


● HUNTERDON COUNTY N.J. ●
BOROUGH OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
ORDINANCE NO. 2020-07

AN ORDINANCE OF THE BOROUGH OF LEBANON, COUNTY OF HUNTERDON TO AMEND CHAPTER 140, DISORDERLY CONDUCT OF THE LEBANON BOROUGH ORDINANCES TO PROHIBIT URINATION OR DEFECATION IN PUBLIC PLACES

WHEREAS, it has recently come to the attention of members of the Governing Body of the Borough of Lebanon that persons have, or attempted to urinate and/or defecate in public places within the Borough; and

WHEREAS, such activity, in addition to being against public peace and decency, may affect the public health and safety of the residents of the Borough of Lebanon.

NOW THEREFORE BE IT ORDAINED by the Council of the Borough of Lebanon, with the approval of the Mayor, that Chapter 140, Disorderly Conduct of Lebanon Borough Ordinances be amended to add the following provisions:

1. URINATION/DEFECATION IN PUBLIC PLACES; EXPOSURE

A. DEFINITION OF PUBLIC PLACE. A public place shall mean any place to which the public has access and includes any street, highway, road, alley, boardwalk or sidewalk. It shall also include the front or neighborhood of any store, shop, restaurant, tavern, or other place of business and public grounds, areas, parks, as well as parking lots or the vacant property not owned by or under the control of the person charged with violating this section or, in the case of a minor, not owned or under the control of his or her parent or guardian.

B. PROHIBITIONS.

a. It shall be unlawful for any person to urinate or defecate, in or upon any public place, or any other places open to or used by the public, other than when using a toilet, urinal, or commode located in a restroom, bathroom, or structure enclosed from public view.

b. No person shall expose his/her genitals in a public place, or in public view, or in an area to which the public is invited or has access.

C. ENFORCEMENT. Enforcing provisions of this section shall not apply to the following individuals who may not be able to adequately control the bodily functions that control urination or defecation:

- (1) Children under 9 years of age or younger.
- (2) Persons of any age who violate this article due to a verified medical and/or psychiatric condition.

D. VIOLATIONS AND PENALTIES. Any person violating any provision of this section, upon conviction, shall be subject to General Penalty provisions of Ordinance #2010-4 of the Borough of Lebanon.

2. CONTINUITY.

All other provisions of Chapter 140 – Disorderly Conduct shall remain unchanged, and in full force and effect.

3. SEVERABILITY.

In event that any clause, section, paragraph, or sentence of this Ordinance is deemed to be invalid or unenforceable for any reason; it shall be deemed severable, and the Borough Council hereby declares its intent that the balance of the Ordinance shall not be affected by the said invalidity, and the remainder shall remain in full force and effect.

4. EFFECTIVE DATE.

This Ordinance shall take effect upon final adoption and publication in accordance with the law.

Vote after public hearing and upon final adoption:

Burton ___ 1 ___
Berger ___ 1 ___
Junge ___ 1 ___
Baldinger ___ 1 ___
Saharic ___ 1 ___
Harris ___ 1 ___

Ordinance approved by the Governing
Body and presented to the Mayor on
_____, 2020

Veto in Whole or Part:

Approved:

{or}

James Pittinger, Mayor
Date:

James Pittinger, Mayor
Date:

Returned to Borough Clerk with statement attached on _____, 2020

NOTICE

TAKE NOTICE that the above ordinance was introduced at a regular meeting of the Borough Council of the Borough of Lebanon on July 15, 2020 and will be considered for final passage after public hearing at a regular meeting of the Borough Council of the Borough of Lebanon to be held on August 19, 2020 at 7:30 p.m. in the Municipal Building, located at 6 High Street, Lebanon, New Jersey

Karen M. Romano,
Borough Administrator/Clerk

**BOROUGH OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
ORDINANCE 2020- 06**

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HUNTERDON TO AMEND CHAPTER 140, DISORDERLY CONDUCT OF
THE LEBANON BOROUGH ORDINANCES TO PROHIBIT URINATION OR
DEFECATION IN PUBLIC PLACES**

NOTICE is hereby given that the above Ordinance was introduced and passed on first reading at a meeting of the Borough Council of the Borough of Lebanon, in the County of Hunterdon, State of New Jersey, held in the Municipal Building on the 15th day of July 2020, and the same came up for final passage at a meeting of the said Borough Council on the 19th day of August, 2020 at which time, after persons interested were given an opportunity to be heard concerning said ordinance, the same was passed and will be in full force in the Borough according to law by order of the Borough Council of the Borough of Lebanon, County of Hunterdon and State of New Jersey.

Karen M. Romano, RMC
Borough Administrator/ Clerk

**INTRODUCED: July 15, 2020
ADOPTED: August 19, 2020**