

Manasquan Borough Loitering Ordinance ***(Repealed on May 5, 2008)***

3-6 LOITERING.

3-6.1 Definitions.

As used in this section:

Loitering shall mean remaining idle in essentially one (1) location, including the concepts of spending time idly or loafing or walking about aimlessly.

Parent or guardian shall mean any adult person having care or custody of a minor, whether by reason of blood relationship, the order of any Court or otherwise.

Public place shall mean any place to which the public has access, including any street or sidewalk. It shall also include the front or the neighborhood of any store, shop, restaurant, tavern or other place of business, and public grounds, areas, parks, as well as parking lots or other vacant private property not owned by or under the control of the person charged with violating this section, or in the case of a minor, not owned or under the control of his parent or guardian.

3-6.2 Loitering Restrictions.

No person shall loiter in a public place in such manner as to:

- a. Create or cause to be created a danger of breach of the peace.
- b. Create or cause to be created any disturbance or annoyance to the comfort and repose of any person.
- c. Obstruct the free passage of pedestrians or vehicles.
- d. Obstruct, molest or interfere with any person lawfully in any public place as defined in subsection 3-6.1. This paragraph shall include the making of unsolicited remarks of an offensive, disgusting or insulting nature or which are calculated to annoy or disturb the person to whom or in whose hearing they are made.

3-6.3 Refusal to Obey Order of Police Officer.

Whenever any Police Officer shall, in the exercise of reasonable judgment, decide that the presence of any person in any public place is causing or is likely to cause any of the conditions enumerated in subsection 3-6.2, he may, if he deems it necessary for the preservation of the public peace and safety, order that person to leave that place. Any person who shall refuse to leave after being ordered to do so by a Police Officer shall be guilty of a violation of that subsection.

3-6.4 Minors.

- a. No parent or guardian of a minor under the age of eighteen (18) years shall knowingly permit

that minor to loiter. Whenever any minor under the age of eighteen (18) years is charged with this violation, his parent or guardian shall be notified of this fact by the Chief of Police or any other person designated by him to give such notice.

b. If at any time within sixty (60) days following the giving of notice, as provided, the minor to whom such notice relates again violates this section, it shall be presumed in the absence of evidence to the contrary that the minor did so with the knowledge and permission of his parent or guardian.

Information on Repeal

BOROUGH OF MANASQUAN
ORDINANCE NO. 2025-08

AN ORDINANCE TO REPEAL SECTIONS 3-6 (LOITERING) AND 3-19.13 (LOITERING FOR UNLAWFUL PURPOSES) OF CHAPTER 3 (POLICE REGULATIONS) OF THE MUNICIPAL CODE IN THE BOROUGH OF MANASQUAN, MONMOUTH COUNTY, NEW JERSEY.

BE IT ORDAINED, by the Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey, as follows:

Section 1. Sections 3-6 (Loitering) and 3-19.13 (Loitering for Unlawful Purposes) of Chapter 3 (Police Regulations) of the Code of the Borough of Manasquan are repealed.

Section 2. If any part or parts of this Ordinance are for any reason held to be invalid, such adjudication shall not affect the validity of the remaining portions of this Ordinance.

Section 3. All ordinances or parts of ordinances which are inconsistent herewith are repealed, but only to the extent of such inconsistency. All other parts of Chapter 3 of the Code of the Borough of Manasquan not inconsistent herewith are ratified and confirmed.

Section 4. This Ordinance shall become effective immediately following its final passage and publication as required by law.

NOTICE

PUBLIC NOTICE IS HEREBY GIVEN that Ordinance No. 2025-08 was introduced at a meeting of the Mayor and Council of the Borough of Manasquan, in the County of Monmouth

and State of New Jersey, on the 21st day of April, 2008, and was then read for the first time. The said ordinance will be further considered for final passage by the Mayor and Council at Borough Hall, 201 East Main Street, Manasquan, NJ 08736 at 8:00 p.m. on the 5th day of May, 2008. At such time and place, or at any time or place to which said meeting may be adjourned, all persons interested will be given an opportunity to be heard concerning said ordinance. A copy of this ordinance can be obtained without cost by any member of the general public at the office of the Municipal Clerk in Borough Hall between the hours of 9:00 a.m. and 4:00 p.m. on Monday through Friday, except on legal holidays.

COLLEEN SCIMECA, RMC, CMC
Municipal Clerk

KENNETH B. FITZSIMMONS
Municipal Attorney
501 Trenton Avenue
Point Pleasant Beach, NJ 08742