

ORDINANCES

OF THE

Borough of Asbury Park,

NEW JERSEY,

WITH THE ACT OF INCORPORATION.

1878.

PUBLISHED BY ORDER OF THE BOARD OF COMMISSIONERS.

ORDINANCE No. 1.

AN ORDINANCE TO REMOVE AND PREVENT NUISANCES FROM THE BOROUGH OF ASBURY PARK.

1. Be it ordained by the Board of Commissioners of the Borough of Asbury Park, in council assembled, That if any person or persons shall lay or cause to be laid, or cast into the streets, vacant lots, or any place within this Borough, any decayed vegetable or animal matter, or any other noxious or offensive thing that may breed disease or in any way injure the health of the inhabitants of the said Borough, or render their habitation uncomfortable, and shall not, when duly notified by the President or Sanitary Committee, or any person acting under their authority, forthwith remove the same, he, she, or they so offending, shall for every such offence, forfeit and pay the sum of two dollars (\$2) and costs, and the sum of one dollar (\$1) and costs for every twenty-four hours that he, she, or they neglect or refuse to remove the same.

2. And be it further ordained by the authority aforesaid, That if any owner, possessor, or occupant of any cottage or house within the limits of this Borough, shall permit any pig-pen, privy or other building or fixture within the limits of this Borough, or suffer the sink under the same, or any other sink to remain full of filth or other excrement, or any other matter or substance on his, her, or their premises so as to be a nuisance, and offensive to the inhabitants in the vicinity thereof, and shall refuse or neglect to remove, purify, or cleanse the same within three days after being notified by the President or any person acting under his direction or authority, he, she, or they so offending shall forfeit and pay the sum of five dollars (\$5) and costs, and for every twenty-four hours that the same shall remain after the said three days, the further sum of two dollars (\$2) and costs, to be recovered in a suit before the Police Justice of this Borough.

JAMES A. BRADLEY, *Pres't.*

Attest: I. C. KENNEDY, *Clerk.*

ORDINANCE No. 2.

AN ORDINANCE FOR PRESERVING THE PEACE AND GOOD ORDER AND ENFORCING THE ORDINANCES OF THE BOROUGH OF ASBURY PARK.

1. Be it ordained by the Board of Commissioners of the Borough of Asbury Park, in council Assembled, That the President or any member of this Board, and any police officer or constable acting under the authority of this Board, are empowered to arrest and take into custody without process or warrant, any offender or offenders against the ordinances of this said Borough of Asbury Park, and to take such offender or offenders immediately before the Police Justice of the said Borough who shall take cognizance of such offence, convict upon hearing or confession and enforce the penalties in such cases made and provided.

2. And be it further ordained and enacted by the authority aforesaid, That the Police Justice may, upon complaints being made of offences against the laws and ordinances of the said Borough, either issue summons or warrant as in his discretion he may deem best, against the parties complained of as so offending, which summons or warrant shall be served and returned in as all other summons and warrants are served and returned in either civil or criminal actions.

JAMES A. BRADLEY, *Pres't.*

Attest: I. C. KENNEDY, *Clerk.*

ORDINANCE No. 3.

AN ORDINANCE TO PREVENT THE FIRING OF CANNONS, GUNS OR PISTOLS, MAKING BONFIRES, FIRING ROCKETS, SQUIBS OR CRACKERS, BREAKING LAMPS, WINDOWS OR DOORS, DESTROYING TREES, SHRUBS OR PLANTS IN GARDENS, DEFACING BUILDINGS, PORCHES, FENCES, ETC., WRITING OR CUTTING OBSCENE OR INDECENT LANGUAGE OR OFFENSIVE WORDS ON ANY PREMISES, TREES, ETC.

1. Be it ordained by the Board of Commissioners of the Borough of Asbury Park, in council assembled, That no person shall discharge any cannon or other piece of artillery or small arms, guns or pistols, rockets, squibs or powder crackers, within the limits of this Borough, without the permission of the President of this Board first obtained in writing; nor shall any person make or cause to be made, or aid or assist in making any bonfire or other fire in either of the streets or upon any public or private grounds, without such consent; and each and every

person so offending shall forfeit and pay the sum of five dollars (\$5) for each offence, with costs of conviction.

2. And be it further ordained by the authority aforesaid, That if any person shall willfully break or cause to be broken any public or private lamp, window or door, or pane or panes of glass belonging to any window or door within the limits of this Borough, or shall throw or strike at any public or private lamp, window or door, or pane or panes of glass belonging thereto, or shall remove any fire-bucket, except to extinguish fires, each and every person so offending, shall forfeit and pay the sum of three dollars (\$3) for each offence with costs of conviction, and shall be liable for all damages, to be recovered by civil process.

3. And be it further ordained by the authority aforesaid, That if any person or persons shall enter into any house, garden or other premises within the limits of this Borough, and break, cut, root up, or otherwise injure or destroy any tree, shrub or plants; or if any person or persons shall cut, break or otherwise deface any house, building, pavement, porch, fence, pillar or post belonging to any house, building or enclosure, within the limits of this Borough without leave of the owner thereof, each and every person so offending shall forfeit and pay the sum of not less than five dollars (\$5) nor more than ten dollars (\$10) for each offence, with costs of conviction, and shall be liable for all damages, to be recovered by civil process.

4. And be it further ordained by the authority aforesaid, That if any person shall write or cause to be written, print, make or cut any obscene word, or immodest or offensive figure upon any house, wall, fence or other place, or exhibit the same on paper, or make any indecent and improper exposure of person to public view, or commit any nuisance on the streets, paths or public places of the said Borough, or on his own premises in sight of others, the person so offending shall forfeit and pay the sum of not less than five dollars (\$5) nor more than ten dollars (\$10) for each offence, with costs of conviction; and if above the age of fifteen years, shall likewise be liable to imprisonment in the County Jail for any time not exceeding ten days, and until the costs of conviction are paid.

JAMES A. BRADLEY, *Pres't.*

Attest: I. C. KENNEDY, *Clerk.*

ORDINANCE No. 4.

AN ORDINANCE IN REFERENCE TO BATHING.

1. Be it ordained by the Board of Commissioners of the Borough of Asbury Park, in council assembled, That no bathing shall be allowed within the limits of this Borough, except in

suitable bathing clothes, between the hours of five o'clock A. M. and ten o'clock P. M.

2. And be it further ordained by the authority aforesaid, That any person violating this ordinance shall forfeit and pay the sum of three dollars (\$3) to be recovered in a suit before the Police Justice of said Borough; and the Police are hereby instructed to arrest promptly every offender.

JAMES A. BRADLEY, *Pres't.*

Attest: I. C. KENNEDY, *Clerk.*

ORDINANCE No. 5.

AN ORDINANCE TO PREVENT HORSES, MULES, CATTLE, SWINE, SHEEP, GOATS, DOGS AND OTHER ANIMALS FROM RUNNING AT LARGE IN THE BOROUGH OF ASBURY PARK.

1. Be it ordained by the Board of Commissioners of the Borough of Asbury Park, in council assembled, That no horse, mule, cattle, sheep, swine, goats or other animals shall be allowed to run at large within the limits of this Borough. And if such horses, cattle, sheep, &c., shall be found at large, they shall be taken up by the police and kept for ten days, if not sooner claimed by the owner thereof, who shall pay a fine of two dollars (\$2) and all the expenses of such keeping. And if not claimed within five days from taking up of said animal or animals, then the Clerk of the Board shall give at least five days notice of sale of said animal or animals, and if no owner or claimant appear to redeem them, then the same shall be sold at public auction to the highest bidder to pay expenses of same.

2. And be it further ordained by the authority aforesaid, That no dog or bitch shall be allowed to run at large within the limits of said Borough, except in attendance of its owner, and then no dog or bitch shall be allowed to run at large in any case without being properly muzzled, from the first day of June to the first day of October. And if any such dog or bitch be found running at large without a proper collar and muzzle the Police are hereby authorized to take such dog or bitch up and confine the same for one week, unless sooner claimed; at the expiration of which time, if no owner has appeared the Police Officer shall kill the same. And if an owner comes to claim such dog or bitch he shall pay a fine of one dollar (\$1), and all the expenses of confinement and keeping.

JAMES A. BRADLEY, *Pres't.*

Attest: I. C. KENNEDY, *Clerk.*

ORDINANCE No. 6.

AN ORDINANCE DEFINING THE DUTIES AND POWERS
OF THE BOARD OF HEALTH OF THE BOROUGH OF
ASBURY PARK.

1. Be it ordained by the Board of Commissioners of the Borough of Asbury Park in council assembled, That the Board of Health, or any member of it, or any person they may designate or appoint, are hereby authorized to enter upon and examine any house, out-house, yard or premises within the limits of this Borough at any time, for the purpose of examining the condition of the same in reference to its cleanliness or healthfulness.

2. And be it further ordained by the authority aforesaid, That the Board of Health shall have power to cause the arrest of any party or parties who shall refuse or neglect to comply with the orders of said Board in regard to removing anything from the premises which threatens the health or disturbs the quiet of the community or any part thereof.

3. And be it further ordained by the authority aforesaid, That any person arrested for violating any health ordinance shall be brought before the Police Justice, who shall immediately proceed to hear the case, and if in his judgment the complaint is sustained, shall impose the penalty prescribed by ordinance number one.

JAMES A. BRADLEY, *Pres't.*

Attest: I. C. KENNEDY, *Clerk.*

ORDINANCE No. 7.

AN ORDINANCE DEFINING THE DUTIES AND POWERS
OF THE FIRE MARSHAL, AND FOR THE PREVENTION
AND EXTINGUISHING OF FIRES.

1. Be it ordained by the Board of Commissioners of the Borough of Asbury Park in council assembled, That in case a fire shall break out within the limits of this Borough, whether in a dwelling or other building, or in the woods, it shall be the duty of the Fire Marshal to use all means in his power to extinguish the same, and he shall have power to call to his aid the assistance of all citizens who may be accessible, who shall be under obligations to respond to his call.

2. And be it further ordained by the authority aforesaid, That any person who shall wilfully or knowingly obstruct or hinder the Fire Marshal, or one deputed to act in his place, in the discharge of his duties in extinguishing a fire, or interfere with the execution of his orders, shall be liable to arrest for a misdemeanor, and brought before the Police Justice, who shall after

trial, and on proof of guilt, impose a fine of not less than five dollars (\$5) nor more than fifty dollars (\$50), and shall commit the offender until the fine is paid.

3. And be it further ordained by the authority aforesaid, That it shall be the duty of the Fire Marshal to inspect all buildings erected or in process of erection, to see that no wooden joists or other wooden work shall enter any brick or other flue or chimney, and that where stovepipes pass through or near woodwork, it shall be sufficiently protected by sheet-iron or tin-plate, or other incombustible material, and that all necessary precaution against fire shall be taken, and if any person shall refuse or neglect to observe the recommendations of the Fire Marshal he shall be liable to a fine of five dollars (\$5), and for any damage that may result from such refusal or neglect.

4. And be it further ordained by the authority aforesaid, That all shavings and chips from buildings in process of erection, and carpenter shops, shall be removed to a safe place, to be designated by the Fire Marshal, or burned by his direction, under the care of a fit person who shall be present, and watching carefully until the fire is entirely extinguished.

JAMES A. BRADLEY, *Pres't.*

Attest : I. C. KENNEDY, *Clerk.*

ORDINANCE No. 8.

AN ORDINANCE TO AUTHORIZE THE APPOINTMENT OF POLICE.

1. Be it ordained by the Board of Commissioners of the Borough of Asbury Park, in council assembled, That from the first day of June, A. D. 1874, until the 10th day of September, A. D. 1874, there shall be appointed two policemen, one to serve on day, and one to serve on night duty; and from the first day of July to the first day of September, an additional policeman shall be appointed for day duty.

2. And be it further ordained by the authority aforesaid, that the said policemen shall be appointed and their duties defined by the Police Committee.

3. And be it further ordained by the authority aforesaid, That the said Police Committee shall have power to appoint special policemen as circumstances may demand, and shall determine the amount of compensation for their services.

4. And be it further ordained by the authority aforesaid, that the compensation of the regular policeman shall not exceed two dollars (\$2) per day.

JAMES A. BRADLEY, *Pres't.*

Attest : I. C. KENNEDY, *Clerk.*