

**CITY OF SEA ISLE CITY
NEW JERSEY**

ORDINANCE NO. 1693 (2023)

**AN ORDINANCE TO AMEND THE REVISED GENERAL
ORDINANCES OF THE CITY OF SEA ISLE CITY, CHAPTER 3 ENTITLED
“CONDUCT IN PUBLIC AND PRIVATE PLACES” TO REGULATE THE
POSSESSION OF CERTAIN ITEMS IN PUBLIC AREAS WITHIN THE CITY**

WHEREAS, the Council of the City of Sea Isle City continues to review and update its ordinances; and

WHEREAS, the City has an interest in ensuring that all public areas are safe for citizens and visitors; and

WHEREAS, events around the Country where individuals, acting alone or in concert with others, have used improvised weapons to inflict injury on members of the public and law enforcement personnel, thereby posing a real and serious threat to life and safety; and

WHEREAS, individuals, acting alone or in concert with others, have utilized backpacks and similar items to carry items prohibited by state law, and used such prohibited items to inflict injury on members of the public and law enforcement personnel and to cause damage to real and personal property, thereby posing a real and serious threat to life and safety; and

WHEREAS, it is deemed necessary under current conditions to prohibit certain items, such as but not limited to, backpacks on the entire length of the City’s Promenade and beaches during certain hours; and

WHEREAS, the threat of ongoing congregation of youth and others that could turn violent mandates the adoption of this prohibition; and

WHEREAS, the imposition of restrictions on the possession of certain items while on the City’s Promenade does not materially affect attendees’ ability to enjoy the public areas.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Sea Isle City, County of Cape May, and State of New Jersey as follows:

SECTION I. Chapter 3 Section 21 of the Revised General Ordinances of the City of Sea Isle City, entitled “CONDUCT IN PUBLIC AND PRIVATE PLACES” is hereby amended to delete the following subsection in its entirety and replace same as follows:

**DELETED SECTION:
3-21 (RESERVED)**

**REPLACEMENT SECTION:
3-21 CERTAIN ITEMS PROHIBITED ON THE PROMENADE AND BEACHES.
3-21.1. Regulating the Possession of Certain Items On the Promenade.**

No person shall carry or possess any prohibited items or articles during the prohibited time while on the City’s Promenade, beaches, or beach street ends.

3-21.2 Prohibited Items.

All backpacks are prohibited on the Promenade, the beach, and beach street ends. No bag larger than eight inches by six inches by eight inches in depth (8”x6”x8”), approximately the size of a half a sheet of paper, such as but not limited to, bookbags, fanny packs, cinch bags, coolers, briefcases, luggage of any kind, computer bags and camera bags or any bag larger than the permissible size as set forth in this section are permitted to be carried on, placed on or be in the vicinity of the promenade between the hours of 10:00 p.m. to 1:00 a.m. the following day from May 15 to September 15 of each year.

3-21.3. Exceptions.

1. Medical devices necessary for the immediate assistance of the patient utilizing such device.
2. Essential equipment for any reporter for broadcast, electronic or printed media operating in a professional capacity for communication to the public.
3. Officers of the Sea Isle City Police Department shall be exempt from the provisions of this section when engaged in the conduct of official duties.
4. Active fishing on beach.

3-21.4. Warning Where Feasible.

When feasible, excluding exigent circumstances, two (2) warnings shall be given to juvenile and adult persons. Such warnings shall be sufficient if provided orally, by posted signs, or by amplified announcement. Any person, adult, or juvenile, found to be with a prohibited item shall be directed to the nearest exit of the promenade. The failure to comply with the directions of the enforcement City Official constitutes a breach of the peace.

The provisions of this ordinance shall be enforceable by the Police, Code Enforcement, and any employee of the Community Service Department.

3-21.5. Penalty.

1. Any adult person violating this section shall, upon conviction in the Municipal Court of the City, be liable for a penalty according to the following scheme.
 - a. For the first offense, a fine of not less than \$25.00 not more than \$50.00
 - b. For a second offense occurring within one (1) year of a prior violation, a fine of not less than \$35.00 nor more than \$65.00.
 - c. For a third or subsequent offense occurring within one (1) year of two (2) or more violations, a fine of not less than \$50.00 nor more than \$100.00.
2. Any juvenile violating this section shall be provided two (2) curbside warnings and opportunity to remove the item from the promenade and after the second curbside warning shall be subject to a stationhouse adjustment and having the juvenile's parent or guardian called to address the matter. In such case the juvenile's conduct constitutes a breach of the peace. No summons or juvenile delinquency charge shall be issued to a juvenile violating the provisions of this ordinance

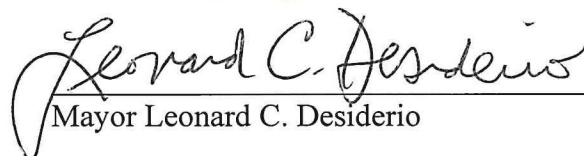
SECTION II. Severability. If for any reason any section of this Ordinance shall be declared illegal by any Court of competent jurisdiction, the remaining section of the Ordinance shall remain in full force and effect, notwithstanding.

SECTION III. Repealer. Any Ordinance or provision thereof inconsistent with this Ordinance is hereby repealed to the extent of such inconsistency.

SECTION IV. Publication. This Ordinance shall take effect immediately upon the adoption and publication in accordance with the law.



Mary Tighe, Council President



Mayor Leonard C. Desiderio

I HEREBY CERTIFY THAT the foregoing ordinance was duly passed by the City Council of the City of Sea Isle City, New Jersey on first reading at the regular meeting of said Council held on the 28th day of February, 2023 and was taken up for second reading, public hearing and final passage at the regular meeting of said Council held on the 28th day of March, 2023, in City Hall, 3rd Floor Council Chambers, 233 JFK Blvd., Sea Isle City, New Jersey at 10:00 am.

A handwritten signature in blue ink, consisting of stylized, overlapping loops and lines, positioned above a horizontal line.

Shannon D. Romano, Municipal Clerk