



The Family Resort

# Borough of Seaside Park

ZONING / CODE ENFORCEMENT OFFICE

732-250-7569  
Fax 732-375-3058

## Borough of Seaside Park Police Department

The Seaside Park Police has a zero tolerance protocol when dealing with quality of life issues. The department strictly enforces all Borough Ordinances and State Statutes that deal with annoying behavior. This Department does not condone disorderly, indecent, tumultuous or riotous behavior upon or in proximity of a rental premise. When repeat offenses occur at or in proximity to a rental premise and summonses have been issued to the occupants or lease holders, the Borough of Seaside Park has the right to revoke the rental license of the landlord under Seaside Park Borough Code Chapter 364. It is the responsibility of both the landlord and Lease holder to efficiently manage behavior occurring on, or in the vicinity of the rental property so that the residents of Seaside Park can have full enjoyment of what this community has to offer.

**EMERGENCY – CALL 911**

## Borough of Seaside Park Code Enforcement Office

The Code Enforcement Office inspects all rental properties for code compliance. Overcrowding and tampering with life safety equipment will not be tolerated. Each rental has a sticker posted on or near the front door of each unit showing how many people may occupy each rental unit.

For CODE VIOLATIONS call 732-250-7569

## SEASIDE PARK RECYCLES

It is the responsibility of all renters, residents, visitors, tenants, institutions and businesses to recycle in the Borough of Seaside Park. The following items must be separated from your garbage and placed in a separated container for recycling: bottles, cans, plastic containers, newspapers, office paper, junk mail, magazines & corrugated cardboard.

Garbage must be placed in **heavy gauge, two- to three-mil black plastic bags or metal, plastic or vinyl containers** which are designed for such purpose with handles and a tight lid. No cardboard boxes may be used in place of bags or metal, plastic or vinyl containers.

Filled containers shall not exceed 50 pounds in weight or exceed 45 gallons in capacity. Seaside Park Garbage & Recycling Schedules are available online at [www.seasideparknj.org](http://www.seasideparknj.org). You may also use the Seaside Park Recycling Center at 14<sup>th</sup> and Barnegat Avenues for drop off of recycling ONLY, between 8am and 8pm. Garbage is NOT accepted there. Failure to recycle may result in a fine of not less than \$250. The public litter and recycling containers located around town are NOT for household use. Violators are subject to a fine of not less than \$250 for improper disposal.

For more information visit [www.seasideparknj.org](http://www.seasideparknj.org)

## Chapter 364. Rental Property

### Article II. Operation of Rentals

#### § 364-17. Requirements to post rules

Every property owner who leases dwelling units for rentals shall:

Conspicuously post in the inside of the front door of the dwelling unit, at all times when same is rented, copies of §§ 119-15 through 119-20, §§ 119-25 through 119-28 and Chapter 314 of the Borough Code.

## Chapter 119. Alcoholic Beverages

### Article II. Use by Minors

§ 119-15. Purchase or consumption.

No minor shall purchase, accept or consume any alcoholic beverage on or upon any premises licensed to sell alcoholic beverages in the Borough of Seaside Park.

§ 119-16. Violations and penalties.

Any person convicted of a violation of this article shall, upon conviction, be subject to the general penalty in Chapter 1, Article II, General Penalty, of the Borough Code.

### Article III. Consumption in Public; Open Containers

§ 119-17. Purpose. The purpose of this article is to maintain the public health, safety and welfare of this family resort by prohibiting anyone from consuming alcoholic beverages upon any public recreation area, beach, thoroughfare or right-of-way and to prohibit establishments selling alcohol for on-premises consumption from allowing anyone to carry said beverages out of that establishment in an open container.

§ 119-18. Consumption of alcohol in public and open containers restricted; exception.

A. It shall be unlawful for anyone to consume an alcoholic beverage upon any public recreation area, beach, thoroughfare or right-of-way.

B. Carrying alcoholic beverages in an open container shall also be considered unlawful within this municipality.

C. This section shall not apply to any properly licensed public function or activity sanctioned in accordance with the rules and regulations of the Division of Alcoholic Beverages of the State of New Jersey.

§ 119-19. Carrying alcohol out of licensed establishments.

It shall be unlawful and violative of this article for any person, corporation, partnership or other entity holding a plenary retail alcohol consumption license to allow any individual to leave the licensed premises and go upon a public property, place, thoroughfare or right-of-way with any alcoholic beverage, unless said alcoholic beverage is in a sealed, original container. It shall further be unlawful for any licensed establishment to serve alcoholic beverages outside of the enclosed licensed structure.

§ 119-20. Violations and penalties.

Any person, corporation, partnership or other entity violating this article shall be subject to the general penalty in Chapter 1, Article II, General Penalty, of the Borough Code.

### Article V. Consumption or Possession by Underaged Persons on Private Property

§ 119-26. Consumption of alcoholic beverages by underage person on private property prohibited.

It is unlawful for any person under the legal age to, without legal authority, knowingly possess or knowingly consume an alcoholic beverage on private property.

§ 119-27. Violations and penalties.

A. Any person found guilty of violating the terms of this article shall be subject to a fine of not less than \$250 nor more than \$2,000. In addition, the court may, upon a finding of guilt, in addition to the fine authorized for this offense, suspend or postpone for six months the driving privileges of the defendant. Upon the conviction of any person and the suspension or postponement of that person's drivers license, the court shall forward a report to the Division of Motor Vehicles stating the first and last day of the suspension or postponement period imposed by the court pursuant to this section. If a person at the time of the imposition of a sentence is less than 17 years of age, the period of license postponement, including a suspension or postponement of the privilege of operating a motorized bicycle, shall commence on the day the sentence is imposed and shall run for a period of six months after the person reaches the age of 17 years. If the defendant at the time of the imposition of the sentence has a valid drivers license issued by this state, the court shall immediately collect the license and forward it to the Division of Motor Vehicles along with the report. If for any reason the license cannot be collected, the court shall include in the report the complete name, address, date of birth, eye color, and sex of the person, as well as the first and last date of the license suspension period imposed by the court.<sup>[1]</sup>

B. The court shall inform the person orally and in writing that if the person is convicted of operating a motor vehicle during the period of license suspension or postponement, the person shall be subject to the penalties set forth in N.J.S.A. 39:3-40. The defendant shall be required to acknowledge receipt of the written notice in writing. Failure to receive a written notice or failure to acknowledge in writing the receipt of the written notice shall not be a defense to a subsequent charge of a violation of N.J.S.A. 39:3-40.

C. If the person convicted under this article is not a New Jersey resident, the court shall suspend or postpone, as appropriate, the nonresident driving privilege of the person based on the age of the person and submit to the Division the required report. The court shall not collect the license of a nonresident convicted under this

article. Upon receipt of a report by the court, the Division shall notify the appropriate officials in the licensing jurisdiction of the suspension or postponement.

## Chapter 314. Noise

### § 314-2. Enforcement.

The provisions of this chapter shall be enforced by the Seaside Park Police Department or a Code Enforcement Official.

### § 314-3. Maximum permissible sound levels; exemptions.

A. No person shall cause, suffer, allow or permit the operation of any source of sound on a particular category of property or any public space or right-of-way in such a manner as to create a sound level that exceeds the particular sound level limits set forth in Table 1,<sup>[1]</sup> when measured at or within the real property line of the receiving property, except as provided in Subsection B.

B. When measuring noise within a dwelling unit of a multidwelling unit building, all exterior doors and windows shall be closed, and the measurements shall be taken in the center of the room.

C. The following are exempt from the sound level limits of Table 1:

- (1) Noise from domestic power tools, lawn mowers and agricultural equipment when operated, with a muffler, between the hours of 8:00 a.m. to 8:00 p.m. on weekdays and 9:00 a.m. to 8:00 p.m. on weekends and legal holidays, provided that they produce less than 85 dB at or within any real property line of a residential property.
- (2) Sound from church bells and church chimes when a part of a religious observance or service.
- (3) Noise from construction activity, provided that all motorized equipment used in such activity is equipped with functioning mufflers, except as provided in § 314-4B(5).
- (4) Noise from snowblowers, snow throwers and snow plows, when operated with a muffler, for the purpose of snow removal.
- (5) Noise from stationary emergency signaling devices that conforms to the provisions of N.J.A.C. 7:29.
- (6) Noise from an exterior burglar alarm of any building or motor vehicle, provided that such burglar alarm shall terminate its operation within 15 minutes after it has been activated.

### § 314-4. Prohibited acts.

A. No person shall cause, suffer, allow or permit to be made, verbally or mechanically, any noise disturbance. Noncommercial public speaking and public assembly activities conducted on any public space or public right-of-way shall be exempt from the operation of this section.

B. No person shall cause, suffer, allow or permit the following acts:

- (1) Sound reproduction systems. Operating, playing or permitting the operation or playing of any radio, television, phonograph or similar device that reproduces or amplifies sound in such a manner as to create a noise disturbance for any person other than the operator of the device.
- (2) Loudspeakers and public address systems. Using or operating any loudspeaker, public address system or similar device between the hours of 10:00 p.m. and 8:00 a.m. of the following day, such that the sound therefrom creates a noise disturbance across a residential real property line.
- (3) Animals and birds. Owning, possessing or harboring any pet animal or pet bird that frequently or for continued duration makes sounds that create a noise disturbance across a residential real property line. For the purpose of this section, a "noise disturbance from a barking dog" shall be defined as that created by a dog barking continually for 10 minutes or intermittently for 30 minutes, unless provoked.
- (4) Standing motor vehicles. Operating or permitting the operation of any motor vehicle, whose manufacturer's gross weight is in excess of 10,000 pounds, or any auxiliary equipment attached to such a vehicle for a period of longer than five minutes in any hour while the vehicle is stationary, for reasons other than traffic congestion or emergency work, on a public right-of-way or public space within 150 feet (46 meters) of a residential area between the hours of 8:00 p.m. and 8:00 a.m. of the following day.
- (5) Construction and demolition. Operating or permitting the operation of any tools or equipment used in construction, drilling, earthmoving, excavating or demolition work between the hours of 6:00 p.m. and 8:00 a.m. of the following day on weekdays or at any time on weekends or legal holidays, provided that such equipment is equipped with a functioning muffler, except for emergency work or when the sound level does not exceed any applicable limit specified in Table 1.

### § 314-5. Exceptions.

A. The provisions of this chapter shall not apply to:

- (1) The emission of sound for the purpose of alerting persons to the existence of any emergency, except as provided in § 314-3C(5) or (6);
  - (2) The emission of sound in the performance of emergency work; or
  - (3) The emission of sound in situations within the jurisdiction of the Federal Occupational Safety and Health Act.
- B. Noise from municipally sponsored or approved celebrations or events shall be exempt from the provisions of this chapter.

### § 314-6. Violations and penalties.

A. Violations of any provision of this chapter shall be cause for summons to be issued by the Seaside Park Police Department or a Code Enforcement Official.<sup>[1]</sup>

B. Violations and penalties. Any person who violates any one or more sections of this chapter shall be subject to the general penalty in Chapter 1, Article II, General Penalty, of the Borough Code.

C. Other remedies. No provision of this chapter shall be construed to impair any common law or statutory cause of action, or legal remedy therefrom, of any person for injury or damage arising from any violation of this chapter or from other law.

