

Title 9

PUBLIC PEACE AND WELFARE

Chapters:

- 9.04 Offenses Against Public Peace and Decency
- 9.08 Offenses Against Property
- 9.12 Curfew
- 9.16 Drug-Free School Zones
- 9.20 Weapons

Chapter 9.04

OFFENSES AGAINST PUBLIC PEACE AND DECENCY

Sections:

- 9.04.010 Disorderly conduct.
- 9.04.020 Consumption and possession of intoxicating liquor or malt beverage.

9.04.010 Disorderly conduct.

Any of the following persons shall be deemed guilty of misdemeanor:

- A. Any person who unlawfully fights in a public place or challenges another person in a public place to fight;
- B. Any person who maliciously and wilfully disturbs another person by loud and unreasonable noise;
- C. Any person who uses offensive words in a public place which are inherently likely to provoke an immediate violent reaction;
- D. Any person who intentionally disrupts any lawful assembly or meeting of persons without lawful authority; or
- E. Any person who intentionally obstructs vehicular or pedestrian traffic without lawful authority. (Ord. 6-97 § 2(k); prior code § 12:4-1)

9.04.020 Consumption and possession of intoxicating liquor or malt beverage.

A. Definitions. As used in this section:

“Alcoholic liquor or malt beverage” means any substance whose sale or disposition is regulated by regulations promulgated by the Department of Treasury, Division of Alcoholic Beverage Control, within the state of New Jersey.

“Public property” means any and all property including rights-of-way, roads, buildings, recreational facilities or land located within the township of Edgewater Park, owned by the township of Edgewater Park, or any other governmental agency.

“Quasi-public property” means any private street, highway, lane, alley or other roadway which is open to the public or to which the public is invited, and shall in this context include any and all parking yards, parking lots, causeways, alleys or malls generally open to the public.

- B. Regulations. No person shall, on any public or quasi-public property within the township:
 - 1. Consume any intoxicating liquor or malt beverage;
 - 2. Be in possession of an opened or unsealed container of any alcoholic liquor or malt beverage.

C. Penalties. Any person who shall violate any of the provisions of this section shall, upon conviction, be punished in accordance with Section 1.08.010 of this code. (Prior code § 12:21-20)

Chapter 9.08

OFFENSES AGAINST PROPERTY

Sections:

9.08.010 Posting notices in public places unlawful.

9.08.020 Abandoned shopping carts.

9.08.010 Posting notices in public places unlawful.

It is unlawful for any person or persons, firm, association or corporation to post either by pasting, nailing or otherwise fastening any bill, poster, sign or notice of any material upon any post, pole, tree, or other place upon any street, alley, highway or other public place in the township. (Prior code § 12:5-1)

9.08.020 Abandoned shopping carts.

A. No person shall remove a grocery or shopping cart more than one block of said store, shop, market or super-market and leave or abandon such cart on any sidewalk, street, public parking lot or other property, public or private, not owned or controlled by the owner of such cart.

B. Any person violating the terms of this section shall, upon conviction, be subject to punishment by a fine not exceeding one hundred dollars (\$100.00), or imprisonment in the county jail for a term not exceeding ten days, or both. (Prior code §§ 12:19-1, 12:19-2)

Chapter 9.12

CURFEW

Sections:

9.12.010	Minors regulated.
9.12.020	Parents regulated.
9.12.030	Exceptions.
9.12.040	Emergency regulations.
9.12.050	Enforcement officials.
9.12.060	Second violation penalty.
9.12.070	Parent or guardian's penalty.

9.12.010 Minors regulated.

It is unlawful for any child under the age of eighteen (18) years of age to ride on a bicycle or in a motor vehicle, run through, wander or stroll through the streets, roads, avenues or other public places in the township after the hour of ten p.m. prevailing time, in the evening, and until six a.m. prevailing time, in the morning, unless accompanied by a parent or duly authorized custodian having control of such minor, except as hereinafter provided. (Ord. 6-97 § 2(1): prior code § 12:23-1)

9.12.020 Parents regulated.

It is unlawful for any parent, guardian or duly authorized custodian having legal care or custody of any child under eighteen (18) years of age, to allow or permit any such child or ward to ride on a bicycle or in a motor vehicle, or to loiter on foot or in a motor vehicle, wander or stroll on or about any road, street, avenue or other public place in the township within the time prohibited in Section 9.12.010, unless accompanied by a parent or duly authorized custodian, except as hereinafter provided. (Prior code § 12:23-2)

9.12.030 Exceptions.

The provisions of this chapter shall not apply to any minor child who shall be gainfully employed, who shall be a bona fide student of a school of evening instruction, who shall be in attendance at a function sponsored by a religious or school organization or who shall be in attendance at a properly supervised recreational program during the time necessarily required to travel between such minor child's residence and said place of assembly. (Prior code § 12:23-3)

9.12.040 Emergency regulations.

Should an emergency arise necessitating a minor child under the age of eighteen (18) years being dispatched upon an errand requiring his or her presence upon a street or other public or quasi-public place, after the curfew hour established in this chapter, such minor shall have in his or her possession a note signed by one of his or her parents, guardian or duly authorized custodian (over the age of eighteen (18)) having the legal care or custody of such minor child, stating the nature of the errand, the necessity therefor, the place to which said child is to go, the time such note was issued and the time required for such errand. The abuse of the provisions of this section shall constitute a violation of the provisions of this chapter, punishable as hereinafter provided. (Prior code § 12:23-4)

9.12.050 Enforcement officials.

Any policeman, constable, or truant officer, or any special officer duly appointed by the township committee of the township is authorized and empowered to take into custody any such minor child who may be in the act of violating the provisions of this chapter. Such officer shall notify the parent or person having the legal care and custody of such child of the violation of this chapter and the penalty

therefor of a second or subsequent violation, and shall report said violation to the director of public safety/chief law enforcement officer of the township, who shall cause a record thereof to be made. Duplicate copies of these records shall be supplied to the juvenile review board. Said child shall be released immediately in the custody of such parent or person having his or her legal care or custody. (Prior code § 12:23-5)

9.12.060 Second violation penalty.

Upon the second or subsequent violation of the provisions of this chapter by any minor child under the age of eighteen (18) years, such minor child shall be subject to a fine of up to one thousand dollars (\$1,000.00) and shall be required to perform community service as may be ordered by the municipal court judge. (Ord. 6-97 § 2(m); prior code § 12:23-6)

9.12.070 Parent or guardian's penalty.

It is also a violation of this chapter for a parent or guardian of a minor child to allow such unaccompanied minor child to be on any public street or any public place during the hours of ten p.m. and six a.m., except as set forth above. Any parent or guardian who violates this chapter shall be subject to a fine of up to one thousand dollars (\$1,000.00) and shall be required to perform community service. If both a minor child and his or her parent or guardian violate this chapter, they shall be required to perform community service together. (Ord. 6-97 § 2(n); prior code § 12:23-7)

Chapter 9.16

DRUG-FREE SCHOOL ZONES

Sections:

- 9.16.010 Map adopted.
- 9.16.020 Continuance.
- 9.16.030 Notification of changes required.
- 9.16.040 Copies.
- 9.16.050 Additional matters declared.

9.16.010 Map adopted.

In accordance with and pursuant to the authority of L. 1988, c. 44 (C. 2C:35-7), the drug-free school zone map produced on or about September 1, 1988 by the township engineer, is approved and adopted as an official finding and record of the location and areas within the township of property which is used for school purposes and which is owned by or leased to an elementary or secondary school or school board, and of the areas on or within one thousand (1,000) feet of such school property. (Prior code § 11:6-1)

9.16.020 Continuance.

The drug-free school zone map approved and adopted pursuant to Section 9.16.010 shall continue to constitute an official finding and record as to the location and boundaries of areas on or within one thousand (1,000) feet of property owned by or leased to any elementary or secondary school or school board which is used for school purposes until such time, if any, that this chapter shall be amended to reflect any additions or deletions with respect to the location and boundaries of school property and drug-free school zones. (Prior code § 11:6-2)

9.16.030 Notification of changes required.

The school board, or the chief administrative officer in the case of any private or parochial school, is directed and shall have the continuing obligation to promptly notify the township engineer and the township solicitor of any change or contemplated changes in the location and boundaries of any property owned by or leased to any elementary or secondary school or school board and which is used for school purposes. (Prior code § 11:6-3)

9.16.040 Copies.

The clerk of the township is directed to receive and to keep on file the original of the map approved and adopted pursuant to Section 9.16.010, and to provide at a reasonable cost a true copy thereof to any person, agency or court which may from time to time request such a copy, along with a certification that such a copy is a true copy of the map approved and adopted herein and kept on file. It is further directed that a true copy of such map and of this chapter shall be provided without cost to the clerk of Burlington County and to the office of the Burlington County prosecutor. (Prior code § 11:6-4)

9.16.050 Additional matters declared.

The following additional matters are determined, declared, recited and stated:

- A. It is understood that the map approved and adopted pursuant to Section 9.16.010 was prepared and is intended to be used as evidence in prosecutions arising under the criminal laws of this state, and that pursuant to state law, such map shall constitute prima facie evidence of the following:
 1. The location of elementary and secondary schools within the township;
 2. The boundaries of the real property which is owned by or leased to such school or a school board;

3. That such school property is and continues to be used for school purposes; and

4. The location and boundaries of areas which are on or within one thousand (1,000) feet of such school property.

B. All of the property depicted on the map approved and adopted herein as school property was owned by or leased to a school or school board and was being used for school purposes as of July 9, 1987, that being the effective date of L. 1988, c. 101 (C. 2C:35-7).

C. Pursuant to the provisions of L. 1988, c. 44, a prosecutor is not precluded from introducing or relying upon any other evidence or testimony to establish a violation of the offense defined in that statute, including use of a map or diagram other than the one approved and adopted pursuant to Section 9.16.010. The failure of the map approved herein to depict the location and boundaries of any property which is, in fact, used for school purposes and which is owned by or leased to any elementary or secondary school or school board, whether the absence of such depiction is the result of inadvertent omission or the result of any changes in the location and boundaries of such property which have not yet been incorporated into a revised approved map, shall not be deemed to be an official finding and record that such property is not owned by or leased to a school or school board, or that such property is not used for school purposes.

D. All of the requirements set forth in L. 1988, c. 44 concerning the preparation, approval and adoption of a drug-free school zone map have been complied with. (Prior code § 11:6-5)

Chapter 9.20

WEAPONS

Sections:

9.20.010	Title.
9.20.020	Prohibited activities.
9.20.030	Applicability.
9.20.040	Activities prohibited by persons, excepted in Section 9.20.030.
9.20.050	Violation—Penalty.

9.20.010 Title.

This chapter shall be known as the Edgewater Park Township Firearms Control Ordinance of 1974. (Prior code § 12:22-8)

9.20.020 Prohibited activities.

A. No person shall fire or discharge any gun, rifle, pistol or other firearm within the limits of the township at any time, except as provided in Sections 9.20.030 and 9.20.040.

B. No person shall carry, transport or possess any loaded gun, rifle, pistol or other firearm within the limits of the township at any time, except as provided in Sections 9.20.030 and 9.20.040. (Prior code §§ 12:22-1, 12:22-2)

9.20.030 Applicability.

Subject to Section 9.20.040, Section 9.20.020 shall not apply to:

A. Any individual owner or lessee of private land and the members of his immediate family, and the directors, officers and employees of any corporate owner or lessee of private land, while on such land;

B. Any individual person who has received written permission from the owner or lessee of private land and any individual member of a bona fide gun club which is the owner or lessee of private land, with the written permission of an authorized representative of such gun club, while on such land, provided there shall have been registered with the police department of the township, the following:

1. The name and address of such individual person or individual members,

2. The name and street address of such owner or lessee,

3. The post office address, and lot and block numbers according to the township tax maps, of such land,

4. Such written permission signed by such owner or lessee, or by such authorized representative of a gun club; such permission and registration shall be valid only,

5. After such permission and registration shall have been fully and accurately entered upon forms prescribed by the director of public safety/chief law enforcement officer of the township, and such completed forms shall have been delivered to the police department,

6. During such times as such individual person or member wears conspicuously on his person such identifying card, badge or tag as the director of public safety/chief law enforcement officer may from time to time prescribe and issue;

C. Any member of the local police force of the police department of the township and any other authorized law officer of the township, the state of New Jersey, every county and other agency and subdivision of the state of New Jersey, the federal government and the government of every other state while in the proper discharge of his lawfully authorized duties. (Prior code § 12:22-3)

9.20.040 Activities prohibited by persons, excepted in Section 9.20.030.

No person excepted under Section 9.20.030(A) or (B) shall fire or discharge. any gun, rifle,

pistol or other firearm, within five hundred (500) feet of any dwelling, church, store, school house, school grounds, barn, garage, filling station, public park, airport, industrial or commercial establishment, municipal waterworks, municipal sewage treatment works and municipal sanitary landfill (excluding the dwellings and accessory buildings of such owner or lessee on such private land), or within five hundred (500) feet of any public or school playground or any athletic field. (Prior code § 12:22-4)

9.20.050 Violation—Penalty.

Any person who shall violate this chapter, or do any act or thing therein prohibited, shall, upon conviction thereof before any judicial officer authorized to hear and determine the matter, forfeit and pay such fine, not exceeding the sum of five hundred dollars (\$500.00), as shall be imposed by such judicial officer in his discretion, or be imprisoned for a term not exceeding ninety (90) days, as such judicial officer in his discretion shall determine; provided, however, that such judicial officer shall have power in his discretion to impose sentence of both fine and imprisonment not exceeding the maximum limits hereinbefore fixed. (Prior code § 12:22-5)