

(b) On Prospertown Lake in Ocean County only manual-operated boats are permitted.

(c) On Union Lake Wildlife Management Areas in Cumberland County, a person may operate a boat equipped with not more than one outboard motor, and this motor shall not exceed 10 horsepower.

As amended, R.1983 d.336, effective August 15, 1983.

See: 15 N.J.R. 840(a), 15 N.J.R. 1374(c).

(a), (b) and (c) replaced existing (a) and (b).

7:25-2.8 Horseback riding

(a) No person shall ride a horse in or on any land or water area controlled by the Division without first procuring a proper and valid permit from the Division. The permit is to be in the possession of the horseback rider at all times when riding a horse in these areas.

1. The riding of horses on or over any wildlife food area, dams, cultivated fields, gardens or lawns shall be unlawful at all times.

2. On State Wildlife Management Areas where such activity may be permitted, it shall be done only in designated areas.

(b) The fee for any individual permit for horseback riding on State Wildlife Management Areas shall be \$25.00 per calendar year. All horseback riding permits will expire on December 31, of each year.

1. The prospective permittee shall maintain public liability and property damage insurance for the period of authorized use, with an insurance company recognized to do business in the State of New Jersey, in the amount of \$100,000/\$300,000 personal liability and \$50,000 property damage, or \$300,000 aggregate.

2. Each application to ride horseback must be accompanied by a statement from the applicant's insurance carrier denoting the insurance coverage as it applies to the riding of a horse on a State Wildlife Management Area.

(c) The Division may issue group horseback riding permits, covering a specified time period, to the Equine Advisory Board of the State Department of Agriculture. No fee will be charged for these permits.

1. The Department of Agriculture when applying for such a permit will provide the Division with a complete application for a permit, on a form to be provided by the Division. A copy of the valid permit must be posted at the New Jersey Horse Park facility or in possession of the event coordinator. Each participant must possess a copy of a completed registration form, which will be provided by the Division.

i. The Department of Agriculture will be required to provide proof of insurance in the amounts specified at (b)1 above for the group permits they sponsor.

(d) The Division may also issue group horseback riding permits to clubs or organizations on a daily basis. The fee for such a permit will be \$75.00 per day.

1. The prospective group permittee shall maintain public liability and property damage insurance according to the insurance requirements delineated at (b)1 above.

2. At least five days before the event, the club or organization applying for such a permit will provide the Division with an application for a permit which includes a roster of riders who will be participating in the event.

3. Each group permit application must be accompanied by a statement from the applicant's insurance company specifying the insurance coverage as it applies to the riding of horses on State WMA's.

4. A copy of the valid permit and roster must be in possession of at least one of the participating riders. For the purpose of this section, a group will be defined as two or more riders.

(e) The Division may determine and designate the areas where the riding of horses is permitted and the number of permits to be issued per area during any one time period. Permittees shall be liable for any damage that may occur as a result of their horseback riding activities.

(f) This section shall not preclude a person participating in a field trial, during the period of time stated in the field trial permit under authority of N.J.A.C. 7:25-2.14, from riding a horse in designated Wildlife Management Areas without a horseback riding permit.

(g) The use of horse drawn carriages on all designated wildlife management areas will require an individual or group permit from the Division. The insurance coverage requirements set forth in (b)1 above for horseback riders shall apply to horse drawn carriage riders.

As amended, R.1983 d.336, effective August 15, 1983.

See: 15 N.J.R. 840(a), 15 N.J.R. 1374(c).

Permit text clarified; (b)2, (c), (d) and (e) added.

Amended by R.1995 d.578, effective November 6, 1995.

See: 27 N.J.R. 1890(a), 27 N.J.R. 4283(a).

Amended by R.2001 d.73, effective March 5, 2001.

See: 32 N.J.R. 4435(a), 33 N.J.R. 874(a).

7:25-2.9 Swimming

(a) Swimming and bathing are prohibited on all State Wildlife Management Areas except those designated by the Division where a State appointed lifeguard is on duty.

1. No wading is permitted except for the purpose of hunting, trapping or fishing.

2. For the purpose of this section, the use of such devices as vehicle inner tubes, surf boards, inflatable mats or underwater breathing devices commonly known as "scuba" (self contained underwater breathing apparatus) gear shall be considered as swimming or bathing.

As amended, R.1983 d.336, effective August 15, 1983.
See: 15 N.J.R. 840(a), 15 N.J.R. 1374(c).

(a)2 added.

Case Notes

In constitutional challenge by unincorporated organization whose members advocated and practiced a "clothing-optional lifestyle" to local ordinance barring nude sunbathing on township beaches, ordinance held constitutional and generally enforceable in township; ordinance unenforceable on beach located on State-owned lands inside township boundaries. *Tri-State Metro Naturists v. Lower Twp.*, 219 N.J.Super. 103, 529 A.2d 1047 (Law Div.1987).

7:25-2.10 Camping, picnicking and vending

(a) Camping or picnicking is prohibited on all Division controlled areas, including State Wildlife Management Areas. For the purpose of this section, "camping" means any temporary shelter such as a tent, trailer, recreation vehicle, sleeping bag, hut or other structure that a person or persons use as sleeping, resting, or living quarters.

(b) This shall not preclude a person with proper permission or other authorization from the Division from picnicking on the designated areas of the Pequest Trout Hatchery.

(c) No person shall sell or offer for sale any food, beverage or other merchandise on any State Wildlife Management Area without first obtaining a written permit from the Division.

As amended, R.1983 d.336, effective August 15, 1983.
See: 15 N.J.R. 840(a), 15 N.J.R. 1374(c).

(a): picnicking prohibited; "structure" was "lodging place" under "camping".

(b) and (c) added.

Amended by R.2001 d.73, effective March 5, 2001.
See: 32 N.J.R. 4435(a), 33 N.J.R. 874(a).

7:25-2.11 Fires

No person shall set or cause to be set, start, build or maintain any fire on any State Wildlife Management Area without written permission of the Division. This shall not preclude State Fire wardens from setting fires as required to check or extinguish any fire on such areas, under authority of N.J.S.A. 13:915.

As amended, R.1983 d.336, effective August 15, 1983.
See: 15 N.J.R. 840(a), 15 N.J.R. 1374(c).

Current text replaced text on picnicking.

Amended by R.2001 d.73, effective March 5, 2001.
See: 32 N.J.R. 4435(a), 33 N.J.R. 874(a).

7:25-2.12 Target practice

(a) No target practice of any kind is permitted on State Wildlife Management Areas except within designated areas provided by the Division. This shall not preclude the use of shotguns, muzzleloaders, .22 rifles, or bow and arrows for the purpose of authorized hunter education or other authorized purposes in designated areas.

(b) The following regulations apply to all activities on the archery range, shotgun range, muzzleloading rifle and shotgun slugs range, and rifle range:

1. Hours of operation are from 8:00 A.M. to sunset daily.
2. No person shall stand beyond the shooting line while shooters are firing.
3. At least one member of each shooting group shall have a valid New Jersey hunting license in his or her possession.
4. No littering shall be permitted.
5. All spectators shall stand behind all firing positions at the range.
6. All hunter education classes shall have priority use of the range facility.
7. Violation of any of the foregoing restrictions, or of any requirement listed in (c), (d), (e) or (f) below, may result in expulsion from the range, the imposition of fines, or license revocation pursuant to N.J.S.A. 23:3-22.

(c) In addition to the requirements listed in (b) above, the following requirements shall apply to all training activities on the archery range:

1. No arrows other than field tips or target points shall be used.
2. No broadheads shall be used.
3. All targets used shall be paper, foam or straw. Targets constructed of other materials are prohibited.
4. No damaged or unsafe equipment shall be used. Prior to shooting all shooters shall be sure of their target and beyond.
5. Archers shall shoot only from marked shooting positions and shall shoot only at backstops.
6. No archer shall nock an arrow or draw a bow when any other person is in front of him or her or is down range.
7. When drawing his or her bow, no archer shall raise his or her arrow point higher than the top of the backstop.
8. All shooting shall cease when a cease fire is called.

(d) In addition to the restrictions listed in (b) above, the following requirements shall apply to all training activities on the shotgun range:

1. No weapons other than shotguns and muzzleloading shotguns shall be used at the range.
2. Only fine shot smaller than No. 4 Lead or No. T Steel ammunition shall be used.
3. No slugs or buckshot shall be used.