

**BOROUGH OF ENGLEWOOD CLIFFS
COUNTY OF BERGEN**

ORDINANCE NO. 2026-03

**TITLE: AN ORDINANCE TO ADD CHAPTER 26 OF THE BOROUGH CODE
ENTITLED “PUBLIC URINATION AND DEFECATION”**

WHEREAS, the Governing Body of the Borough of Englewood Cliffs believes it is in the best interest of the Borough to add Chapter 26 of the Borough Code entitled “Public Urination and Defecation” in the interest of public health as set forth herein.

BE IT ORDAINED by the Mayor and Council of Englewood Cliffs, County of Bergen, State of New Jersey, as follows:

Section 1: Chapter 26 Public Urination and Defecation

§ 26-1 Definitions.

§ 26-2 Prohibited activities.

§ 26-3 Applicability; exemptions.

§ 26-4 Violations and penalties.

§ 26-1 Definitions.

A. For the purpose of this chapter, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this section clearly demonstrates different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number shall include the singular number, and words used in the singular number include the plural number.

B. As used in this chapter, the following terms shall have the meanings indicated:

PUBLIC PLACE

Those areas traditionally reserved for use by the public, including, but not limited to, streets, sidewalks, parks, open spaces, commercial parking lots, vehicles of mass transportation, property owned by the Borough, county, state, or any other sovereign entity or places to which the public is otherwise invited. An otherwise private place may become a public place if a permit seeking permission for the general public to access the property for a specific purpose is granted. In this instance, the location is a public place only for the duration of the permit's validity. A toilet, urinal, or commode located in a restroom, bathroom, or other room or structure designated for urination or defecation which is enclosed and not within public view shall not be considered a public place under this chapter.

PUBLIC VIEW

That which can be seen within normal visual range of a person in a public place.

§ 26-2 Prohibited activities.

It shall be unlawful for any person to urinate or defecate in any public place, or in public view within the Borough of Englewood Cliffs; or on any property within the Borough upon which the person is not lawfully present.

§ 26-3 Applicability; exemptions.

The provisions of this chapter shall be enforced against all persons, but shall not apply to the following individuals who may not be able to adequately control the bodily functions that control urination or defecation:

A. Children nine years of age or younger;

B. Persons of any age who violate this chapter due to a verified medical and/or psychiatric condition.

§ 26-4 Violations and penalties.

Any person violating this chapter shall, upon conviction thereof, be subject to the following penalties:

A. For a first offense, a fine of \$250 or imprisonment for a period not exceeding 90 days, or both.

B. For a second or subsequent offense, a fine of not less than \$500 and not exceeding \$2,000, or imprisonment for a period not exceeding 90 days, or both.

Section 2. This ordinance will take effect immediately upon passage.

**Introduction and First Reading:
January 14, 2026**

COUNCIL MEMBER	Motion	Second	Ayes	Nays	Abstain	Recuse	Absent
Biegacz		✓	✓				
Liang			✓				
Patel			✓				
Kapsaskis			✓				
Lee	✓		✓				
Koutroubas							✓
Mayor Park							

**Second and Final Reading of Ordinance Adoption:
February 11, 2026**

COUNCIL MEMBER	Motion	Second	Ayes	Nays	Abstain	Recuse	Absent
Biegacz	✓		✓				
Liang			✓				
Patel		✓	✓				
Kapsaskis			✓				
Lee			✓				
Koutroubas							✓
Mayor Park							


Mark Park, Mayor

**This Ordinance was duly passed on second and final reading
by the Council of the Borough of Englewood Cliffs
at a meeting held February 11, 2026.**


**Beauty Nadim, RMC/CMR
Borough Clerk**