

## Chapter 53

### PEACE AND GOOD ORDER

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HISTORY: Article I adopted by the Mayor and Borough Council of the Borough of Seaside Park 6-5-1959 as Ordinance No. 586. Amended 4-1-1960 by Ord. No. 590; 7-25-1974 by Ord. No. 713; 12-20-2001 by Ord. No. 1291; 7-12-2006 by Ord. No. 1394.

Article II adopted 8-1-1932 as Ordinance No. 373. Amended 2-12-1976 by Ord. No. 729; 12-20-2001 by Ord. No. 1291.

Article III adopted 7-2-1948 as Ordinance No. 481. Amended 12-20-2001 by Ord. No. 1291.

Article IV adopted 8-10-1912 as Ordinance No. 188. Amended 12-20-2001 by Ord. No. 1291.

Article V adopted 3-4-1999 as Ordinance No. 1241.

GENERAL REFERENCES: See Chapter 9 (Beaches); Chapter 26 (Dogs and Other Animals); Chapter 37 (Games of Chance); Chapter 48 (Noise).

*Be it ordained by the Mayor and Borough Council of the Borough of Seaside Park, in the County of Ocean and State of New Jersey, as follows:*

**ARTICLE I**  
**Disorderly Conduct**

*Adopted 6-5-1959 as Ord. No. 586*

**§53-1. Urinating in public.**

*Amended 7-12-2006 by Ord. No. 1394*

No person shall within the confines of the Borough, urinate or defecate upon any road, street, avenue, beach, private property or any other area unless the same is an enclosed restroom facility meant for such purposes.

**§53-2. Nude bathing.**

No person within the limits of the said borough shall swim, bathe or be found in a state of nudity while bathing in the waters of the Atlantic Ocean, Barnegat Bay or waters adjacent thereto, and no person shall appear in a state of nudity or make any indecent exposure of his or her person on any boat or other craft within the limits of the said borough.

**§53-3. Disrobing in motor vehicle.**

No person shall undress or disrobe, or dress or robe, for the purpose of uncovering a bathing suit, in any motor vehicle while the same is parked on any road, street, avenue, beach or other public place.

**§53-4. Disrobing in public.**

No person shall undress or disrobe, or dress or robe, in any public place, excepting such place as may be provided for such use.

**§53-5. Sound-producing apparatus.**

No person shall, within the limits of the said borough, operate or use radio, phonograph, television or any other sound-producing instrument, device or apparatus in such a manner that will disturb the rest or repose of any person or persons in his, her or their place of abode.

**§53-6. Unnecessary noise.<sup>1</sup>**

No person or persons shall make or cause or continue to make any noise, such as loud talk, singing, laughter or any unnecessary noise, that will disturb any person or persons in his, her or their place of abode.

**§53-7. Depositing refuse.**

No person shall, within the limits of the said borough, discard, deposit, throw or leave any wastepaper, tin cans, bottles, garbage, waste or refuse of any kind whatsoever upon any parking place, street, road, avenue, beach, park or other public place, or upon any lot or other premises, except in receptacles or containers provided for such purpose.

**§53-8. (Reserved)**

<sup>1</sup> EDITOR'S NOTE: See Chapter 48 (Noise).

**§53-9. Annoying sport.**

No person shall, within the limits of the said borough, engage or participate in any game practice, sport or exercise having a tendency to annoy, disturb or frighten any person or persons on any street, road, avenue, boardwalk, beach, park or other public place, or having a tendency to annoy or frighten horses or other animals on any street, road, avenue or other public place.

**§53-10. Loitering in parked automobile.**

No person shall, within the limits of the said borough, loiter or sleep in any parked automobile while the same is upon any road, street, avenue or public place.

**§53-11. Malicious damage to property.**

No person or persons shall, within the limits of the said borough, maliciously destroy, damage or injure any property.

**§53-12. Permit required for bonfire.<sup>2</sup>**

No person or persons shall, within the limits of the said borough, cause or have or maintain any bonfire on any beach, road, avenue or private or other public property without first securing permit from the Department of Police to have such bonfire.

**§53-13. Picnicking on public property.<sup>3</sup>**

No person or persons, shall, within the limits of the said borough, have any picnic on any public street, beach, road, avenue or any public property in said borough.

**§53-14. (Reserved)****§53-15. Parking on private property restricted.<sup>4</sup>**

No person shall park a vehicle in any private driveway or on any private property within the limits of the said borough without first having the permission of the owner.

**§53-16. Playgrounds regulated.<sup>5</sup>**

From time to time the Commissioners of the Recreation Commission will promulgate rules and regulations for the use of the several playgrounds within the Borough of Seaside Park, and person or persons making use of the said playgrounds shall conform with the rules and regulations as promulgated by the Recreation Commission of the said borough.

**§53-17. Leaving bait on beach.<sup>6</sup>**

No person or persons shall leave any bait or dead fish upon any beach, road, avenue or public place when such person or persons are leaving the beach or other place.

**§53-18. Fishing with bathing beach.**

No person or persons shall bait, fish or cast from the shores within any protected bathing beach located in the said borough.

**§53-19. Fishing in Barnegat Bay.<sup>7</sup>**

No person or persons fishing or crabbing in the waters of Barnegat Bay shall leave any dead fish, crabs or other waste material along the bay shore of the said borough.

**§53-20. Vehicles prohibited on boardwalk.**

No person shall operate, drive or park any vehicle upon the boardwalk or any part thereof in the Borough of Seaside Park.

**§53-21. Obstructing sidewalks.<sup>8</sup>**

No person shall park any motor vehicle so that the same shall obstruct any public sidewalk in the said borough.

**§53-22. Bathing tag required for persons over twelve years.<sup>9</sup>**

No person over twelve (12) years of age shall use the public docks for fishing, swimming or crabbing at Fifth Avenue or Fourteenth Avenue unless such person shall have a municipal bathing tag prominently displayed upon his or her person.

**§53-23. Animals on boardwalk restricted.<sup>10</sup>**

*Amended 4-1-1960 by Ord. No. 590  
7-25-1974 by Ord. No. 713; 3-25-1976 by Ord. No. 731*

No person or persons shall take any dog or other animal on the boardwalk of this municipality, which boardwalk lies to the east of Ocean Avenue and runs parallel thereto, or upon the beach of this municipality lying to the east of said boardwalk, or upon any bathing beach or recreation area along Barnegat Bay between May 1 and October 1 of each and every year hereafter.

**§53-24. Discarding waste material on beaches.<sup>11</sup>**

No person or persons shall throw, drop, discard or leave any wastepaper, garbage or refuse or any food or

<sup>2</sup> EDITOR'S NOTE: See Article IV (Beach Fires) in Chapter 9 (Beaches).

<sup>3</sup> EDITOR'S NOTE: See §9-16C in Chapter 9 (Beaches).

<sup>4</sup> EDITOR'S NOTE: See Chapter 76 (Vehicle and Traffic).

<sup>5</sup> EDITOR'S NOTE: See Chapter 54 (Playgrounds).

<sup>6</sup> EDITOR'S NOTE: See Chapter 9 (Beaches).

<sup>7</sup> EDITOR'S NOTE: See §49-4 in Chapter 49 (Nuisances).

<sup>8</sup> EDITOR'S NOTE: See Chapter 68 (Streets and Sidewalks).

<sup>9</sup> EDITOR'S NOTE: See §9-7 in Chapter 9 (Beaches).

<sup>10</sup> EDITOR'S NOTE: See §26-15 in Chapter 26 (Dogs and Other Animals).

<sup>11</sup> EDITOR'S NOTE: See §§9-8, 9-16C and 9-33 in Chapter 9 (Beaches).

drink or any waste material whatever on any bathing beach or other beach in the said borough.

**§53-25. Violations and penalties.**

*Amended 12-20-2001 by Ord. No. 1291*

Any person who violates any one (1) or more sections of this ordinance shall be subject to a fine of not more than one thousand (\$1,000.) dollars for each separate offense and/or confinement in the Ocean County Jail for a period of not more than ninety (90) days.

**§53-26. Inconsistent ordinances repealed.**

Ordinances or parts of ordinances inconsistent herewith are hereby repealed.

**§53-27 When effective.**

This ordinance shall take effect immediately upon its final passage, approval and publication as required by law.

**ARTICLE II**

**Conduct in Public Places**

*Adopted 8-1-1932 as Ord. No. 373*

**§53-28. (Reserved)**

**§53-29. (Reserved)**

**§53-30. (Reserved)**

**§53-31. Lewd books or plays.**

No person shall, within the limits of the said borough, sell or offer to sell any indecent or lewd picture, book or thing or exhibit or perform any indecent, immoral or lewd play or other representation.

**§53-32. Disorderly houses.**

No person shall, within the limits of the said borough, keep or maintain a disorderly house or a house, shop, store or other building owned or occupied by him or her to be used as a disorderly house or house of ill fame.

**§53-33. Frequenting of houses by disorderly persons.**

No person shall, within the limits of the said borough, permit any house, shop, store or other building, or any boat or any other craft, owned or occupied by him or her, to be frequented or resorted to by noisy, riotous or disorderly persons, or by prostitutes, gamblers or vagrants.

**§53-34. (Reserved)**

**§53-35. (Reserved)**

**§53-36. (Reserved)**

**§53-37. Polluting waters prohibited.**

No person shall, within the limits of the said borough, throw or discard from any boat, craft or from the shore any tin cans, bottles, garbage or refuse of any kind whatsoever into the waters of the Atlantic Ocean or into the waters of the Barnegat Bay or waters adjacent thereto, or discharge any sewage or waste into said waters or any of them or pollute the said waters or any of them in any other manner whatsoever.

**§53-38. Sleeping; offensive language; obstructing passageways.**

*Amended 2-12-1976 by Ord. No. 729  
7-12-2006 by Ord. No.1394*

No person shall, within the limits of the said borough, loiter or sleep on any street, road, avenue, boardwalk, beach, park or other public place; and no person shall, on any street, road, avenue, boardwalk, beach, park or other public place within the limits of the said borough, utter loud and offensive or indecent language or make offensive remarks to or upon any person or persons passing along or being upon any such street, road, avenue, boardwalk, beach, park or other public place, or obstruct or interfere with any person or persons lawfully being upon any of the same.

**§53-39. Begging alms.**

No person shall, within the limits of the said borough, go about from door to door or place himself or herself in the streets or other public place or places to beg or gather alms.

**§53-40. (Reserved)**

**§53-41. False alarm of fire.**

No person shall, within the limits of the said borough, willfully and maliciously ring or cause to be rung any bell or alarm of any fire company and thereby to give or cause to be given a false alarm of fire.

**§53-42. Public outcry.**

No person shall, on any street, road, avenue, boardwalk, park, beach or other public place within the limits of the said borough, ring any bell or blow any horn or make any public outcry at or for any public sale, auction or vendue, or to advertise any goods, wares or merchandise for sale, or to attract any attention to or gain passage for any cab, taxicab, hack or omnibus.

**§53-43. (Reserved)**

**§53-44. Leaving family to charge of borough.**

No person shall, within the limits of the said borough, leave or threaten to leave his or her family to be maintained by the said borough or to become chargeable thereto; and no person that is a pauper shall, without lawful authority, return to the said borough after having been legally removed therefrom.

**§53-45. Games of chance; gambling.**

No person shall, within the limits of the said borough, deal, play or engage in faro, roulette or other game of chance, either as banker, player, dealer or otherwise, for the purpose of gaming or gambling for money or other valuable thing except as licensed in accordance with Licensed Games of Chance Act.

**§53-46. Concealed weapons.**

No person shall, within the limits of the said borough and without lawful authority, have concealed upon his or her person any offensive or dangerous weapon.

**§53-47. Intent to break and enter, assault, steal.**

No person shall, within the limits of the said borough, have upon his or her person any picklock, key crow, jack, bit or other implement with an intent to break and enter into any building, or have upon his or her person any pistol, hanger, cutlass, bludgeon or other offensive or dangerous weapon with intent to assault any person; and no person shall hide or be found in or near any dwelling house, warehouse, stable, barn, schoolhouse or any place of public resort or assemblage for business, worship, amusement or other lawful purposes, with an intent to steal any goods or chattels.

**§53-48. Defacing school; molesting children.**

No person shall, within the limits of the said borough, enter the building or go upon the lands of any public school and break, injure or deface such building or any part thereof or the fences or outhouses belonging to or connected with such building or lands; and no person shall disturb the exercises of any public school or molest or give annoyance to the children attending such school or annoy any teacher therein.

**§53-49. Person defined.**

The term "person" and the term "persons," as used in this ordinance, shall wherever appropriate in connection with the context, include corporations and corporation respectively.

**§53-50. Disposition of fines.**

All fines imposed and collected under and by virtue of this ordinance shall be paid into the treasury of the said borough.

**§53-51. Violations and penalties.**

*Amended 12-20-2001 by Ord. No. 1291*

Any person who violates any one (1) or more sections of this ordinance shall be subject to a fine of not more than one thousand (\$1,000.) dollars for each separate offense and/or confinement in the Ocean County Jail for a period of not more than ninety (90) days.

**§53-52. When effective.**

This ordinance shall take effect immediately upon its adoption, approval and publication according to law.

**ARTICLE III****Picnicking and Beach Parties**

*Adopted 7-2-1948 as Ord. No. 481*

**§53-53. Picnicking on public lands prohibited.**

No picnic shall be permitted on any public street, avenue, highway, place, land, dock, including, but not limited to, beach front lands and bay front lands.

**§53-54. Permit required for beach party.**

No beach party shall be permitted unless and until a permit therefor has been granted. The procedure to procure a permit for a beach party may hereafter be established by resolution of the governing body of this borough, provided no such permit shall be granted for a beach party other than on a definite date designated in the permit. No permit shall be granted for any hour or hours other than between 7:00 p.m. and 12:00 midnight of the same day.

**§53-55. Bathing badge required for fishermen.**

No fishing or crabbing shall be permitted on or from any public dock unless the fisherman or crabber has purchased and carries a bathing badge.

**§53-56. Violations and penalties.**

*Amended 12-20-2001 by Ord. No. 1291*

Any person who violates any one (1) or more sections of this ordinance shall be subject to a fine of not more than one thousand (\$1,000.) dollars for each separate offense and/or confinement in the Ocean County Jail for a period of not more than ninety (90) days.

**§53-57. When effective.**

This ordinance shall take effect immediately upon its final passage, approval and publication according to law.

**ARTICLE IV****Gaming Houses and Houses of Ill Fame**

*Adopted 8-10-1912 as Ord. No. 188*

**§53-58. Houses of ill fame prohibited; frequenting by disorderly persons.**

No person shall keep or maintain a disorderly house or a house of ill fame, or allow or permit any house, store, shop or other building owned or occupied by him or her, to be used as a disorderly house or a house of ill fame or to be frequented or resorted to by riotous or disorderly persons, prostitutes, gamblers or vagrants.

**§53-59. Gaming houses prohibited.**

No person or persons shall set up or keep or maintain, or permit to be set up, kept or maintained, in any house

or premises, any faro table, faro bank, roulette wheel or other device of gaming or chance, for the purpose of gaming, or place for men or animals to fight; nor shall any person hold or permit to be held in any house or premises any dogfight, cockfight, prizefight or any sparring contest for a purse or money prize.

**§53-60. Loitering; offensive language; obstructing streets.**

No person shall loiter on the streets or utter loud or offensive or indecent language or make offensive remarks to, or upon any person passing along such streets, or obstruct or interfere with any person lawfully being upon such streets.

**§53-61. Violations and penalties.**

*Amended 12-20-2001 by Ord. No. 1291*

Any person who violates any one (1) or more sections of this ordinance shall be subject to a fine of not more than one thousand (\$1,000.) dollars for each separate offense and/or confinement in the Ocean County Jail for a period of not more than ninety (90) days.

**§53-62. When effective.**

This ordinance shall take effect upon being approved and duly published.

**ARTICLE V**

**Use of Laser Beam Devices**

*Adopted 3-4-1999 as Ord. No. 1241*

**§53-63. Purpose.**

The purpose of the within ordinance is to regulate laser beam pointer devices which are being used by individuals in such a manner as to harass, annoy and potentially cause bodily harm to those receiving contact with the laser beam. It has further been determined that said devices may cause retinal damage from contact with the eye and the Borough's Police Department has received numerous complaints from individuals who have been exposed to unwanted and undesired laser beam contact which interferes with their peace and good order and potentially may damage their eyes.

**§53-64. Laser beam devices.**

It shall be unlawful for any person to focus, point or shine a laser beam directly or indirectly upon another person or animal in such a manner as to reasonably cause harassment or annoyance or alarm to said person or animal.

**§53-65. Violations and penalties.**

Any person who violates any one (1) or more sections of this ordinance shall be subject to a fine of not more than one thousand dollars (\$1,000.) for each separate offense and/or confinement in the Ocean County Jail for a period of not more than ninety (90) days.

**§53-66. Severability.**

If any section, subsection, paragraph, sentence or any part of this ordinance is adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance directly involved in the controversy in which such judgment shall have been rendered.

**§53-67. Repealer.**

This ordinance repeals any inconsistent ordinance or ordinances or part or parts thereof.

**§53-68. When effective.**

This ordinance shall take effect immediately upon its final passage and publication as required by law.