

000003163 Mayor McCaffrey read the proposed Ordinance, by title only for its second and final reading.

**ORDINANCE PROHIBITING LOITERING WITHIN THE
TOWNSHIP OF WOOLWICH
97-14**

WHEREAS, the Township Committee of the Township of Woolwich wishes to adopt an Ordinance defining and prohibiting loitering within the Township.

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Woolwich, as follows:

SECTION I - DEFINITIONS: The following words, in this Ordinance, shall have the meanings indicated:

Loitering -remaining idle essentially one location, and includes the concepts of spending time idle, loafing, or walking about aimlessly.

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.

Public Place - any place in which the public has access, and includes any street, highway, road, alley or sidewalk. It shall also include the front or the neighbor of any store, shop, restaurant, tavern or other place of business, in public grounds, areas, 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 chapter, or in the case for minor, not owned by or under the control of his parent or guardian.

SECTION II - TYPES OF LOITERING PROHIBITED: No person shall loiter in a public place in such a 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) Obstructing the free passage of pedestrians or vehicles;
- (d) Obstruct, molest, or interfere with any person lawfully in any public place as defined in this Ordinance;

SECTION III - DISCRETION OF POLICE OFFICER: Whenever any police officer of the Township of Woolwich 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 this ordinance, he may, if he deems it necessary for the preservation of the public peace and safety, order that person to leave that place. Any persons who shall refuse to leave after being ordered to do so by a police officer shall be guilty of violation of this Ordinance.

SECTION IV - 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.

7. To act as liaison between the Township, County and State recycling officials and advise the Township Committee of applicable amendments to County and State regulations and statutes.
8. Submit and apply for any tonnage grants available with the State of New Jersey.
9. To inspect household and commercial solid waste, as permitted by law, for compliance.
10. Organize the daily operation and special events associated with the Township's solid waste and recycling program as permitted by Township Committee.
11. Make recommendations to Township Committee with regard to changes in regulations concerning manner, days, times, and reporting of solid waste and recycling materials collected and the handling of all materials placed for municipal collection by the Township or its duly appointed agents.

SECTION II - ENFORCEABILITY: The Solid Waste and Recycling Program Manager shall be able to enforce any and all Ordinances adopted by the Township concerning solid waste, recycling, anti-scavenging and dumping within the Township.

SECTION III - TERM: The Solid Waste and Recycling Program Manager shall be an annual appointment for a term of one (1) year. Any appointment made other than at Township reorganization, shall terminate December 31st of that year.

SECTION IV - REPEALER: Any and all Ordinances previously adopted that are inconsistent, in whole or part, with this Ordinance are hereby repealed to the extent of their inconsistency.

SECTION V - SEVERABILITY: Should any section, subsection, paragraph, clause, sentence or other portion of this Ordinance be adjudged by a Court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance.

SECTION VI - EFFECTIVE DATE: This Ordinance shall take effect with final publication following a public hearing as provided by law.

(End of ordinance)

Mayor McCaffrey opened the public hearing on the ordinance.

Committeeman Casella moved that the foregoing Ordinance be approved and adopted as read by title only for its second and final reading that a certified copy be posted on the Municipal Bulletin Board, and the Clerk be authorized May 9, 1997 issue of the Gloucester County Times together with proper legal notice of its adoption. Seconded by Committeeman Garozzo. Mayor McCaffrey requested a roll call vote on the motion.

Casella: YES Garozzo: YES Gattuso: YES Maccarone: YES McCaffrey: YES

SECTION V - 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 person designated by the Chief to give such notice.

SECTION VI - PRESUMPTIVE EVIDENCE: If at any time within thirty (30) days following the giving of notice provided in the previous Section, the minor to whom such notice is given 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.

SECTION VII - VIOLATION AND PENALTIES: Any person or person or corporation or corporations neglecting to comply with the provisions of this Section shall, upon conviction, be punishable by a fine not exceeding one thousand dollars (\$1,000.), imprisonment for a period not exceeding ninety (90) days or a period of community service not exceeding ninety (90) days, or any combination thereof, for every such neglect.

SECTION VIII - REPEALER: Any and all Ordinance previously adopted that are inconsistent, in whole or part, with this Ordinance are hereby repealed to the extent of their inconsistency.

SECTION IX - SEVERABILITY: Should any section, subsection, paragraph, clause, sentence or other portion of this Ordinance be adjudged by a Court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance.

SECTION X - EFFECTIVE DATE: This Ordinance shall take effect with final publication following a public hearing as provided by law.

(End of ordinance)

Mayor McCaffrey opened the public hearing on the ordinance.

Committeeman Gattuso moved that the foregoing Ordinance be approved and adopted as amended by title only for its second and final reading that a certified copy be posted on the Municipal Bulletin Board, and the Clerk be authorized and directed to have said ordinance published as a legal advertisement in the Friday, May 9, 1997 issue of the Gloucester County Times together with proper legal notice of its adoption. Seconded by Committeeman Garozzo. Mayor McCaffrey requested a roll call vote on the motion.

Casella: YES Garozzo: YES Gattuso: YES Maccarone: YES McCaffrey: YES

Mayor McCaffrey read the proposed Ordinance, by title only for its second and final reading.

**ORDINANCE ESTABLISHING A CURFEW FOR MINORS
WITHIN THE TOWNSHIP OF WOOLWICH**