b. In company with other bicycle riders, ride only in single file.
c. Ride at a reduced speed in the presence of pedestrians.
(Ord. No. O-31-01 § 75-16)

3-B.15 Violations and Penalties.
Any person over the age of eighteen (18) who violates subsection 3-B.14 shall, upon conviction thereof, be punished by a fine not exceeding one hundred ($100.00) dollars. (Ord. No. O-31-01 § 75-17)

3-9 SKATEBOARDS.

3-9.1 Skateboards Prohibited on Streets and Public Places.
No person shall ride a skateboard on any street, sidewalk, alley or public place within the Town. (Ord. No. O-5-89)

3-10-3-12 RESERVED.

3-13 RETAIL DISPLAY OF OBSCENE MATERIALS.

3-13.1 Definitions.
As used in this section:
Obscene Material shall mean any description, narrative account, display of depiction of a specified anatomical area or specified sexual activity contained in or consisting of, a picture or other representation, publication, sound recording, live performance or film, which by means of posing, composition, format or animated sensual details, emits sensuality with sufficient impact to concentrate prurient interest on the area of activity.
Retailer shall mean any person who operates a store, newsstand, booth, concession or similar business with unimpeded access of persons under eighteen (18) years old, who is in the business of making sales of periodicals or other publications at retail containing pictures, drawings or photographs.
Specified Anatomical Area shall mean:
a. Less than completely and opaquely covered human genitals, pubic region, buttock or female breasts below a point immediately above the top of the areola; or
b. Human male genitals in a discernibly turgid state, even if covered.
Specified Sexual Activity shall mean:
a. Human genitals in a state of sexual stimulation or arousal; or
b. Any act of human masturbation, sexual intercourse or deviate sexual intercourse; or
c. Fondling or other erotic touching of covered or uncovered human genitals, pubic region, buttock or female breast.
(Ord. No. O-38-88)

3-13.2 Display of Obscene Material Restricted.
No retailer may display nor shall permit to be displayed at his business any obscene material at a height of less than five (5) feet or without a blinder or other covering placed or printed on the front of the material displayed.

3-14 GAMBLING.
a. No person shall set up, keep or maintain, or permit to be set up, kept or maintained, in any house or premises within the limits of the Town any unlicensed faro table; faro bank, roulette wheel or other device for the purpose of gaming or gambling, nor shall any person hold or permit to be held in any house or premises any dogfight, cockfight or any sparring contest or fight for a purse or money prize of value.
b. No person, firm or corporation shall within the limits of the Town deal, play or engage in faro, roulette, lottery, numbers games, dice games or other games of chance, either as a banker, stockholder, player, dealer or participant or otherwise, for the purpose of gaming or gambling for money or other valuable thing unless a permit has been issued from the proper State authorities provided that a permit is required by law. (1980 Code § 15B-8)

3-15 OBSTRUCTION OF PUBLIC WAYS RESTRICTED.
No person shall unnecessarily obstruct any sidewalk, street, alley or public place within the Town with any kind of vehicle, box, lumber, wood or other thing. This subsection shall not prevent persons who are building from temporarily occupying each portion of the sidewalk, street, alley or public place where a building permit has been properly issued for the construction of a building. (1980 Code § 15B-5)

3-16 DISTURBING SCHOOLS OR SCHOOL ACTIVITIES; LOITERING ON SCHOOL PREMISES.
a. No person shall disturb the exercises of any school or student or give annoyance to children attending any school or to any teacher.
b. No person, not the parent or legal guardian of a pupil, shall lounge, wait about aimlessly or loiter on any school premises or in any school buildings within the Town without authority or permission to do so from designated school authorities. (1980 Code § 15B-4)

3-17 OBSTRUCTION OF POLICE, FIRE OR TOWN OFFICIALS.

3-17.1 Obstruction of Police, Refusal to Obey Order of Police.
No person or group of persons shall hinder, assault, molest, shout obscenities at or obstruct any Police Officer or officer of the law in the performance of his duties; nor shall any person or group of persons refuse to heed the order of a Police Officer to refrain from congregating or assembling in any public place, sidewalk, street, park or playground when such assemblage is disruptive to public peace and good order, is riotous or tumultuous, endangers persons or property or is unruly or disturbing to public peace and good order or is for an unlawful purpose after such persons shall have been called upon by a Police Officer to do so. (1980 Code § 15B-6A)

3-17.2 Obstruction of Fire Fighters.
No person shall, during a fire alarm, hinder, prevent or deter any fire fighter or other person rendering lawful assistance in aiding or quelling a fire; nor shall any person hinder or interfere with any fire fighter from going to or returning from the place where any building or other property is on fire or from which an alarm proceeds; nor shall any person hinder or obstruct the passage of any fire engine, hook and ladder truck or any fire apparatus in going to or from the place from which an alarm of fire proceeds or where any building or other property may be burning. (1980 Code § 15B-6B)

3-17.3 Disturbance or Obstruction of Town Meetings or Officers.
No person shall interfere with, hinder, disturb or obstruct the proceedings, functions or deliberations of the governing body of the Town, the Board of Adjustment, the Planning Board or any other official body of the Town while in session; nor shall any person molest, obstruct, hinder or interfere with any Town officer or official engaged in the performance of his duty or knowingly resist or oppose any person authorized by law to make arrests or serve any writ, bill, order or process when the person so authorized to do so is acting in the performance of his duty. (1980 Code § 15B-6C)

3-18 URINATING OR DEFECATING IN PUBLIC.
No person shall urinate or defecate on any public street, sidewalk or in any other public place or in any other place open to and used by the public or outdoors on any property. (Ord. No. O-34A-93)

3-19 NUDITY.
No person shall bathe or swim in a state of nudity or be found in a state of nudity at any public lake, pool, pond, stream or river where the public is invited or permitted within the Town. (1980 Code § 15B-3)

3-20 CONSUMPTION OF INTOXICATING BEVERAGES IN PUBLIC PLACES.
No person shall consume intoxicating beverages on any public street or within the confines of any park or playground within the Town without a permit to do so from the proper authorities. (1980 Code § 15B-1)

3-21 GRAFFITI.
No person shall write upon any house, building, wall, fence, tree, outdoor sign or other structure or visible place within the Town without the permission of the owner thereof. (1980 Code § 15B-2)

3-22 CONSUMPTION AND POSSESSION OF ALCOHOL ON PRIVATE PROPERTY BY UNDERAGED PERSONS.

3-22.1 Definitions.
a. *Guardian* shall mean a person who is qualified as a guardian of the underage person pursuant to testamentary or court appointment.
b. *Relative* shall mean an underage person's parent, grandparent, aunt, uncle, sibling, first cousin or close relative by blood, marriage or adoption who has attained the legal age to purchase and consume alcoholic beverages.
(Ord. No. O-28-07, § 68-B.1A)

3-22.2 Violations; Exceptions.
Any person under the legal age to purchase and consume alcoholic beverages, who without legal authority, knowingly possesses, orders, purchases, serves or consumes alcoholic beverages or who is under the influence of alcoholic beverages within the municipal boundary of the Town of Morristown shall be in violation of this section and subject to the penalties hereof. This section shall not apply to an underage person consuming or possessing an alcoholic beverage in connection with a religious observance, ceremony or rite or consuming or possessing an alcoholic beverage in the presence of and with the permission of a parent, guardian or relative who has attained the legal age to purchase and consume alcoholic beverages. This section shall not apply to any underage person while actually engaged in the performance of employment by a person who is licensed under Title 33 of the Revised Statutes or while actively engaged in the preparation of food while enrolled in a culinary arts or hotel management program at a County vocational school or post-secondary educational institution; however, this section shall not be construed to preclude the imposition of a penalty under this section. N.J.S.A. 33:1-81 or any other section of law against a person who is convicted of unlawful alcoholic beverage activity on or at premises licensed for the sale of alcoholic beverages. (Ord. No. O-28-07 § 68-B.1B)

3-22.3 Penalties; Fines.
a. The fine for such an offense under this section shall be two hundred fifty ($250.00) dollars for a first offense and three hundred fifty ($350.00) dollars for any subsequent offense.
b. The court may further suspend or postpone, for six (6) months, the driving privileges of the defendant, in addition to the fine authorized for this offense. If a person at the time of the imposition of such sentence is less than seventeen (17) years of age, the period of license postponement, including a suspension or postponement of the privilege of operating a motorized bicycle, shall commence on the day the sentence is imposed and shall run for a period of six (6) months after the person reaches the age of seventeen (17) years. If a person at the time of the imposition of such sentence under this section has a valid driver's license issued by this State, the court shall immediately collect the license and forward same to the State Motor Vehicle Commission along with the report.
(Ord. NO. O-28-07 § 68-B.1C)

3-23-3-25 RESERVED.

3-26 SHOPPING CARTS.

3-26.1 Definitions.
As used in this section:
Cart shall mean any rolling or nonrolling basket or container commonly used in markets, supermarkets or self-service stores. (1980 Code § 170-1)

3-26.2 Identification Tag or Plate Required.
Any cart provided or made available by any person for use by any other person or persons shall have securely attached thereto a plainly visible, durable plastic or metal identification tag or plate at least two (2) by four (4) inches in size. The number of the cart, the name and address of the cart owner and the location of the premises where the cart was provided or made available to other persons for use shall be legibly printed on the identification tag or plate. Duplicate tag numbers shall be avoided. Each cart not completely identified as herein required shall constitute a separate violation of this section. (1980 Code § 170-2)

3-26.3 Abandonment of Carts.
It shall be unlawful for any person to discard or abandon, or suffer or permit to be discarded or abandoned, any cart, whether owned by him or in his possession, custody or control, upon any street or upon any public property. (1980 Code § 170-4)

3-26.4 Presumption of Abandonment.
a. Any cart left unattended upon any street or upon any public property under circumstances where there is no person present who has actual physical custody and control of the cart shall be deemed to have been discarded or abandoned within the meaning of this section.
b. With respect to any cart which has been abandoned or discarded upon any street or upon any public property, if it is determined that the cart had been missing from the owner's premises or place of business for a period of twenty-four (24) hours or more immediately prior to the removal of the cart, the owner of the cart shall be deemed to have suffered or permitted the cart to have been discarded or abandoned. (1980 Code § 170-5)

3-26.5 Removal and Disposition of Carts.
The Chief of Police or his designee is authorized to remove or cause to be removed and impound any cart found abandoned or discarded or left in any of the prohibited areas described herein and deliver it to any town-owned or leased storage facilities available for such purpose. Within two (2) days after the removal of the cart to the storage facilities, the Chief of Police shall, by ordinary mail, notify the owner thereof at the address indicated on the identification tag or plate that the impounded cart may be redeemed for such sum as provided in subsection 3-26.7, Redemption Fees, within seven (7) days from the date of the notice for redemption. Where any property remains unclaimed or unredeemed for a period of one (1) day after verbal notice to the owner is given or three (3) days after written notice is mailed to the owner's place of business, it shall be presumed to be abandoned and shall be disposed of in accordance with the procedures set forth in section 3-7. Abandonment of more than one (1) cart in a six (6) month period shall be deemed a violation of this Chapter. (1980 Code § 170-6; New)

3-26.6 Disposition of Money from Redemption or Sale.
Within thirty (30) days after such property is redeemed, the Chief of Police shall pay over to the Town Treasurer the amount received for the redemption and at the same time deliver to the Treasurer a detailed statement concerning the redemption, including the identity of the property and the name and address of and the amount received from the redeemor. (1980 Code § 170-7)

3-26.7 Redemption Fees.
Fees for the redemption of shopping carts if redeemed within seven (7) days of the notice for redemption $25.00
(1980 Code § 98-170; Ord. No. O-2-87 § 170)

3-26.8 Exceptions.
The provisions of this chapter shall not apply to any property which may come into possession or custody of the Police Bureau pursuant to any other ordinance, law or regulation. (1980 Code § 170-9)

3-26.9 Violation and Penalties.
Any person who shall violate any of the provisions of this section shall, upon conviction, be liable to the penalty stated in Chapter 1, Section 1-5, and each violation shall be deemed and taken to be a separate and distinct offense. This penalty shall be in addition to any fees for redemption of such property and in addition to any costs and expenses of public sale chargeable to the owner or person entitled to possession of such property as hereinabove provided. (1980 Code § 170-8; New)

3-27 ALARM SYSTEMS

3-27.1 Definitions.
As used in this section:
Dial Alarm shall mean that type of device using telephone lines transmitting an alarm directly through the Police switchboard.
False Alarm shall mean any alarm activated by inadvertence, negligence or the unintentional act of someone other than an intruder, and includes alarms caused by malfunctioning of the alarm device or other irrelevant equipment, but excluding storm related activations.
Local Alarm shall mean any alarm or device which, when activated, produces a signal not connected to an alarm console, such as store burglar alarms or similar device, which purpose is the attracting of attention to the premises.
Senior Citizen shall mean any person over the age of sixty-two (62) years.
(1980 Code § 57-1)

3-27.2 Local Alarms.
Local alarms shall be permitted, but it shall be unlawful for any local alarm to ring or put forth any other sound for a period in excess of ten (10) minutes. Any violations of this requirement shall be punishable by a fine of not more than five hundred ($500.00) dollars or by imprisonment for a term not exceeding ninety (90) days, or both, for each violation. (1980 Code § 57-4)

3-27.3 Dial Alarms.
Any alarm device which, when activated, automatically or electronically selects a telephone line connected to a central alarm station or to the Police headquarters reporting a prerecorded message, requesting Police assistance, and such devices commonly known as dial alarms, shall be regulated as follows:
a. All dial alarms shall be registered by completion of an application form to be furnished by the Bureau of Police or Bureau of Fire, which application shall be accompanied by an annual charge as provided in subsection 3-27.5. No such annual fee shall be charged to a senior citizen or a person who is totally disabled, as defined in N.J.S.A. 46:15-5(e).
b. Dial alarms shall be coded to dial a separate number to be obtained from the Chief of Police or the Chief of the Fire Department or their designated representatives. No dial alarm shall be coded to dial the number of the general Police switchboard of the Town.
c. Any dial alarm device must provide an automatic line seizure feature in the event that the line is busy with incoming or outgoing calls.
(1980 Code § 57-5)

3-27.4 False Alarms.
The Police Department and Fire Department shall keep a record of each false alarm received, and where it is determined that such false alarms originated at the subscriber's premises, the following procedure shall be adhered to:
a. For the first and second false alarm of intrusion, flood or other peril received in a single calendar year, the Police or Fire Department shall issue a warning to the subscriber. For any subsequent false alarm of intrusion, flood or other third alarm of intrusion, flood or other peril in a single calendar year, an administrative fee shall be imposed as set forth in subsection 3-27.5.
b. For the first and second false alarm of fire or smoke in a single calendar month, the Police or Fire Departments shall issue a warning to the subscriber. For any subsequent alarm of fire or smoke in a single month, an administrative fee shall be charged as set forth in subsection 3-27.5.
c. Any person testing any alarm covered under the terms of this section shall notify the Police Department immediately prior to and after testing is completed. Failure to do so shall subject the person to a penalty provided for false alarms.
(1980 Code § 57-6; Ord No. O-33-88)

3-27.5 Fee Schedule.

a. Dial alarms annual charge	$ 50.00
b. Third and each subsequent false alarm of intrusion, flood or other peril in a single calendar year	50.00
c. Third false alarm of fire or smoke in a single calendar month	50.00
d. Fourth and each subsequent fire alarm of fire or smoke in a single calendar month	100.00

(1980 Code § 98-57; Ord. No. O-21-87; Ord. No. O-33-88)

3-28 SECOND-HAND GOLD, SILVER OR JEWELRY DEALERS.

3-28.1 Definitions.
As used in this section:
Dealer shall mean any person, partnership or corporation, who, through any means, buys or sells second-hand gold, silver, precious metals or jewelry, and shall include anyone advertising the purchase or sale of any of the aforementioned items.
Minor shall mean any person under the age of eighteen (18) years.
(Ord. No. O-36-88 § 1)

3-28.2 License Required; Fee.
Each dealer conducting business within the jurisdiction of the Town of Morristown shall first register with the Chief of Police, who shall investigate the applicant, and shall obtain a license from the Police Department by paying a fee of twenty-five ($25.00) dollars. (Ord. No. O-36-88 § 2)

3-28.3 Dealer to Keep Records.
Each dealer shall maintain a complete record of each purchase and sale including the amount paid, indicating the name, residence, occupation, age and description of the person from whom the items were purchased, received or sold. These records shall be subject to the inspection of any authorized Police Officer. (Ord. No. O-36-88 § 3)

3-28.4 Inspection.
Each dealer doing business in the Town shall deliver to the Chief of Police the description of all items purchased, received or sold, within seventy-two (72) hours of the completion of the transaction, on forms prescribed by the Chief of Police. (Ord. No. O-36-88 § 4)

3-28.5 Prohibited Acts.
No dealer shall sell, melt, change the form of or dispose of any article purchased or received within five (5) days from the date the notification is made to the Chief of Police and all such items shall remain on the premises where the purchase was made for at least five (5) days. (Ord No. O-36-88 § 5)

3-28.6 Restrictions on Sales; Identification Required.
Each dealer must require identification of the person with whom he is transacting business, recording the identification data on the sales form forwarded to the Chief of Police. No transaction may be made with any minor, as hereinabove defined. (Ord. No. O-36-88 § 6)

3-29 TOW TRUCKS AND WRECKERS.

3-29.1 License Required.
Pursuant to N.J.S.A. 40:48-2.49, a municipality may regulate the removal of motor vehicles from private or public property by operators engaged in such business. No person shall be authorized to provide tow truck or wrecker service within the Town of Morristown for (law enforcement/police requested tows or private property tows) without first obtaining a license from the Town Clerk in accordance with this section. (Ord. No. O-9-07 § 101-1)

3-29.2 Definitions.
As used in this section, the following terms shall have the meanings indicated:
Applicant shall mean an individual or a legally formed business entity which seeks to obtain a license from the Town to furnish tow truck or wrecker services within the Town pursuant to this section.
Business Location shall mean a base of operation within the Town of Morristown or the Township of Morris which is staffed during the normal business hours of 8:00 a.m. to 6:00 p.m. on Mondays through Fridays and from 8:00 a.m. to 12:00 p.m. (noon) on Saturdays, excluding holidays. The business must be clearly marked with sign identifying the name of the business and the hours of operation. The applicant must be the owner or principal tenant at the location, which shall include a permanent facility with an office, a patron waiting area, a restroom for patron use and a secured vehicle storage area which is contained within an enclosed building and/or a fenced-in area, as described in subsections 3-29.3c. and 3-29.14 hereof, which shall be used for the storage of towed vehicles.
Dead Storage shall mean the storage by an operator of a towed vehicle which was delivered to the storage yard by a tow truck or wrecker as a result of the provision of tow truck or wrecker services for the vehicle, where such storage continues overnight or for more than twelve (12) hours from the time that a vehicle is removed from the scene from which it was towed, whichever is longer (i.e., there will be no storage charge for the same day removal of a towed vehicle) and such storage is unrelated to any repairs or other continuing services, which are being rendered by the operator at the request of the vehicle's owner.
Garage shall mean a nonresidential building where motor vehicles can be sheltered, stored, repaired and made ready for use.
License shall mean the permit to perform tow truck or wrecker services as hereinafter described. The license is granted to a tow truck or wrecker operator to provide these services with those vehicles specified on the application for that tow truck or wrecker operator.
Operator or Tow Truck Operator or Wrecker Operator shall mean anyone who engages in the business of providing towing or wrecker services pursuant to this section or who operates a licensed tow truck or wrecker.
Town Rotating Call List shall mean a listing of tow truck or wrecker operators maintained by the Bureau of Police Protection which are available, on call, to respond to calls from the Bureau of Police Protection for towing purposes.
Tow Truck or *Wrecker* shall mean a vehicle licensed pursuant to this section which is used to tow or remove other vehicles usually so damaged or disabled or impounded that they cannot proceed under their own power and further described herein.
Tow Truck or Wrecker Service shall mean such roadside assistance as vehicle towing, transport, conveyance or removal and/or storage services as are to be provided by a licensed operator pursuant to this chapter.
Waiting Time shall mean the period of time between the arrival of a tow truck or wrecker on the scene to which it was called by the Police and the time at which the tow truck or wrecker is actually permitted to commence its efforts to render any required tow truck or wrecker services. Waiting time shall not start earlier than the fifteenth minute after the tow truck or wrecker service arrives at the scene. This waiting time applies solely to those tow trucks or wreckers which are on the Town Rotating Call List.
(Ord. No. O-9-07 § 101-2)

3-29.3 License; Duration; Application.
a. All regulations regarding the licensing of tow truck or wrecker operators/businesses within the Town of Morristown shall be nondiscriminatory and nonexclusionary.
b. No person shall operate a tow truck or wrecker service within the Town of Morristown either: (a) classified for towing on the Town Rotating Call List; or (b) on a private basis, without first obtaining a license therefor from the Town Clerk.
c. *Duration of License.* All licenses issued under this section shall expire on the last day of December of the year of issue.
d. *Town Rotating Call List – Application for License; Required Information; Affidavit.* Applications for licenses issued hereunder shall be made upon printed forms prepared and made available in the Town Clerk's office and shall state:
1. The complete legal name, trade name (if any), home address and proposed or actual business address of applicant, and whether the applicant is the owner, lessee or bailee. In the event the applicant is a corporation or other business entity, the names, addresses and home telephone numbers of every person owning ten (10%) percent or more of said corporation or other business entity shall be listed.
2. An abstract of the driving history of each operator of a licensed tow truck or wrecker and a listing of each criminal conviction of any such operator; a statement of any denial of any license or permit to operate a motor vehicle or a towing service for any person listed in paragraph d.1 by any other governmental body.
3. Evidence that the applicant has at least three (3) years' experience of providing property insured towing services with references available.
4. Evidence that the applicant has a business location within the Town of Morristown or the Township of Morris on which there is situated a permanent facility and a secured, vehicle storage area which is contained within an outside area surrounded by a chain-link, stockade or other such type restrictive fencing which is at least six (6) feet in height. The storage area shall be adequate for properly accommodating and protecting all motor vehicles which may be towed. No operator will be permitted to store, place or otherwise cause or permit any towed vehicles to be stored, placed, parked or otherwise located upon any public property or any Town street or any property which is not zoned for such storage, except as may be specifically directed by the Town Police in the course of clearing a collision scene or in regard to an official investigation or vehicle seizure. The entire