

TOWNSHIP OF PEQUANNOCK

ORDINANCE NO. 2011-04

ORDINANCE AMENDING CHAPTER 129 OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF PEQUANNOCK AND PROHIBITING SMOKING AT THE POMPTON PLAINS TRAIN STATION PARK

WHEREAS, smoking or carrying lighted tobacco in public places may be regulated by municipal ordinance under the authority of N.J.S.A. 40:48-1 et seq. and N.J.S.A. 20:33-13b; and

WHEREAS, the Township of Pequannock has determined to regulate smoking in certain areas leased or owned by the Township of Pequannock for public recreational purposes where children are likely to congregate, gather, play and/or engage in athletic competitions.

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Pequannock, in the County of Morris and State of New Jersey, as follows:

Section 1. Chapter 129, "Parks and Recreation", Section 129.02.030, "General restrictions," of the Revised General Ordinances of the Township of Pequannock shall be amended by the following amendment to subsection E. which shall read in its entirety as follows:

- E. Smoking shall be prohibited in Pequannock Valley Park, except in a posted, designated "Smoking Area" as established by Department of Parks and Recreation and shall also be prohibited at the Pompton Plains Train Station property.

Section 2. If any section or provision of this Ordinance shall be held invalid in any Court of competent jurisdiction, the same shall not affect the other sections or provisions of this Ordinance, except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

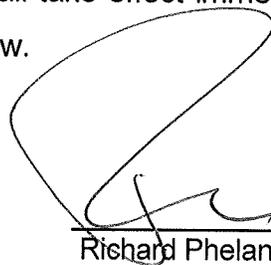
Section 3. All Ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 4. This Ordinance shall take effect immediately after final passage and publication in the manner provided by law.

Introduced: January 25, 2011

Adopted: February 22, 2011


Joseph J. Delaney, Jr., Township Clerk


Richard Phelan, Mayor