

AN ORDINANCE TO PREVENT LOITERING  
WITHIN THE TOWNSHIP, OF WINFIELD,  
COUNTY OF UNION, STATE OF NEW JERSEY

BE IT ORDAINED by the Township Committee of the Township of Winfield in the County of Union that:

Section 1. Definitions, As used in this Ordinance

(a) "Loitering" shall mean remaining idle in essentially one location and shall include the concepts of spending time idly, loafing or walking about aimlessly, and shall also include the colloquial expression "hanging around".

(b) "Public Place" shall mean any place to which the public has access and shall include any street, highway, road, alley 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 ordinance or in the case of a minor, not owned or under the control of his parent or guardian.

(c) "Parent or Guardian" shall mean and include any adult person having care or custody of a minor, whether by reason of blood relationship the order of any court or otherwise.

SECTION 2. Certain Types of Loitering Prohibited. No person shall loiter in a public place in such a manner as to:

- (a) Create or cause to create a danger of a 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 and vehicles.
- (d) Obstruct or molest, or interfere with any person lawfully in any public place as deemed in Section 1. (b). 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, or in whose hearing, they are made.

Section 3. Discretion 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 Section 2, he may, if he deems it necessary for the preservation of the Public peace and safety, order that person to leave the 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 this Ordinance.

Section 4. Loitering by Minors

No Parent or guardian of a minor under the age of eighteen (18) years shall knowingly permit that minor to loiter in violation of this Ordinance.

Section 5. Notice of Violation

Whenever any minor under the age of eighteen (18) years is charged with a violation of this Ordinance, 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.

Section 6. Presumption

If at any time within thirty (30) days following the giving of notice as provided in Section 5, the minor to whom such notice relates again violates this Ordinance, 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.

Section 7. Any person violating any of the provisions of this Ordinance shall upon conviction be punished by a fine not exceeding \$200.00 or by imprisonment not exceeding thirty (30) days, or both, in the discretion of the court.

Section 8. All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 9. This Ordinance shall take effect immediately after passage and publication as provided by law.

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NOTICE

The foregoing Ordinance was introduced and approved on first reading at a meeting of the Township Committee of the Township of Winfield, in the County of Union on November 11, 1974 and was adopted on final reading at a meeting of the Township Committee held November 21, 1974, at the Municipal Building, 12 Gulfstream Avenue, Winfield, N.J.



Arthur Weekes  
Township Clerk