

2011

BOROUGH OF SEASIDE PARK

ORDINANCE NO. 1560

**AN ORDINANCE OF THE BOROUGH OF SEASIDE
PARK, OCEAN COUNTY, NEW JERSEY AMENDING
CHAPTER 64 (SMOKING) OF THE BOROUGH CODE.**

BE IT ORDAINED by the Mayor and Council of the Borough of Seaside Park, in the County of Ocean, State of New Jersey, as follows:

SECTION 1. Chapter 64 Entitled "SMOKING" of the Borough Council of the Borough of Seaside Park is hereby amended and supplemented to include the following:

**ARTICLE II
SMOKING PROHIBITED IN RECREATIONAL AND PARK AREAS**

Section 64-8. Purpose

The purpose of the within is to protect the public health, safety, and welfare pursuant to N.J.S.A.40:48-1 and N.J.S.A.40:48-2 by prohibiting smoking in certain areas of the Borough. Smoking is defined as the burning of a lighted cigar, cigarette or pipe and any other matter or substance which contains tobacco.

Section 64-9. Smoking Prohibited.

Smoking shall be prohibited in the following specified areas of the Borough of Seaside Park:

A. The municipal recreational complex located at Thirteenth Avenue and Barnegat Avenue including but not limited to, the ball field, basketball court, tennis courts, and playground.

B. The municipal parks and recreational areas as follows:

1. O Street and Lake Avenue
2. Fifth Avenue pier and playground including the bathing beach.
3. Fourteenth Avenue pier including boat ramp, pavilion and parking area.
4. K Street wharf area.
5. Bayside bulkhead area between M & N Streets.
6. Bayside bulkhead area between N & O Streets.
7. Seaside Park Marina.
8. Public oceanfront beaches beginning along the easterly side of Ocean Avenue including but not limited to, all beaches, dunes, beach plantings and waters; from the southerly side of Stockton Avenue to Fourteenth Avenue including but not limited to, the public boardwalk, boardwalk access and pavilions.
9. Public bay front beaches.

Section 64-10. Signs.

Notice of the prohibitions contained in this article shall be conspicuously posted by signs stating "No Smoking" and shall reference applicable Code provisions.

***Section 64-11. Violations and Penalties.**

Any person who violates any one (1) or more sections of this ordinance shall be subject to a fine of not more than fifty (\$50.) dollars, or by community service of not more than two days; for a second offense within the same calendar year, punishable by a fine of not more than one-hundred (\$100.) dollars, or by community service of not less than five days; and for a third offense within the same calendar year, be punishable by a fine of not less than two-hundred (\$200.) dollars, or by community service of not less than ten (10) days or any combination of fine and community service as determined in the sole discretion of the Municipal Court Judge.

SECTION 3. This Ordinance repeals any inconsistent ordinance or ordinances, or part or parts thereof.

SECTION 4. This Ordinance shall take effect upon its final passage and publication as required by law.

PLEASE TAKE NOTICE that Ordinance No. 1560 was introduced and passed on first reading at the April 14, 2011 meeting of the Mayor and Borough Council and will be considered for second reading and final passage during the meeting scheduled to begin at 7:00 p.m. on April 28, 2011 in the Council Chambers of the Municipal Building, located at Sixth and Central Avenues, Seaside Park, New Jersey, at which time and place any person desiring to comment on this Ordinance will be given the opportunity to be heard.


KAREN BARNA
Municipal Clerk

APPROVED:


THOMAS E. CONNORS, MAYOR

BOROUGH OF SEASIDE PARK

ORDINANCE NO. 1560

AN ORDINANCE OF THE BOROUGH OF SEASIDE PARK, COUNTY OF OCEAN, STATE OF NEW JERSEY, REPLACING CHAPTER 64 OF THE CODE OF THE BOROUGH OF SEASIDE PARK ENTITLED "SMOKING", as it pertains to smoking prohibited in certain recreational and parking areas.

NOTICE OF ADOPTION

Please take notice that the above Ordinance No. 1560 was adopted upon final reading at the regular meeting of the Borough Council at a meeting held at Sixth and Central Avenues, Seaside Park, NJ on April 28, 2011.


Karen Barria
Borough Clerk

April 29, 2011