

ORDINANCE NO. 2535

AN ORDINANCE AMENDING CHAPTER III, SECTION 3-9.1 OF THE CODE OF THE BOROUGH OF ROSELLE PARK ENTITLED, "POLICE REGULATIONS; PEACE AND GOOD ORDER; PROHIBITIONS"

BE IT ORDAINED by the Mayor and Council of the Borough of Roselle Park, County of Union and State of New Jersey that Chapter III, Section 3-9.1 of the Code of the Borough of Roselle Park be and hereby is amended as follows:

SECTION 1. 3-9.1 Prohibitions.

No person or contractor shall, within the limits of the Borough:

- a. Play, operate or use any television, radio, phonograph or tape equipment or other sound-producing instrument, device or apparatus in such a manner that the sound thereof shall annoy any person or persons or disturb the comfort, rest or repose of any person or persons.
- b. Permit, make or continue or cause to be permitted, made or continued any unnecessary noise, produced by human or mechanical means, which shall disturb the comfort, rest, and repose of any person or persons being in his or their place of abode or at any public or private meeting or at church services.
- c. Keep or harbor any dog or other animal which shall disturb the neighborhood by excessive barking, whining or howling.
- d. Throw or discard any cans, bottles, refuse or garbage of any kind whatsoever into the waters of any pond, stream, lake or river, or upon a public street or public place, or discharge any sewage or waste into the waters or places, or any of them, or pollute the waters in any manner whatsoever.
- e. Throw any papers, sticks, glass, metal or any hard, dangerous or offensive substances upon any sidewalk, street, highway or public place or at any automobile, vehicle, house, building, fence or person.
- f. Participate in any practice, sport or exercise in such a manner so as to annoy, disturb or frighten any person or persons on any sidewalk, street, road, park or other private or public place.
- g. Disrupt or disturb the exercises of any public school or any lawful assembly therein, or interfere with or annoy any child attending such school or any teacher therein.
- h. Intentionally, willfully or maliciously destroy or injure any of the wires, posts, machines, bells, signs, boxes, box or any other apparatus of any fire alarm system or intentionally, willfully or maliciously interfere with the same or any part thereof or hinder or impede any of the operations intended to be accomplished thereby.
- i. Hinder, prevent or deter by any device whatsoever any Firefighter or any person from rendering lawful assistance in abating or quenching a fire, or hinder or interfere with any Firefighter going to or returning from any fire or place from which a fire alarm proceeds, or hinder or obstruct any fire engine, hook and ladder truck, hose cart or other fire apparatus going to or from any place from which a fire alarm proceeds or where any building or property may be burning.

j. Interfere with or obstruct a Police Officer (whether a regular Police Officer or Special Law Enforcement Officer), a member of the auxiliary Police of the Civil Defense-Disaster Control Bureau or a member of the First Aid Squad of the Borough, whether in uniform or not, in the carrying out of his duties or functions.

k. Enter or remain upon the land or property of any person without lawful permission to do so.

l. Urinating, expectorating or defecating in a public place, other than a wash room or toilet room, under circumstances where such act is or could be observed by a member of the public situated in or near a public place. The term "public place," for the purposes of the within section is defined as "an area generally visible to the public view and includes but is not limited to streets, sidewalks, bridges, alleys, plazas, parks, driveways, parking lots, automobiles, buildings open to the public and doorways and entrances to buildings or dwellings and the grounds enclosing same."

m. Operate or permit the use or operation of any mechanically powered saws, drills, sanders, grinders and tools, including similar devices outdoors in residential areas.:

1. The following activities shall be expressly permitted and otherwise exempt from the prohibitions set forth in paragraph m., above:

(a) Any person operating mechanically powered saws, drills, sanders, grinders, and tools, including similar devices outdoors in residential areas on Monday through Friday from 7:00 a.m. to dusk.

(b) Any person operating mechanically powered saws, drills, sanders, grinders, and tools, including similar devices outdoors in residential areas on Saturdays, Sundays, and holidays from 8:00 a.m. to dusk.

~~1. Between the hours of dusk and 7:00 a.m., the following day. This paragraph shall not apply to the use of domestic devices in cases of emergency in the interest of public health.~~

~~2. Saturday, Sunday and holidays from 8:00 a.m. prevailing time until dusk.~~

SECTION 2. Invalidity

If any section or portion of a section of this Code shall be invalid for any reason, such invalidity shall not affect the validity of the remaining sections or portions of this Ordinance.

SECTION 3. Inconsistent Ordinances Repealed.

All ordinances or parts of ordinances, to the extent that they are inconsistent herewith, are hereby repealed.

SECTION 4. Captions.

Captions contained in this Ordinance have been included only for the purpose of facilitating reference to the various sections and are not intended and shall not be utilized to construe the intent and meaning of the text of any section.

SECTION 5. Effective Date.

This amendment to the Code of the Borough of Roselle Park shall become effective upon publication and in accordance with law.