

**ORDINANCE NO 18-06**

**AN ORDINANCE TO AMEND CHAPTER 246: PEACE AND GOOD ORDER SO AS TO ADD ARTICLE III TO GOVERN THE PROHIBITION OF URINATING IN PUBLIC**

**BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF WOODCLIFF LAKE IN THE COUNTY OF BERGEN AND STATE OF NEW JERSEY, AS FOLLOWS:**

**WHEREAS**, to ensure peace and good order, it is the desire of the Mayor and Council of the Borough of Woodcliff Lake that an Ordinance be established to set for the Laws and Regulations to govern the prohibition of urinating in public.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Borough of Woodcliff Lake, Bergen County, New Jersey, as follows:

**Section 1.** That Chapter 246 of the Borough Code is amended to add Article III beginning at subsection §246-30 to govern the prohibition of urinating in public.

**Section 2.** That Article III, beginning at §246-30 and continuing in sequence shall read as:

**ARTICLE III – PUBLIC URINATION**

**§246-30 Urinating in Public.**

It is unlawful to urinate or defecate in any public area, public place or within view of the public except in public rest rooms provided for that purpose.

**§246-31 Violations and Penalties.**

Any person adjudged guilty of a violation of the provisions of this article shall, upon conviction thereof in the Municipal Court, be punished by fine not less than \$250.00 and not exceeding \$1,000, imprisonment for a term not exceeding 90 days and/or a period of community services for not more than 90 days, at the discretion of the Court.

**§246-32 Exemptions.**

The enforcement provisions of this ordinance shall not apply to the following individuals who may not be able to adequately control the bodily functions that control urination or defecation:

(a) Children ten years of age or younger;

(b) Persons of any age who violate this ordinance due to a verified medical, and/or psychiatric condition.

**Section 3.** All prior ordinances that are inconsistent with this ordinance are repealed. All ordinances are hereby amended to be consistent with this ordinance and all ordinances, including this one, shall be construed consistent with the express purpose of this ordinance.

**Section 4.** This ordinance shall be construed consistent with the purpose stated in section 1 hereof. Any ambiguities in this ordinance shall be construed in accordance with the purpose of this ordinance. If any part of this ordinance is invalidated by a court of competent jurisdiction, the remainder of this ordinance shall be saved to the full extent possible. This ordinance repeals provisions of the Woodcliff Lake Code only where stated herein; otherwise this ordinance is amendatory and supplementary to existing provision of the Woodcliff Lake Code.

**Section 5.** This ordinance shall take effect immediately upon approval and publication of notice of adoption as provided by law.