



BOROUGH OF FLORHAM PARK

ORDINANCE # 15-4

AN ORDINANCE OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF FLORHAM PARK IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY ESTABLISHING AN ATHLETIC CODE OF CONDUCT FOR PARENTS, GUARDIANS, PLAYERS, SPECTATORS, COACHES AND OFFICIALS

WHEREAS, the Borough of Florham Park provides both economic and non-economic support and assistance to non-profit sports organizations serving the municipality and also provides use of various municipal facilities and realty to such organizations; and

WHEREAS, the Mayor and Borough Council believe that youth sports provide essential supervised recreational opportunities for development and character building for the Borough's youth, which is beneficial to the Florham Park Borough community as a whole; and

WHEREAS, the Mayor and Borough Council believe that the provision of a safe and organized environment for the conduct of sporting events is critical to maintain the benefits of such recreational opportunities for the local community; and

WHEREAS, the Mayor and Borough Council wish to implement a Code of Conduct and establish a Code of Conduct Committee for all sports activities, and require non-profit sports organizations, as defined herein, to adopt and implement a Code of Conduct.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Borough Council of the Borough of Florham Park, as follows:

I. Definitions:

- a. Code of Conduct:** a written specification of the behavior of parents, guardians, players, spectators, coaches and officials adopted and implemented by each sports organization which must at a minimum incorporate this Ordinance and shall be agreed to in writing by the participant and the parents or legal guardian of each minor participant of any sports organization that utilizes any facility, sports field or other property owned, operated or maintained by the Borough of Florham Park.
- b. Athletic Code of Conduct Agreement:** the written form of acknowledgment adopted and incorporated under the provisions of this Ordinance as the “Borough of Florham Park Athletic Code of Conduct Agreement”, or otherwise implemented by a sports organization with the express approval of the Borough of Florham Park.
- c. Sports Event:** any competition, practice, clinic or instructional event involving one or more sports teams or organizations at a facility, sports field or other property owned, operated, or maintained by Florham Park
- d. Sports Organization:** any sports association, league, charter club or club which is affiliated with, or receives monetary or other support from, the Borough of Florham Park or the Borough of Florham Park Recreation Department, or utilizes any facility, sports field or other property owned, operated, or maintained by Florham Park. Sometimes “sports organization” may also be referred to as “sports organization” or “sports team”.

II. Requirement to Establish a Code of Conduct:

- a.** Any Sports Organization that receives funding from the Borough of Florham Park, or utilizes any facility, sports field or other property owned, operated or maintained by the Borough of Florham Park, shall be required to adopt and implement a Code of Conduct incorporating, at a minimum, the provisions of this Ordinance.
- b.** The parent(s) or guardian(s) of any minor, and each participant, in any sports organization shall be required to execute an Athletic Code of Conduct Agreement acknowledging that they have received and read the sports organization’s Code of Conduct and that they agree to be bound thereby. The form of acknowledgement shall be as indicated on the “Borough of Florham Park Athletic Code of Conduct Agreement” adopted under this Ordinance or in a form expressly approved and authorized by the Borough of Florham Park.
- c.** Each Sports Organization shall be responsible for providing notice of the Code of Conduct to each player and the parents and guardians of each child participating in sports events within the Borough of Florham Park.

- d. Any Sports Organization which utilizes any facility, sports field or property that is owned, operated or maintained by the Borough of Florham Park shall also be responsible for providing notice of the Code of Conduct to each visiting sports team headquartered outside of the Borough of Florham Park and for ensuring the enforcement of the provisions of the Code of Conduct during all sports events.

III. Proscribed Conduct, Acts and Behavior:

- a. The following conduct, acts and behavior is prohibited:
 - 1. Any parent, guardian, player, spectator, coach or official at any sports event who initiates a fight, scuffle, or any type of physical abuse or threats of abuse towards any player, coach, official, parent, or spectator.
 - 2. Any parent, guardian, player, spectator, coach or official at any sports event who enters the field of play, court or rink during any sporting event for the purpose of physically or verbally abusing or confronting coaches, players or officials.
 - 3. Any parent, guardian, player, spectator, coach or official at any sports event who verbally abuses officials, players or spectators including the use of obscene or profane language or gestures, racial, ethnic or sexual slurs.
 - 4. Any parent, guardian, player, spectator, coach or official at any sports event who throws or causes to be deposited any object on the field of play, court or rink during any sports event.
 - 5. Any parent, guardian or signatory at any sports event who commits any act in violation of the Athletic Code of Conduct Agreement adopted or approved pursuant to this Ordinance.

IV. Authority of Sports Officials: Any parent, official, coach or spectator at any sporting event shall be subject to the authority of all field officials, including umpires and referees, authorized volunteers and elected league officials of the sports team or teams sponsoring the sports event or in the absence of such persons at a sports team's practice or instructional event to the authority of the ranking sports team coach on the premises. Such authority shall include the authorization to direct any person or persons involved in any incident in violation of this Ordinance or the applicable sports team's Code of Conduct to immediately remove themselves from the premises.

V. Code of Conduct Committee: The Borough of Florham Park hereby establishes the Code of Conduct Committee, which shall be authorized to review any appeals for penalties imposed by any Sports Organization for violations of this Ordinance. The Code of Conduct Committee shall be convened at the request of the Recreation Director for matters requiring such review and shall be made up of at least three (3) but not more than seven (7) persons, who shall be appointed by the Recreation Director. A Committee quorum shall consist of a

majority of members of the Committee, and decisions by the Committee must be supported by greater than a majority of the quorum present to hear appeals. The Committee may also consist of up to two (2) alternate members in the event of any conflict of interest or unavailability of a Committee Member.

VI. Violations and Enforcement:

- a.** Any person determined to have violated the provisions of this Ordinance may be banned from attendance at all sports events for a period to be determined by the sports organization. A permanent ban may be imposed in the event of a second or subsequent violation of this Ordinance. Nothing in this Ordinance shall be construed to preclude the imposition of any additional penalties or discipline as provided for under the provisions of the applicable sports organization's bylaws, organizing documents, rules, regulations or Code of Conduct, or by any participating league's Code of Conduct or rules and regulations.
- b.** Any person banned for twelve (12) months from sports events for a violation of this Code of Conduct prior to being allowed to resume attendance at any sports event shall be required to complete anger management or equivalent counseling program consisting of no less than twelve (12) hours of instruction and shall provide proof of satisfactory completion to the Code of Conduct Committee. Any banning for less than twelve (12) months may include up to twelve (12) hours of anger management.
- c.** Nothing in this Ordinance shall be construed to preclude or limit the application of any other remedy, civil or criminal, provided under any other provision of law, nor shall it impair the ability of any participating sports organization from imposing any penalties it shall deem appropriate. Such penalties by the participating league may be considered by the sport organization's Code of Conduct or the Borough of Florham Park Code of Conduct Committee when imposing any penalty under this Ordinance

VII. Violation Procedures and Hearing:

- a.** When it is determined that a person has violated this Ordinance after a hearing before the sports organization's officers, or the organization's committee to hear Code of Conduct violations, the organization shall forward a letter to such violator notifying him or her of the date, location, and nature of the violation, as well as the period of banning and/or other action taken in response to such violation. The letter shall be delivered via regular and certified mail, or by personal delivery, and if mailed, the effective date shall be the date of mailing. Personal delivery shall be effective on delivery.
- b.** Any person receiving such a notice who wishes to contest same shall appeal to the Borough of Florham Park Code of Conduct Committee within seven (7) calendar days of the mailing of said notice by forwarding a copy of said notice with a

written request for appeal specifically setting forth the basis of such person's contest of the notice of violation. The request for appeal shall be delivered personally or by regular and certified mail to the Borough of Florham Park Recreation Director at Borough of Florham Park Municipal Building, 111 Ridgedale Avenue, Florham Park, New Jersey 07932. If mailed the effective date of the notice shall be the date of mailing.

- c. Upon receipt of such an appeal, the Code of Conduct Committee shall convene within ten (10) days and provide an opportunity for said person and any interested persons to appear and be heard with respect to the occurrence of any violation and the action taken by the sports organization. The sports organization issuing any violation must be notified of the date and time of the hearing.
- d. The Code of Conduct Committee shall be authorized to hear testimony under oath, review affidavits and such other information or documentation relevant to the violation. The Committee, upon a majority vote of the members present at such hearing, may sustain, overturn, or modify the notice of violation and the period of banning or other action taken in response to such violation consistent with this Ordinance or the sports team by-laws or Code of Conduct.
- e. All Notices of Violation and bannings shall remain in effect until overturned or modified by the Code of Conduct Committee.
- f. In the event any notice of violation is not appealed within ten (10) days of such notice, said notice of violation and the action taken by the sports team official, including banning from sports events, shall become final.

VIII. All ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistencies.

IX. If any article, section, subsection, paragraph, phrase or sentence of this Ordinance is for any reason declared to be invalid, such declaration shall not affect the remainder of the Ordinance.

X. This Ordinance shall take effect upon final publication as provided for by law.

I HEREBY CERTIFY this to be a true and correct Ordinance of the Mayor and Borough Council of the Borough of Florham Park introduced on February 26, 2015 and will be further considered for adoption after Public Hearing held on March 26, 2015 at 7:00 p.m. in the Borough of Florham Park Municipal Building, 111 Ridgedale Avenue, Florham Park, New Jersey 07932

INTRODUCED: February 26, 2015

ADOPTED: _____

Mark Taylor, Mayor

ATTEST:

Sheila Williams, Borough Clerk



BOROUGH OF FLORHAM PARK

ATHLETIC CODE OF CONDUCT AGREEMENT

I pledge to be responsible for my words and actions while attending, coaching, officiating or participating in a sports event and shall conform my behavior to the following code of conduct:

1. I will not engage in unsportsmanlike conduct with any coach, parent, player, participant, official or any other attendee.
2. I will not encourage my child, or any other person, to engage in unsportsmanlike conduct with any coach, parent, player, participant, official or any other attendee.
3. I will not engage in any behavior which would endanger the health, safety or well-being of any coach, parent, player, participant, official or any other attendee.
4. I will not encourage my child, or any other person, to engage in any behavior which would endanger the health, safety or well-being of any coach, parent, player, participant, official or any other attendee.
5. I will not use drugs or alcohol while at a sports event and will not attend, coach, officiate or participate in a sports event while under the influence of drugs or alcohol.
6. I will not permit my child, or encourage any other person, to use drugs or alcohol at a sports event and will not permit my child, or encourage any other person, to attend, coach, officiate or participate in a sports event while under the influence of drugs or alcohol.
7. I will not engage in the use of profanity.
8. I will not encourage my child, or any other person, to engage in the use of profanity.
9. I will treat any coach, parent, player, participant, official or any other attendee with respect regardless of race, creed, color, national origin, sex, sexual orientation or ability.
10. I will encourage my child to treat any coach, parent, player, participant, official or any other attendee with respect regardless of race, creed, color, national origin, sex, sexual orientation or ability.

11. I will not engage in verbal or physical threats or abuse aimed at any coach, parent, player, participant, official or any other attendee.

12. I will not encourage my child, or any other person, to engage in verbal or physical threats or abuse aimed at any coach, parent, player, participant, official or any other attendee.

13. I will not initiate a fight or scuffle with any coach, parent, player, participant, official or any other attendee.

14. I will not encourage my child, or any other person, to initiate a fight or scuffle with any coach, parent, player, participant, official or any other attendee.

I hereby agree that if I fail to conform my conduct to the foregoing while attending, coaching, officiating or participating in a sports event I will be subject to disciplinary action, including but not limited to the following in any order or combination:

1. Verbal warning issued by a league, organization or school official.
2. Written warning issued by a league, organization or school official.
3. Suspension or immediate ejection from a sports event issued by a league, organization or school official who is authorized to issue such suspension or ejection by a school board or sports organization.
4. Suspension from multiple sports events issued by a league, organization or school official who is authorized to issue such suspension by a school board or sports organization.
5. Season suspension or multiple season suspension issued by a school board or sports organization.

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| Participant (Please Print) | Signature | Date |
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| Parent or Legal Guardian (Please Print) | Signature | Date |
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| Parent or Legal Guardian (Please Print) | Signature | Date |
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