

hours of daylight after the snow shall fall or ice be formed thereon.

3-10.3 Failure to Comply.

If the owner, tenant or person in possession of any such real estate shall fail to clear or remove the snow as hereinbefore provided, the township may do so and the cost thereof shall then be certified to the township council by the director of public works and the township council shall thereupon confirm the costs and order the same to be charged against such abutting real estate and the amount so charged shall thereupon become a lien and tax on such real estate and be added and become a part of the taxes next to be levied and assessed thereon in the same manner as other taxes.

3-10.4 Penalty.

In addition to the aforesaid, any person violating any provision of this section, shall, upon conviction thereof, be punished by penalty as provided in section 3-17 of this chapter.

3-10.5 Placement of Snow from Private Properties.

All snow and ice removal activities on private lands shall be performed in a manner so that none of the snow or ice shall be deposited on public roadways or on public sidewalks.

3-11 Gunning, Shooting Firearms or Hunting Game.

3-11.1 Gunning Prohibited.

Gunning, shooting with firearms, or hunting game is prohibited in the township, except on properties owned by a single owner comprising at least 25 acres or more.

3-11.2 Gunning Near Structures.

In no event shall any person or persons be permitted to gun or hunt within 500 feet of any house, dwelling or other structure.

3-11.3 State Laws.

Gunning or hunting shall not be permitted except at such times as provided by the laws of the State of New Jersey.

3-12 Possession and Consumption of Alcoholic Beverages by Person Under Legal Age on Private Property.

Ord 1981
3/24/04

3-12.1 Purpose.

The purpose of this section is to provide for the enforcement of P.L. 2000, c. 33.

3-12.2 Definitions.

As used in this section:

Guardian shall mean a person who has qualified as a guardian of the underaged person pursuant to testamentary or court appointment.

Relative shall mean the underaged person's grandparent, aunt or uncle, sibling, or any person related by blood or affinity.

3-12.3 Restrictions and Penalties.

a. Any person under the legal age to purchase alcoholic beverages who, without legal authority, knowingly possesses or who knowingly consumes any alcoholic beverage on private

property shall be punished by a fine of two hundred fifty (\$250.00) dollars for a first offense and three hundred fifty (\$350.00) dollars for any subsequent offenses.

b. The court may, in addition to the fine authorized for this offense, suspend or postpone for six months the driving privilege of the defendant. Upon conviction of any person and the suspension or postponement of that person's driver's license, the court shall forward a report to the Motor Vehicle Commission stating the first and last day of the suspension or postponement period imposed by the court pursuant to this section. If a person at the time of the imposition of a sentence is less than 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 months after the person reaches the age of 17 years.

If a person at the time of the imposition of a sentence has a valid driver's license issued by this state, the court shall immediately collect the license and forward it to the division along with the report. If for any reason the license cannot be collected, the court shall include in the report the complete name, address, date of birth, eye color, and sex of the person, as well as the first and last date of the license suspension period imposed by the court.

The court shall inform the person orally and in writing that if the person is convicted of operating a motor vehicle during the period of license suspension or postponement, the person shall be subject to the penalties set forth in R.S. 39:3-40. A person shall be required to acknowledge receipt of the written notice in writing. Failure to receive a written notice or failure to acknowledge in writing the receipt of a written notice shall not be a defense to a subsequent charge of a violation of R.S. 39:3-40.

The court shall, of any person convicted under this section who is not a New Jersey resident, suspend or postpone, as appropriate, the nonresident driving privileges in the State of New Jersey of the person based on the age of the person and submit to the division the required report. The court shall not collect the license of a nonresident convicted under this section. Upon receipt of a report by the court, the division shall notify the appropriate officials in the licensing jurisdiction of the suspension or postponement.

c. 1. No ordinance shall prohibit an underaged person from 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.

2. As used in this section:

Guardian shall mean a person who has qualified as a guardian of the underaged person pursuant to testimony or court appointment.

Relative shall mean the underaged person's grandparent, aunt or uncle, sibling or any other person related by blood or affinity.

d. No ordinance shall prohibit possession of alcoholic beverages by any such person while actually engaged in 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 the county vocational school or post secondary educational institution; however, no ordinance enacted pursuant to this section shall be construed to preclude the imposition of a penalty under this section, R.S. 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.

3-12.4 Exceptions.

This section does not prohibit an underaged person from 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 does not prohibit possession of alcoholic beverages by any such 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 ordinance shall not be construed to preclude the imposition of a penalty under this section, R.S. 33:1-81, or any other section of law against a person who is convicted of unlawful alcoholic beverage activity on or at a premises licensed for the sale of alcoholic beverages.

3-13 Fence and Hedge Restrictions.

No person shall permit, maintain, build, erect or construct any fence or wall, or permit, grow or maintain any hedge or row of trees that shall constitute a fence or wall that shall be higher than six feet, along the fence or property line of any premises bordering the streets, avenues, and highways of the Township of Ocean.

3-14 Regulation of Use of Sewer Lines.

3-14.1 Discharge into Sewer Lines of Garbage, Drainage Water or Extraneous Matter Prohibited.

No person shall discharge into any sanitary sewer line in the Township of Ocean anything other than sanitary sewage by means of the approved pipes and connections at the sanitary sewer line, and no garbage or drainage water from any source shall be discharged into any sanitary sewer line.

3-14.2 Penalty.

Any person found guilty of violating any provision of this section shall be subject to one or more of the following: imprisonment for any term not exceeding 90 days; or by a fine not exceeding one thousand two hundred fifty (\$1,250.00) dollars; or by a period of community service not exceeding 90 days. Each day of violation shall constitute an additional, separate and distinct offense.

3-15 Portable Sanitation Equipment.

3-15.1 Equipment Permitted.

Portable sanitation equipment may be placed on any lot in any zone in conjunction with the issuance of a construction permit. The equipment may remain on the property providing active construction activity is present.

3-15.2 Location.

a. Portable sanitation equipment may be located on any lot provided that the units are not placed in either the required front yard setback or in the actual front yard between any building and any street.

b. Portable sanitation equipment may be placed in other locations on any property which is the subject of a site plan or subdivision. These locations must be approved by the planning board or board of adjustment. If the location approved by the board conflicts with the provisions of this section, the determination of the board shall prevail.

3-16 Games of Chance on Sunday.

3-16.1 Raffle Licensing Law.