**ORDINANCE 2023-07**

*Township of New Hanover*

*County of Burlington*

*State of New Jersey*

**AN ORDINANCE AMENDING AND SUPPLEMENTING THE TOWNSHIP CODE OF THE TOWNSHIP OF NEW HANOVER TO AMEND CHAPTER 131, PEACE AND GOOD ORDER.**

 **WHEREAS**, the Chief of Police of the Township Police Department has reviewed the Township Code Chapter 131 Peace and Good Order and determined that that Chapter requires updates in order to ensure the safety of the community; and

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of New Hanover in the County of Burlington, State of New Jersey as follows:

**ARTICLE I: AMEND** Chapter 131, Peace and Good Order Article 3, Offensive Language to delete the current text and replace to read as follows:

**§ 131-3. Prohibited acts.**

In addition to the acts enumerated in this Chapter, no person, shall within the Township of New Hanover:

1. Be loud, unruly, unmanageable, riotous, uncontrollable or disorderly in any public place or quasi-public place so as to cause a disturbance or annoyance to neighbors, adjacent property owners or other persons within a reasonable proximity;
2. Cause or permit to be emitted any vile, offensive, obnoxious or nauseating odor;
3. Cause or permit any sound which by its length or volume creates a disturbance or annoyance to adjacent property owners;
4. Willfully or maliciously ring or sound or cause to be rung or sounded any bell, siren or other alarm to give false impression of a fire or emergency;
5. Appear on any street, road, avenue, park or other parks, including in vehicles parked on the same in a state of nudity;
6. Remove or interfere with or disturb any lantern, warning signal, obstruction or barricade lawfully placed in or across any public street by a public authority, its contractors, agents, servants or employees;
7. It shall be unlawful for any person to engage in the smoking of marijuana, cannabis or cannabis item in or on any indoor public place or public place;
8. Keep or maintain a disorderly house or a house of ill fame, or allow or permit any house, shop, store or other building or structure owned by him or her to be used as a disorderly house or house of ill fame;
9. Permit any house, shop, store or other building or structure owned by him or her to be frequented or resorted to by noisy, riotous or disorderly persons or by prostitutes, gamblers or vagrants;
10. All other riotous, indecent or disorderly conduct, breach of the peace and vagrancy not hereinabove specifically mentioned is hereby prohibited.

Notwithstanding the penalty set forth in Article 10 of this Chapter, any person who violates the provisions of this article shall, upon conviction, be subject to a fine in the amount of One Hundred Fifty dollars ($150.00).

**ARTICLE I: AMEND** Chapter 131, Peace and Good Order Article 10, Violations and penalties to add:

**ARTICLE II. Repealer, Severability and Effective Date.**

1. Repealer. Any and all other Ordinances inconsistent with the terms of this Ordinance are hereby repealed to the extent of any such inconsistencies.
2. Severability. In the event that any clause, section, paragraph or sentence of this Ordinance is deemed to be invalid or unenforceable for any reason, then the Township Committee hereby declares its intent that the balance of the Ordinance not affected by said invalidity shall remain in full force and effect to the extent that it allows the Township to meet the goals of the Ordinance.

3. Effective Date. This Ordinance shall take effect upon proper passage in accordance with the law.

Introduction: May 9, 2023

Date of Publication: May 14, 2023

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| COUNCILMEMBER | YES | NO | NV | AB | COUNCILMEMBER | YES | NO | NV | AB |
| KOSHAK | **X** |  |  |  | SMITH | **X** |  |  |  |
| PAWLYZYN | **X** |  |  |  | PETERLA | **X** |  |  |  |
| MURPHY | **X** |  |  |  |  |  |  |  |  |
| MOTION | **PAWLYZYN** | SECOND | **SMITH** |
| X – INDICATES VOTE AB- ABSENT NV- NOT VOTING |

I hereby certify the foregoing to be a true copy of an ordinance introduced by the Township Committee of

the Township of New Hanover, Burlington County, New Jersey at a regular meeting held on May 9, 2023.

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Susan D. Jackson, RMC

Borough Clerk

Adopted:

Date of Publication:

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| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| COUNCILMEMBER | YES | NO | NV | AB | COUNCILMEMBER | YES | NO | NV | AB |
| KOSHAK |  |  |  |  | SMITH |  |  |  |  |
| PAWLYZYN |  |  |  |  | PETERLA |  |  |  |  |
| MURPHY |  |  |  |  |  |  |  |  |  |
| MOTION |  | SECOND |  |
| X – INDICATES VOTE AB- ABSENT NV- NOT VOTING |

I hereby certify the foregoing to be a true copy of an ordinance adopted by the Township Committee of the

Township of New Hanover, Burlington County, New Jersey at a regular meeting held on June 13, 2023.

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Susan D. Jackson, RMC

Borough Clerk

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Susan Jackson, RMC Paul Peterla

Township Clerk MAYOR