresponding berth size rate or \$45.00/foot length overall	
viii. Dockside	Fee equal to corresponding berth size rate or \$45.00/foot length overall	

2. Transient berthholder fee:

Vessel Size	Daily	Monthly
i. Forty feet and under	\$0.75/foot length overall	\$15.00/foot length overall;
ii. Forty-one feet and longer	\$1.00/foot length overall	\$20.00/foot length overall; and
iii. T-Head and dockside fee equal to	corresponding berth size rate; and	

3. Commercial berthholder fee:

Berth Size	Charter (6 passengers and under) (April 1 to October 31)	Other (April 1 to October 31)
Thirty feet through over 50 feet	140 percent of seasonal rate for berth size	125 percent of seasonal rate for berth size

(b) Fees for services provided by the State Park Service at the Leonardo State Marina shall be as follows:

1. Pleasure seasonal berthholder permit fee \$48.00/foot

Berth Size	Summer (April 1 to October 31)	Winter (November 1 to March 31 Occasional Electricity)
i. Thirty feet	\$1,440.00 minimum	\$18.00/foot length overall
ii. Forty feet	\$1,920.00 minimum	\$18.00/foot length overall
iii. Fifty feet	\$2,400.00 minimum	\$18.00/foot length overall;

2. Transient berthholder fee:

Berth Size	Daily	Monthly
i. Thirty feet through 40 feet	\$ 0.75/foot length overall	\$15.00/foot length overall;
ii. Fifty feet	\$ 1.00/foot length overall	\$20.00/foot length overall; and

3. Commercial berthholder fee:

Berth Size	Charter (6 Passengers and Under) (April 1 to October 31)	Other (April 1 to October 31)
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Thirty through
over 50 feet

140 percent of
seasonal rate for
berth size

125 percent of
seasonal rate for
berth size

Service as allowed in (a) above, each adjusted fee shall be rounded off to the next quarter of a dollar.

(c) Miscellaneous fees for services provided by the State Park Service at State marinas shall be as follows:

1. Vessels exceeding the berth category size shall be charged a fee of \$40.00 per foot length overall;
2. A fee of \$50.00 shall be charged for each berth reassignment or cancellation; and
3. Organized events consisting of 20 vessels or more shall be charged a fee of \$100.00 a day for each event and the applicable daily transient fee for each vessel.

Amended by R.1993 d.657, effective December 20, 1993.

See: 25 N.J.R. 2799(b), 25 N.J.R. 5953(a).

Administrative Change to (a) and (b).

See: 27 N.J.R. 92(a).

Administrative change.

See: 29 N.J.R. 126(a).

In (b), raised fees.

7:2-17.5 Adjustment of fees for services and facilities provided by the State Park Service

(a) Effective on January 1, 1991 and on each January 1 thereafter, the Department may increase the fees set forth in N.J.A.C. 7:2-17.1, 17.2, 17.3 and 17.4 above for services and facilities provided by the State Park Service if the inflation factor for the previous 12 month period ending on September 30 increases. The inflation factor is based upon the United States Department of Labor, Bureau of Labor Statistics data published in the monthly Consumer Price Index Report. The data shall be taken from the most recent report available on October 1 each year and the actual percentage used shall be the past year percent change for the United States city average, all items, all urban consumers.

(b) In the event that the Department increases the fees for services and facilities provided by the State Park Service as allowed in (a) above, the amount of the increase shall be determined by multiplying the annual inflation factor times the base fee set forth in N.J.A.C. 17.1, 17.2, 17.3 and 17.4 above for the type of service or facility provided.

(c) In the event that the Department does increase the fees for services and facilities provided by the State Park

(d) The Department may establish fees for services and facilities that are lower than the fees set forth in N.J.A.C. 7:2-17.1, 17.2, 17.3 and 17.4 for said services or facilities by publishing a fee reduction notice in the New Jersey Register. The fee reduction shall be based on a determination by the Department that the fee reduction is necessary to encourage public access to and use of the service and facilities provided by the State Park Service and will not result in a reduction of the services and facilities available to the public. The reduced fees shall be effective upon publication of the fee reduction notice in the New Jersey Register.

(e) Fees for services and facilities provided by the State Park Service that have been reduced in accordance with (d) above may be increased in any amount by the Department upon publication of a notice of increase in the New Jersey Register provided the fee is not increased above the fee set forth in N.J.A.C. 7:2-17.1, 17.2, 17.3 or 17.4 for the service or facility.

(f) On or before December 1 of each year, the Department shall provide a public notice which shall set forth the increased fees, if any, established under (a) above and to be effective on the following January 1 for services and facilities provided by the State Park Service. The public notice shall be provided by the Department by publication of the notice in the New Jersey Register.

(g) In the event that the Department does not annually increase the fees for services and facilities provided by the State Park Service as allowed in (a) above, the annual percentage increase in the inflation factor, if any, shall be cumulative from year to year for a period not to exceed three years.

(h) The Department shall not use the procedure set forth in (a), (b), (c), (d) and (e) above to increase any fee for services and facilities provided by the State Park Service that has not been increased for a period exceeding three years.

Amended by R.1993 d.657, effective December 20, 1993.

See: 25 N.J.R. 2799(b), 25 N.J.R. 5953(a).