TOWNSHIP OF FAIRFIELD  
ORDINACE #2019-06

AN ORDINACE ADDING CHAPTER 3,  
SECTION 21 TO THE TOWNSHIP CODE OF THE  
TOWNSHIP OF FAIRFIELD ENTITLED  
“BEGGING AND PANHANDLING”

WHEREAS, The Township of Fairfield finds it necessary to address certain begging and panhandling activities that occur in an aggressive manner or in a manner that would obstruct the free passage of pedestrians or motor vehicles; and

WHEREAS, it is the desire of the Governing Body to add Chapter 3, Section 21 to expand upon the Township’s Police Regulations; and

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Township Council of the Township of Fairfield, County of Essex, State of New Jersey, as follows:

SECTION 1. Chapter 3, Section 21, of the Township Code of the Township of Fairfield entitled “Begging and Panhandling” shall be added to read in its entirety as follows:

3-21 BEGGING AND PANHANDLING.

3-21.1 Definitions.

As used in this section:

Aggressive Manner shall mean:

a. Approaching or speaking to a person, or following a person before, during or after soliciting, asking or begging, if that conduct is intended or is likely to cause a reasonable person to:

   1. Fear bodily harm to oneself or to another, damage to or loss of property or the commission of an offense under the New Jersey Criminal Code upon oneself or another; or

   2. Otherwise be intimated into giving money or other item of value.

b. Intentionally touching or causing physical contact with another person or with an occupied vehicle, without that person’s consent, in the course of soliciting, asking or begging.
c. Intentionally blocking or interfering with the safe or free passage of a pedestrian or vehicle by any means, including unreasonably causing a pedestrian or vehicle operator to take evasive action to avoid physical contact.

d. Using violent or threatening gestures toward a person solicited.

Ask - see "Beg."

Beg shall mean using the spoken, written or printed word or bodily gestures, signs or other means with the purpose of obtaining an immediate donation of money or other item of value or soliciting the sale of goods or services.

Public Place shall mean a place to which the public or a substantial group of persons has access and includes, but is not limited to, any street, highway, parking lot, plaza, transportation facility, school, place of amusement, park, playground, any hallway, lobby and other portion of an apartment, house or hotel not constituting a room or apartment designed for actual residence. Public places shall also include door-to-door begging in an aggressive manner as defined herein.

Solicit - see "Beg."

3-21.2 Prohibited Acts.

No person shall:

a. Solicit, ask or beg in an aggressive manner in any public place.

b. Approach an operator or other occupant of a motor vehicle when such vehicle is located on any street, for the purpose of either performing or offering to perform a service in connection with such vehicle or otherwise soliciting the sale of goods or services, if such approaching, performing, offering or soliciting is done in an aggressive manner as defined in subsection 3-21.1; provided, however, that this subsection shall not apply to services rendered in connection with the lawful towing of such vehicle or in connection with emergency repairs requested by the operator or other occupant of such vehicle.

3-21.3 Violations and Penalties.

Any violation of the provisions of this article shall constitute a violation punishable as provided in Chapter 1, Section 1-5, General Penalty, of the Code of the Township of Fairfield.

SECTION 2. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

SECTION 3. If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to that section, paragraph,
subdivision, clause or provision so adjudged, and the remainder of this ordinance shall be
deemed to be valid and effective.

SECTION 4. This ordinance shall take effect immediately after final passage, approval
and publication as required by law.

JAMES GASPARINI
Mayor

ATTEST:

DENISE D. CAFONE
Municipal Clerk

NOTICE

Notice is hereby given that the foregoing Ordinance was submitted in writing at a
meeting of the Mayor and Council of the Township of Fairfield, County of Essex, State of New Jersey,
held on March 25, 2019 introduced and read by title and passed first reading and that said Governing
Body will further consider the same for second reading and final passage thereof at a meeting that is to
be held on April 22, 2019 at 7:00 p.m.; at the Municipal Building, 230 Fairfield Road, Fairfield, New
Jersey, at which time and place a public hearing will be held thereon by the Governing Body and all
persons and citizens of interest shall have an opportunity to be heard concerning same.

DENISE D. CAFONE
Municipal Clerk
INTRODUCTION OF ORDINANCE
ORDINANCE #2019-06, AN ORDINANCE ADDING CHAPTER 3, SECTION 21 TO THE TOWNSHIP CODE OF THE TOWNSHIP OF FAIRFIELD ENTITLED "BEGGING AND PANHANDLING"

INTRODUCED BY: Councilman McGlynn
SECONDED BY: Councilman LaForgia
PUBLISHED: March 28, 2019

ROLL CALL VOTE

<table>
<thead>
<tr>
<th>GOVERNING BODY</th>
<th>AYES</th>
<th>NAYS</th>
<th>ABSTAIN</th>
<th>ABSENT</th>
<th>NOT VOTING</th>
</tr>
</thead>
<tbody>
<tr>
<td>COUNCIL PRESIDENT</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>THOMAS J. MORGAN</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>COUNCILMAN</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>JOSEPH CIFELLI</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>COUNCILMAN</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>JOHN LAFORGIA</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>COUNCILMAN</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>MICHEAL B. MCGLYNN</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>MAYOR</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>JAMES GASPARINI</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

2ND READING AND PUBLIC HEARING: April 22, 2019

INTRODUCED BY: Councilman McGlynn
SECONDED BY: Councilman Cifelli
PUBLISHED: April 25, 2019

ROLL CALL VOTE

<table>
<thead>
<tr>
<th>GOVERNING BODY</th>
<th>AYES</th>
<th>NAYS</th>
<th>ABSTAIN</th>
<th>ABSENT</th>
<th>NOT VOTING</th>
</tr>
</thead>
<tbody>
<tr>
<td>COUNCIL PRESIDENT</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>THOMAS J. MORGAN</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>COUNCILMAN</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>JOSEPH CIFELLI</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>COUNCILMAN</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>JOHN LAFORGIA</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>COUNCILMAN</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>MICHEAL B. MCGLYNN</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>MAYOR</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>JAMES GASPARINI</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>