

6.10.14

BOROUGH OF BERLIN

ORDINANCE NO. 2014-_____

**AN ORDINANCE AMENDING AND SUPPLEMENTING
THE CODE OF THE BOROUGH OF BERLIN CREATING
A NEW CHAPTER 150, ENTITLED "DISTURBING THE PEACE"**

BE IT ORDAINED by the Mayor and Council of the Borough of Berlin, County of Camden, State of New Jersey, as follows:

SECTION 1. Chapter 150 of the Code of the Borough of Berlin is hereby designated as "Disturbing the Peace," to read as follows:

**Chapter 150
DISTURBING THE PEACE**

§ 150-1. Definitions.

Unless the context clearly indicates a different meaning, the following words or phrases, when used in this Chapter, shall have the following meaning:

PUBLIC PLACE - a place to which the public or a substantial group has access; among the places included are highways, transport facilities, schools, apartment houses, places of business or amusement, or any neighborhood.

§ 150-2. Disturbing the peace.

No person shall, in a public place, conduct themselves or act in such manner as to:

- A. Create or cause to be created 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 or vehicles.
- D. Obstruct, molest or interfere with any person lawfully in any public place, as heretofore defined. This subsection 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.

§ 150- 3. Violations and penalties.

- A. Any person found guilty of a violation of the provisions of this Chapter shall be subject to a fine of not less than \$100 nor more than \$2,000, imprisonment for not more than 90 days and/or a period of community service not to exceed 90 days. Each day on which a violation occurs shall be considered a separate offense.
- B. Any person who is convicted of violating this Chapter within one (1) year of the date of a previous violation, shall be subject to an additional fine as a repeat offender. The additional fine imposed upon a person for a repeated offense shall not be less than the minimum or exceed the maximum fine fixed for a violation, but shall be calculated separately from the fine imposed for the current violation.

SECTION 2. All ordinances or parts of ordinances which are inconsistent with the provisions hereof, are, to the extent of such inconsistencies, hereby repealed.

SECTION 3. This ordinance shall take effect upon final passage, adoption, and publication in the manner prescribed by law.

Attest:

BOROUGH OF BERLIN

Charleen Santora, RMC

John J. Armano, Mayor