

ORDINANCE 2023-18

AN ORDINANCE OF THE BOROUGH OF SEASIDE HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING THE BOROUGH CODE OF THE BOROUGH OF SEASIDE HEIGHTS, SO AS TO AMEND CHAPTER 72, ENTITLED "CURFEW"

BE IT ORDAINED by the Mayor and Borough Council of the Borough of Seaside Heights, County of Ocean, and State of New Jersey, as follows:

SECTION 1. The Borough Code of the Borough of Seaside Heights is hereby amended and supplemented so as to amend Chapter 72 entitled "Curfew," so as to amend in its entirety § 72-1 entitled "Statement of purpose" so that it shall read as follows:

The Borough of Seaside Heights defines and declares that the purpose of this chapter is to protect and preserve the health, safety and welfare of the residents of the Borough, including its children and property, by setting curfews on all children under 18 years of age.

SECTION 2. The Borough Code of the Borough of Seaside Heights is hereby amended and supplemented so as to amend Chapter 72 entitled "Curfew," so as to amend § 72-2 entitled "Definitions" so as to amend the definition for the word "Juvenile" so that it shall read as follows:

JUVENILE

Any individual who is under the age of 18 years.

SECTION 3. The Borough Code of the Borough of Seaside Heights is hereby amended and supplemented so as to amend Chapter 72 entitled "Curfew," so as to amend in its entirety § 72-3 entitled "Unaccompanied juveniles in public places prohibited at certain times" so that it shall read as follows:

- A. No juvenile under 18 years of age shall be permitted on any public street or in any public place including the beach, boardwalk, bayfront or recreational parks between the hours of 10:00 p.m. and 5:00 a.m., unless accompanied by the juvenile's parent or guardian, or unless engaged in, or traveling to or from a business or occupation which the laws of this state, including, but not limited to, N.J.S.A 34:2-21.2, authorize a juvenile to perform.
- B. It shall be unlawful for any parent or guardian to allow an unaccompanied juvenile to be on any public street or in any public place between the hours prohibited by this chapter. The parent or guardian of the juvenile shall be notified by the local police of

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any charge made against the juvenile for a violation of the provisions of this chapter. Any parent or guardian who knowingly allows a juvenile in his or her legal custody to be in, on or about any public street or other public place between the hours of 10:00 p.m. and 5:00 a.m., except as specified in §72-4 shall be in violation of this chapter.

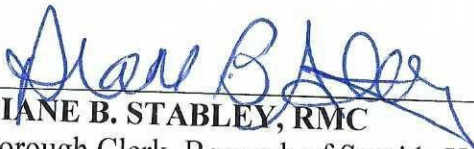
SECTION 4. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 5. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 6. This ordinance shall take effect after second reading and publication as required by law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed by the Borough Council on first reading at a meeting of the Borough Council of the Borough of Seaside Heights held on the **21st day of June, 2023**, and will be considered for second reading and final passage at a regular meeting of the Borough Council to be held on the **19th day of July, 2023** at 5:00 p.m., at the George E. Tompkins Municipal Complex, 116 Sherman Avenue, Seaside Heights, New Jersey, above the firehouse, at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.



DIANE B. STABLEY, RMC
Borough Clerk, Borough of Seaside Heights

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