

ORDINANCE NO.: 2022-12
AN ORDINANCE AMENDING AND SUPPLEMENTING
THE BOROUGH CODE OF THE BOROUGH OF
ALLENHURST.

Offered By: Mayor McLaughlin

Seconded By: Comm. McLoughlin

WHEREAS, the Borough Council of the Borough of Allenhurst has determined that it is in the best interests of the community to supplement the Borough Code of the Borough of Allenhurst to establish restrictions on disorderly conduct and penalties to be payable upon conviction of violations thereof.

NOW THEREFORE, BE IT ORDAINED by the Board of Commissioners of Borough of Allenhurst, County of Monmouth, State of New Jersey, that the Borough Code of the Borough of Allenhurst be and is hereby amended and supplemented as follows:

I. Chapter III, Section 3-7, entitled "Disorderly Conduct" be and is hereby added to the Borough Code as follows:

§3-7 Disorderly Conduct

It shall be unlawful for any person:

- a. To encumber any street or other place by loafing, lounging, loitering, sleeping in or about the same to the annoyance of passersby.
- b. To be under the influence of intoxicating liquor, or in an intoxicated condition, and loiter or be upon the streets, highways or other public places, or on property not his own.
- c. To indulge in and utter loud, common, offensive, indecent or profane language in any public place, quasi-public place or upon private property not his own.
- d. To indulge in and utter loud, common, offensive, indecent or profane language upon his own property if the same is audible to persons on other property or upon the public street or other public place.
- e. To address or make audible any offensive remarks or comments upon or to any person passing along or being on any highway or other public place.
- f. To annoy, obstruct or interfere with any person or persons lawfully being on any highway or other public place or conveyance.
- g. To go about from door to door or accost or annoy any other person in any public place by begging or soliciting alms or wander abroad and lodge in uninhabited buildings, taverns, outhouses, barns, the open air or other places and not give a good account of himself.
- h. To revel, quarrel, brawl or otherwise misbehave in a disorderly manner to disturb the public peace and quiet.
- i. To willfully disquiet or disturb any lawful meeting or assembly for religious worship, either by making loud noises or rude or indecent behavior or profane talk whether in the meeting or in the immediate vicinity of the same.
- j. To place or exhibit in any manner any indecent, immodest, obscene or vulgar thing where it may be exposed to public view.
- k. To appear in any street or other public place or in the open air in the Borough in a state of nudity or in any indecent or lewd dress or make any indecent or lewd exposure of themselves or act in an immodest, indecent or lewd manner.
- l. To keep, manage, maintain, reside in, frequent or be an inmate of a disorderly house

or house of ill fame, or permit, suffer or allow his or her house or other building or place to be used, frequented, occupied by or resorted to by riotous or disorderly persons, prostitutes, gamblers or vagrants.

- m. To set up, maintain, or permit, suffer or allow to be set up, kept or maintained in any house or other premises or place any device or game of chance for the purpose of gaming, or engage in any game of chance either as banker, player, dealer or otherwise for the purpose of gaming, except those bona fide qualified organizations which, pursuant to N.J.S.A. 5:8-24 et seq. (Bingo Licensing Law) and N.J.S.A. 5:8-50 et seq. (Raffles Licensing Law), may conduct games of chance on any day, including Sunday, upon application to and approval by the Borough Clerk pursuant to the rules and regulations of the New Jersey Legalized Games of Chance Control Commission. In the event that the Borough Clerk is unavailable or unable to review the application, the Chief of Police shall approve or disapprove of the application pursuant to the rules and regulations of the New Jersey Legalized Games of Chance Control Commission.
- n. To make, or cause to be made, or permit, suffer or allow to be made in his house or other premises any loud or unseemly noises to the serious inconvenience or discomfort of the peaceful inhabitants of the neighborhood between 11:00 p.m. Friday night and 7:00 a.m. Saturday morning, and between the hours of 11:00 p.m. Saturday night and 7:00 a.m. Sunday morning. On all other days those same acts shall be prohibited from 10:00 p.m. at night until 7:00 a.m. the following morning. For days preceding legal holidays and for legal holidays the hours applicable to Fridays and Saturdays listed in this subsection shall apply (11:00 p.m. at night until 7:00 a.m. the next morning).
- o. To possess, set or otherwise cause to explode or discharge or burn any fireworks or explosives of flammable materials, or discharge them or throw them into any such areas from lands or highways adjacent thereto. This prohibition includes any substance, compound, mixture, or compound that would be dangerous from any of the foregoing standards, except those items declared lawful pursuant to N.J.S.A. 21:2-1 et seq. Residents seeking to use fireworks must first obtain a permit and approval from appropriate Borough officials, including but not limited to, fire officials.
- p. To use or pretend to use or have any skill in physiognomy, palmistry, phrenology or like crafty science, or shall pretend to tell destinies, fortunes or future occurrences.
- q. To by word, sign, act, or otherwise, invite or solicit unlawful sexual intercourse or any other unlawful, indecent, lewd or lascivious act.
- r. To maliciously destroy, damage or injure any property of another.
- s. To enter any building or go upon any lands used or occupied for school purposes by a public school and therein disturb the exercises of the school or molest or give annoyance to the children or teacher attending said school.
- t. To willfully or maliciously ring or cause to be rung any bell, siren or alarm of any fire company in this municipality and thereby give or cause to be given a false alarm of fire.
- u. To willfully, maliciously or recklessly beat, torment, kick, strike, mutilate, torture, injure, disable, kill or otherwise mistreat any dog used by the Police Department in the performance of the functions or duties of the Department, or to interfere with

any such dog while the same is being used in the performance of any of the functions or duties of the Police Department.

§3-7.1 Penalties

Any person who violates any provision of this chapter, upon conviction thereof, shall be liable to the general penalty, as established in Chapter I, Section [1-5](#) of this Code, unless otherwise stated or ordered in the sound discretion of the Court.

II. REPEALER. All other sections and subsections of Borough Code of the Borough of Allenhurst not specifically amended by this Ordinance, shall remain in full force and effect.

III. INCONSISTENT ORDINANCES. All other Ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed as to such inconsistency.

IV. SEVERABILITY. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of this Ordinance shall be deemed valid and effective.

V. AND IT IS FURTHER ORDAINED that this Ordinance shall take effect twenty (20) days after the first publication thereof after final passage as provided by law.

VOTE: Comm. McLoughlin-AYE; Mayor McLaughlin-AYE

APPROVED: June 14, 2022

ADOPTED: June 28, 2022

CERTIFICATION

I, Donna M. Campagna, Borough Clerk/Administrator, do hereby certify this to be a true and exact copy of an Ordinance adopted by the Board of Commissioners of the Borough of Allenhurst, County of Monmouth, State of New Jersey, at a meeting held on June 28, 2022.

Donna M. Campagna

Donna M. Campagna, RMC
Borough Clerk/Administrator