

BOROUGH OF BRADLEY BEACH, MONMOUTH COUNTY

ORDINANCE 2026-23

ORDINANCE AMENDING CHAPTER 314: “NUISANCES, PUBLIC” OF THE BOROUGH’S REVISED GENERAL ORDINANCES TO PROHIBIT SLEEPING, CAMPING, AND OVERNIGHT OCCUPANCY ON PUBLIC PROPERTY.

WHEREAS, the Borough of Bradley Beach (the “Borough”) must ensure that public streets, sidewalks, parks, parking areas, and other municipal property remain safe, accessible, and available for their intended public uses; and

WHEREAS, the establishment of temporary or permanent sleeping or camping accommodations on public property may obstruct traffic and beach access, interfere with the intended use of municipal facilities, and create potential public health and safety concerns; and

WHEREAS, municipalities throughout New Jersey have adopted reasonable regulations governing overnight occupancy and camping on public property in order to preserve public access and maintain the orderly use of municipal lands and facilities; and

WHEREAS, the Borough finds it necessary and appropriate to establish clear regulations prohibiting camping or sleeping accommodations on public property while providing appropriate notice and enforcement procedures;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Bradley Beach, County of Monmouth, State of New Jersey, as follows:

SECTION 1. Chapter 314: “Nuisances, Public” of the Revised General Ordinances of the Borough of Bradley Beach is amended as follows (~~stricken~~ text deleted; underlined text added):

CHAPTER 314: “NUSIANCES, PUBLIC”

§ 314-1 Unlawful Acts.

It shall be unlawful, and shall be a public nuisance, for any person:

- A. To make any indecent exposure or exhibition of any kind in or upon any street, avenue, road, highway, place, alley, or lane, public or private, in the Borough; or
- B. To expose to public view, within the aforesaid Borough, his or her genitals, pubic hair, buttocks, perineum, anal regions, or pubic hair region; or
- C. To engage, within the aforesaid Borough, in any practice having a tendency to annoy persons passing on the streets or sidewalks, while or standing on porches or lawns or yards facing the streets or sidewalks, by the making of indecent gestures or acts; or

- D. To engage, within the aforesaid Borough, in any practice, while passing on the streets or sidewalks, having a tendency to annoy persons sitting or standing on porches or lawns or yards facing the streets or sidewalks, by the making of indecent gestures or acts; or
- E. To make any indecent exposure of his or her private parts, or engage in any lewd or indecent act or behavior; or
- F. To urinate or defecate in public places or streets, or on the lawns or yards of private homes and residences, or in the public view.

§ 314-2 ——— Violations and Penalties.

~~Violators of any provision of this chapter shall be subject to the penalty provisions of Chapter 1, Article II, General Penalty, of this Borough Code.~~

§ 314-2 Sleeping, Camping and Overnight Occupancy on Public Property Prohibited.

- A. Purpose. The purpose of this section is to preserve the safe and intended use of public streets, sidewalks, parks, parking areas, and other municipal property for the general public and to protect the public health, safety, and welfare of residents and visitors to the Borough of Bradley Beach.
- B. Definitions. For the purposes of this section, the following terms shall have the meanings indicated:
 - CAMP or CAMPING – The use of public property for living accommodation purposes such as sleeping, making preparations to sleep, storing personal belongings, making a fire, using a tent or temporary shelter, or otherwise conducting activities associated with establishing or maintaining a temporary place of dwelling.
 - PUBLIC PROPERTY – Any street, sidewalk, park, boardwalk, beach, parking lot, right-of-way, building, structure, or other real property owned, leased, maintained, or controlled by the Borough of Bradley Beach.
- C. Prohibited Conduct. No person shall camp, sleep, lodge, or otherwise establish or maintain any temporary or permanent place of dwelling or sleeping accommodation in or upon any public property within the Borough of Bradley Beach.
- D. Storage of Personal Property. No person shall place, leave unattended, or store any bedding, sleeping bag, tent, camp facility, cooking equipment, furniture, or other personal belongings in a manner that indicates an intent to camp or remain overnight on public property.
- E. Enforcement. Any person who refuses or fails to comply with a lawful order issued pursuant to this section may be subject to removal from the public property and may be charged with trespass or any other applicable offense under state law or municipal ordinance.

F. Exceptions. This section shall not apply to:

- (1) Borough-authorized events, festivals, or recreational activities conducted pursuant to a permit issued by the Borough.
- (2) Emergency circumstances where temporary sheltering is necessary to protect life or safety during severe weather, disasters, or other emergency conditions when authorized by the Borough.
- (3) Any activity expressly authorized by the Borough Council or Borough Administrator.

§ 314-3 Violations and Penalties.

Violators of any provision of this chapter shall be subject to the penalty provisions of Chapter 1, Article II, General Penalty, of this Borough Code.

SECTION 2. If any article, section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect.

SECTION 3. In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Borough, the provisions hereof shall be determined to govern. All other parts, portions and provisions of The Revised General Ordinances of the Borough of Bradley Beach are hereby ratified and confirmed, except where inconsistent with the terms hereof.

SECTION 4. This Ordinance shall take effect upon adoption and publication in accordance with the laws of the State of New Jersey.

SO ORDAINED as aforesaid.

Erica Kostyz
Municipal Clerk

Alan Gubitosi
Mayor

Introduced: March 17, 2026

Date of Hearing and Adoption: April 7, 2026