

## ORDINANCE NO: #12-10

AN ORDINANCE OF THE BOROUGH OF KEYPORT IN MONMOUTH COUNTY, AMENDING THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF KEYPORT, BY ADDING CHAPTER 4-26 PROHIBITING SMOKING AT WATERFRONT PARK EXCEPT IN DESIGNATED AREAS

WHEREAS, pursuant to *N.J.S.A. 40:48-1 et seq.*, the power to adopt public ordinances for public health, safety and welfare of the Borough of Keyport (the "Borough") is conterminous with the power of the legislature; and

WHEREAS, the Mayor and Council of the Borough of Keyport now desires to create specific provisions in its Police Regulations which prohibits smoking at Waterfront Park except in certain designated locations.

NOW THEREFORE, BE IT ENACTED by the Mayor and Council of the Borough of Keyport wish to add Chapter 4-26 of the Revised General Ordinances of the Borough with regard to prohibiting smoking at Waterfront Park as follows:

### NEW SECTION

#### 4-26. Smoking Prohibited at Waterfront Park

No person shall smoke any cigarettes, cigars or other tobacco products at Waterfront Park at any time, except in designated smoking areas as indicated by signs posted at Waterfront Park by the Department of Public Works. Such designated smoking areas shall be designated by the Mayor and Borough Council and are subject to change.

The designated smoking areas at Waterfront Park at this time include:

- (1) Two tables in the Mini Park as indicated by the appropriate signage
- (2) The Pier
- (3) The Fireman's Parking Lot portion of the wooden walkway
- (4) The two paved areas behind the Pavilion.

The penalty for violation of this section shall be a minimum of twenty-five dollars (\$25.00) and maximum of two-hundred fifty dollars (\$250.00) per offense.

If any part or parts of the Ordinance are for any reason held to be invalid, such adjudication shall not affect the validity of the remaining portions of this Ordinance.

All Ordinances or parts of Ordinances which are inconsistent herewith are repealed, but only to the extent of such inconsistency.

This Ordinance shall become effective immediately upon its final passage and publication as required by law.

Introduced: June 1, 2010

Public Hearing: June 15, 2010

Adopted: June 15, 2010

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Valerie T. Heilweil, RMC

Borough Clerk

Borough of Keyport

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Robert J. Bergen, Mayor

Borough of Keyport