

CITY OF WILDWOOD
Cape May County, New Jersey

ORDINANCE NO. 1261-23

ORDINANCE OF THE CITY OF WILDWOOD AMENDING AND SUPPLEMENTING CHAPTER 3, "POLICE REGULATIONS", SECTIONS 3-1A3, 3.3, 3-22, AND 3-23; AND CHAPTER 4, "BEACH AND RESORT REGULATIONS", SECTIONS 4-1.2, 4-1.8, 4-2.7, AND 4-2A OF THE REVISED GENERAL ORDINANCES OF THE CITY OF WILDWOOD, NEW JERSEY

BE IT ORDAINED by the Board of Commissioners of the City of Wildwood, in the County of Cape May, New Jersey, as follows:

Section 1. Chapter 3, "Police Regulations", Section 3-1A.3, "Discretion of Police Officer", is hereby amended as follows:

The following sentence shall be added to the end of the above-referenced section: "Any such violation of this section shall constitute a breach of the peace."

Section 2. Chapter 3, "Police Regulations", Section 3-2, "Curfew For Minors", Subsection 3-2.3, "Prohibition", is hereby amended as follows:

The following sentence shall be added to the end of the above-referenced subsection: "Any congregation of ten or more juveniles occurring during these hours in the presence of a law enforcement officer shall constitute a breach of the peace."

Section 3. Chapter 3, "Police Regulations", Section 3-3, "Possession, Consumption of Alcoholic Beverages by Underage Persons on Private Property", Sub-section 3-3.3, "Additional Penalties; Suspension of Driving Privileges", is hereby amended as follows:

The following sentence shall be added to Subsection 3-3.3 as new sub-paragraph (e): "Any violation of this section shall constitute a breach of the peace."

Section 4. Chapter 3, "Police Regulations", Section 3-22, "Noise From Radios, Tape Players, Loud Speakers, Sound Amplifiers", is hereby amended as follows:

The following sentence shall be added to the end of sub-paragraph (b): "Any violation of this section shall constitute a breach of the peace."

Section 5. Chapter 3, "Police Regulations", Section 3-23, "Smoking Prohibited In Certain Public Facilities and Public Areas", Subsection 3-23.11, "Violations and Penalties", is hereby amended as follows:

The following sentence shall be added to the end of Subsection 3-23.11: "Any violation of this section shall constitute a breach of the peace."

Section 6. Chapter 4, "Beach and Resort Regulations", Section 4.1, "General Beach and Boardwalk Regulations", Subsection 4-1.2, "Boardwalk – Prohibited Acts", is hereby amended as follows:

The following sentence shall be added to the end of Subsection 4-1.2 as new sub-paragraph (c): "Any violation of this subsection shall constitute a breach of the peace."

Section 7. Chapter 4, "Beach and Resort Regulations", Section 4.1, "General Beach and Boardwalk Regulations", Subsection 4-1.8, "Beach – Prohibited Acts", is hereby amended as follows:

The following sentence shall be added to the end of Subsection 4-1.2 as new sub-paragraph (b): "Any violation of this subsection shall constitute a breach of the peace."

Section 8. Chapter 4, "Beach and Resort Regulations", Section 4.2, "Additional Resort Regulations", Subsection 4-2.7, "Disruption of Public Peace", is hereby amended as follows:

The following sentence shall be added to the end of Subsection 4-2.7: "Any violation of this subsection shall constitute a breach of the peace."

Section 9. Chapter 4, "Beach and Resort Regulations", Section 4.1, "General Beach and Boardwalk Regulations", Subsection 4-2A, "Public Parks and Recreation Areas", Subsection 4-2A.1, is

hereby amended as follows:

The following sentence shall be added to the end of Subsection 4-2A.1: “Any violation of this subsection shall constitute a breach of the peace.”

Section 10. The remainder of all other sections and subsections of the aforementioned ordinances not specifically amended by this Ordinance shall remain in full force and effect.

Section 11. All other ordinances in conflict with or inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

Section 12. If any portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction such judgment shall not affect or invalidate the remainder of this ordinance but shall be confined in its effect to the provision directly involved in the controversy in which such judgment shall have been rendered.

Section 13. This ordinance shall become effective twenty (20) days from final passage and advertisement thereof as required by law.

Krista Fitzsimons, Commissioner

Steve Mikulski, Commissioner

Peter Byron, Mayor

Attest: _____
Lisa A. Brown, City Clerk

**The above ordinance was introduced and passed first reading on May 10, 2023.
Second Reading/Public Hearing on the above ordinance was held on May 24, 2023.
The above ordinance passed second reading on May 24, 2023.**

Lisa A. Brown, City Clerk

