

ORDINANCE 04-2011

**BOROUGH OF SEA GIRT
COUNTY OF MONMOUTH
STATE OF NEW JERSEY**

**AN ORDINANCE REGULATING THE TIME PLACE AND MANNER OF
DEMONSTRATIONS, PICKET LINES AND OTHER CONDUCT**

SECTION I. Purpose:

The Borough possesses significant governmental interests in preserving and protecting the peace and good order for the benefit of all residents of the Borough. An ordinance to establish content neutral time, place and manner regulations governing demonstrations is hereby enacted for that purpose. Any person or persons engaged in conduct consisting of a demonstrations, picketing and the like shall conform such conduct to the time, place and manner requirements set forth hereinafter. Any violation of this ordinance is punishable by a fine not to exceed \$1,000.00.

SECTION II. Permitted Times:

No demonstration, picketing, protesting or similar conduct shall occur between the hours of 9:00 p.m. and 8:00 a.m.

SECTION III. Streets and other public right of ways:

No demonstration, picket line, protest or similar conduct shall interrupt or interfere with the free flow of vehicular and pedestrian traffic upon public roadways, sidewalks and other public areas or block or impede access to any private property without the consent of the owner. No structure defined as any assemblage of materials for use in demonstrating, picketing, protesting or aiding similar conduct, shall be erected on public property or within the public roadways, sidewalks or any other public areas. Use of hand held signs containing a maximum area of 25 square feet shall however be permitted notwithstanding the foregoing.

SECTION IV. Disorderly Conduct Prohibited:

No person or persons engaged in acts of demonstration, picketing or the like shall disrupt the peace or engage in conduct serving no legitimate purpose other than to annoy, alarm, incite, disrupt or disturb others under the circumstances.

SECTION V. Prohibited Locations and required buffers:

No person or persons shall engage in a demonstration, picketing or other similar conduct in front of residential homes. No demonstration, picketing or similar conduct shall take place within 200 feet of any church or house of worship or within 200 feet of any funeral procession or school building during school hours.

SECTION VI. Maintenance:

Any demonstration, picket line or similar conduct shall be engaged in responsibly with due regard for public property and the rights of others. Persons engaging in such conduct shall not discard debris on the public streets or other public areas. Any and all liter, debris or other items or materials associated with such demonstration, picket or other conduct shall be removed at the conclusion of the demonstration, picket or similar event.

SECTION VII. Enforcement:

The provisions of this Article shall be enforced by the Police Department of the Borough of Sea Girt.

SECTION VIII. Severability:

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

SECTION IX. Effective date:

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.