

**Article 5
Weed Control**

Sections:

- 8.56.210** **Acceptance of standards.**
- 8.56.220** **Title.**
- 8.56.230** **Copies on file.**
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**Article 1
Nuisances, Public Health**

8.56.010 **Acceptance of standards.**

A code defining and prohibiting certain matters, things, conditions or acts, and each of them, as a nuisance; prohibiting certain noises or sounds; requiring the proper heating of apartments; prohibiting lease or rental of certain buildings; prohibiting spitting in or upon public buildings, conveyances or sidewalks; authorizing the inspection of premises by an enforcing official; providing for the removal or abatement of certain nuisances and recovery of expenses incurred by the borough council or the board of health in removing or abating such nuisances; and prescribing penalties for violations, is established pursuant to Chapter 188, Laws of 1950. A copy of said code is annexed hereto and made a part hereof without the inclusion of the text thereof herein. (Prior code § 115-1)

8.56.020 **Title—Nuisances designated.**

A. The said code established and adopted by this article is described and commonly known as the "Public Health Nuisance Code of New Jersey (1953)." It also will include the following public nuisances which are unlawful acts.

B. Public Nuisances—Unlawful Acts. It is unlawful, and shall be a public nuisance, for any person:

1. To make any indecent exposure or exhibition of any kind in or upon any street, road, highway, place, alley or lane, public or private, in the borough; or
2. To expose to public view, within the aforesaid borough, his or her genitals, pubic hair, buttocks, perineum, anal region or pubic hair region; or
3. To engage, within the aforesaid borough, in any practice having a tendency to annoy persons passing on the streets or sidewalks, while sitting or standing on porches or lawns or yards facing the streets or sidewalks, by the making of indecent gestures or acts; or
4. To engage, within the aforesaid borough, in any practice, while passing on the streets or sidewalks, having a tendency to annoy persons sitting or standing on porches or lawns or yards facing the streets or sidewalks, by the making of indecent gestures or acts; or
5. To make any indecent exposure of his or her private parts or engage in any lewd or indecent act or behavior; or
6. To urinate or defecate in public places or streets, or on the lawns or yards of private homes and residences, or in the public view; or

7. To possess a radio, phonograph, tape or cassette player, television, musical instrument loud-speaker, or amplifier, or other machine or device for the electronic or stereophonic production or reproduction of sound that is operated on any public street, highway, building, sidewalk, park, recreation area, thoroughfare, or other public place, and any vehicle on a public street, highway or public space that disturbs the quiet enjoyment of the borough; or

8. To bring, consume or possess an open container of alcoholic beverage or wine in any public place within the borough other than those public places covered by an alcoholic beverage consumption license issued pursuant to Title 33 of the New Jersey Statutes or where consumption of malt alcohol or wine is permitted by N.J.S.A. 2A:170-25.21; or

9. To set off or discharge any revolver, rifle, shotgun, pistol, gun, cannon, weapon or firearm of any description using cartridges or gunpowder for ammunition, provided that nothing contained herein shall be construed to extend to any police officer in the line of duty; or

10. To possess, discharge, set off, fire or light any roman candle, carbide cannon, dynamite cap, rocket, firecracker or other fireworks within the borough; or

11. To revel, quarrel, fight, brawl or otherwise engage in any disorderly conduct so as to disturb the public peace and quiet; or

12. To beg or solicit food or monies within the borough; or

13. To disturb a person of ordinary sensibilities so as to cause such person to react immediately in such a way as to threaten by physical violence the peace and order of the public. A disturbance within the scope of this paragraph is 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; or

14. To sleep in any parked vehicle in any location in the borough; or

15. To interfere or annoy the comfort or general well being of the inhabitants of this borough; or

16. To make, cause or suffer or permit to be made or caused upon any premises owned, occupied or controlled by him or her or it, or upon any public street, alley or thoroughfare in this municipality, any unnecessary noises or sounds by means of the human voice, or by any other means or methods which are physically annoying to persons, or which are so harsh, or so prolonged or unnatural, or unusual in their use, time and place as to occasion physical discomfort, or which are injurious to the lives, health, peace and comfort of the inhabitants of this municipality. (Ord. 98:09 § 1, 1998: prior code § 115-2)

8.56.030 Copies on file.

Three copies of the said Public Health Nuisance Code of New Jersey (1953) have been placed on file in the office of the clerk of this local board of health upon the introduction of this article and will remain on file there for the use and examination by the public. (Prior code § 115-3)

8.56.040 Violations and penalties.

Any person who violates or neglects to comply with any provision of this article or code established herein or notice issued pursuant thereto shall, upon conviction thereof, be liable to a penalty of