

ORDINANCE 23-12C

AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, (1997)" AS THE SAME IN CHAPTER 135, WHICH PERTAINS TO PEACE AND GOOD ORDER

STATEMENT OF PURPOSE

This Ordinance amends Chapter 135 to codify the emergent juvenile curfew regulations adopted by the Township of Long Beach in 2020, 2021, and 2022.

SECTION I

§135-5 is repealed and replaced as §135-7 as follows.

§135-7 Violations and penalties.

- A. A violation of §§135-1 through -5 of this Chapter shall be punishable as provided in Chapter 1, General Provisions, Article III, General Penalty.
- B. A violation of §135-6 of this Chapter shall be punishable as provided in N.J.S.A. 40:48-2.52 and as otherwise permitted in Chapter 1, General Provisions, Article III, General Penalty.

SECTION II

§135-6 is redesignated §136-5 and a new §135-6 is hereby added as follows.

§135-6 Juvenile curfew.

- A. The following definitions shall apply to this Section.

JUVENILE

An individual who is under the age of 18 years.

GUARDIAN

A person, other than a parent, to whom legal custody of the juvenile has been given by court order or who is acting in the place of the parent or is responsible for the care and welfare of the juvenile.

PUBLIC PLACE

Any place to which the public has access, including but not limited to a public street, road, thoroughfare, sidewalk, bridge, alley, plaza, park, unimproved lots, recreation or shopping area, public transportation facility, vehicle used for public transportation, parking lot, or any other public building, structure, or area.

- B. Except as otherwise provided herein, juveniles shall not be permitted in any public place after 12:00 a.m. and until 5:00 a.m. the following day.
 - (1) Juveniles 14 through 17 years of age may travel to and from a business or occupation which the laws authorize a juvenile to perform.
 - (2) All juveniles may engage in errands involving medical emergencies and cultural, educational, and social events sponsored by religious or community-based organizations during curfew hours.
- B. Juveniles may be permitted outside in any public areas set forth above after 12:00 a.m. and until 5:00 a.m. the following day, provided they are accompanied by their parent or legal guardian.
- C. It shall be unlawful for any parent or guardian to knowingly allow an unaccompanied juvenile to be in any area set forth in Paragraph A above after 12:00 a.m. and until 5:00 a.m. the following day.

SECTION IV

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

SECTION V

If any word, phrase, clause, section, or provision of this ordinance shall be found by any Court of competent jurisdiction to be unenforceable, illegal, or unconstitutional, such word, phrase, clause, section, or provision shall be severable from the balance of the ordinance and the remainder of the ordinance shall remain in full force and effect.

Effective date.

This ordinance shall take effect after final adoption and publication as required by law.

NOTICE

Public Notice is hereby given that the foregoing Ordinance 23-12C was introduced and passed on the first reading at a regular meeting of the Board of Commissioners of the Township of Long Beach, County of Ocean, State of New Jersey, held on Monday, March 6, 2023, at 4:00 p.m.

Further public notice is hereby given that said ordinance shall be considered for final passage and adoption at a regular meeting of the Board of Commissioners to be held on Monday, April 3, 2023, at 4:00 p.m. at the Public Safety Building, 6805 Long Beach Blvd., Brant Beach, NJ 08008.

Danielle La Valle, RMC
Municipal Clerk

First Reading: March 6, 2023
Publication: March 9, 2023
Second Reading: April 3, 2023
Final Publication: April 6, 2023
Effective: April 6, 2023

CERTIFICATION

I, **DANIELLE LAVALLE, RMC**, Municipal Clerk for the Township of Long Beach do hereby certify that the foregoing Ordinance 23-12C was duly adopted by the Board of Commissioners at their meeting held on Monday, April 3, 2023, at 4:00 p.m.

Danielle La Valle, RMC
Municipal Clerk

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