

**THE CITY OF  
EAST ORANGE, NEW JERSEY  
ORDINANCE NO. 11 OF 2021**

**AN ORDINANCE TO AMEND CHAPTER 198 OF THE CITY CODE ENTITLED  
“PEACE AND GOOD ORDER”**

. [Adopted 3-25-1968 by Ord. No. 20-1968 as Ch. 23, Secs. 23:1-1 through 23:1-5, 23:1-7 through 23:1-13, 23:1-15 and 23:1-15.1 and 23:1-22 through 23:1-27, of the 1968 Code]

**WHEREAS**, the City of East Orange desires to amend and supplement Chapter 198 of the City Code to provide for the closure of City parks and other City property from one hour before dusk until one hour after dawn and to include a definition of loitering and trespass;

**NOW, THEREFORE, BE IT ORDAINED AS FOLLOWS:**

**SECTION 1. (Amended Sections Only)**

§ 198-25 (Reserved) Loitering and Trespass Upon City Property

- (A) All persons shall be prohibited from inhabiting, using or remaining in or upon any park, recreation area, playground, building or public property owned or operated, directly or indirectly, or subsidized by the City of East Orange or the Department of Public Works of the City of East Orange or the Recreation Program of the City of East Orange from one hour before dusk until one hour after dawn.
- (B) As fully authorized under law, the City of East Orange Police Department shall enforce within the City of East Orange all provisions in the New Jersey Code of Criminal Justice, N.J.S.A. 2C:1-1, et seq., that preserve public peace and good order, including but not limited to, the offenses of defiant trespass, N.J.S.A. 2C:18-3b; loitering for the purpose of illegally using, possessing or selling controlled substances, N.J.S.A. 2C:33-2.1; and loitering for the purpose of engaging in prostitution, N.J.S.A. 2C:34-1.1, as each such offense is defined, described. Prohibited and penalized under the New Jersey Code of Criminal Justice.

**§ 198-26 Violations and penalties.**

Any person convicted of a violation of this chapter (except as provided otherwise herein and except with regards to §198-25 shall be sentenced to a fine of not more than \$2,000, not more than 90 days' imprisonment and/or 90 days of community service.

Violators of any of the provisions of §198-25 (A) shall, upon conviction thereof, be subject to a fine up to \$500. Persons convicted of violating §198-25(A) more than once in a six-month period shall be subject to a fine of up to \$1,000.

Violators of any of the provisions of §198-25(B) shall be subject to those penalties outlined in corresponding sections of N.J.S.A. 2C:1-1, et seq.

**Section 2.** Severability of Ordinance Provisions

Each section of this ordinance is an independent section and holding of any section or part thereof to unconstitutional, void or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any other sections or parts thereof.

**Section 3.**

That all Ordinances and parts of Ordinances in conflict or inconsistent with this Ordinance are hereby repealed, but only to the extent of such conflict or inconsistency.

**Section 4.**

This Ordinance shall take effect after final passage and upon the expiration of twenty (20) days following publication unless otherwise provided by Resolution of this City Council.