

ORDINANCE NO. 156

AN ORDINANCE TO CONTROL LOITERING WITHIN THE TOWNSHIP OF ALLOWAY

Be it ordained by the Township Committee of the Township of Alloway, Salem County, New Jersey, as follows:

§ 79-1. Definitions.

As used in this ordinance, the following terms shall have the meanings indicated:

LOITERING -- Remaining idle in essentially one (1) location, including the concepts of spending time idly, loafing or walking about aimlessly, and the colloquial expression "hanging around."

PUBLIC PLACE -- Any place to which the public has access, including any street, highway, road, alley or sidewalk. "Public place" shall also include the front or the neighborhood of any store, shop, restaurant, tavern or other place of business, and public grounds, areas and parks, as well as parking lots or other vacant private property not owned by or under the control of the person charged with violating this ordinance, or, in the case of a minor, not owned or under the control of his parent or guardian.

PARENT or GUARDIAN -- Includes any adult person having care or custody of a minor, whether by reason of blood relationship, the order of any court or otherwise.

§ 79-2. Certain types of loitering prohibited.

No person shall loiter in a public place in such manner as to:

- A. Create or cause to be created a danger of a breach of the peace.
- B. Create or cause to be created any disturbance or annoyance to the comfort and repose of any person.
- C. Obstruct the free passage of pedestrians or vehicles.
- D. Obstruct, molest or interfere with any person lawfully in any public place, as defined in § 79-1. This subsection shall include the making of unsolicited remarks of an offensive, disgusting or insulting nature, or which are calculated to annoy or disturb the person to or in whose hearing they are made.

§ 79-3. Discretion of police officer.

Whenever any police officer shall, in the exercise of reasonable judgment, decide that the presence of any person in any public place is causing or is likely to cause any of the conditions enumerated in § 79-2, he may, if he deems it necessary for the preservation of the public peace and safety, order that person to leave that place. Any person who shall refuse to leave after being ordered to do so by a police officer shall be guilty of a violation of this ordinance.

§ 79-4. Loitering by minors.

No parent or guardian of a minor under the age of eighteen (18) years shall knowingly permit that minor to loiter in violation of this ordinance.

§ 79-5. Notice of violation.

Whenever any minor under the age of eighteen (18) years is charged with a violation of this ordinance, his parent or guardian shall be notified of this fact by the Chief of Police or any other person designated by him to give such notice.

§ 79-6. Presumption.

If at any time within thirty (30) days following the giving of notice, as provided in § 79-5, the minor to whom such notice relates again violates this ordinance, it shall be presumed in the absence of evidence to the contrary that the minor did so with the knowledge and permission of his parent or guardian.

§ 79-7. Violations and penalties.

Any person violating any of the provisions of this ordinance shall, upon conviction, be punishable by a fine not exceeding five hundred dollars (\$500.) or by imprisonment not exceeding ninety (90) days, or both, in the discretion of the court.

§ 79-8. Repealer.

All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistencies.

§ 79-9. Severability.

In the event that any clause, sentence, section or other part of this ordinance is declared to be invalid, such invalidity shall not affect the remainder of the ordinance.

§ 79-10. Effective date.

This ordinance shall take effect after publication and passage according to law.

N O T I C E

Notice is hereby given that the above ordinance was introduced and passed on first reading at a regular meeting of the Township Committee of the Township of Alloway on December 9, 1976, and will be further considered for final passage after public hearing at a meeting of the said Committee to be held on December 30, 1976, at 7:45 P.M., in Township Hall, Alloway, New Jersey.

William C. Haskett
WILLIAM C. HASKETT, Township ~~CLERK~~ CLERK

C E R T I F I C A T I O N

I hereby certify that the foregoing ordinance was adopted by the Township Committee of Alloway Township, Salem County on December 30, 1976.

William C. Haskett
WILLIAM C. HASKETT, Township Clerk