

TOWNSHIP OF HAMILTON  
ORDINANCE NO. 1829-2016

**AN ORDINANCE AMENDING CHAPTER 225, ARTICLE III, SECTION 30 OF THE  
HAMILTON TOWNSHIP CODE PROHIBITING SMOKING ON PUBLIC PROPERTY**

WHEREAS, a request has been made by the Township of Hamilton to post “no smoking” signs at the locations covered under the Township of Hamilton Smoking Prohibition Ordinance, Chapter 225, Article III, Section 30 of the Township of Hamilton Code; and

WHEREAS, a request has been made for the Township of Hamilton to ban electronic smoking devices (ESD) under the Smoking Prohibition Ordinance; and

WHEREAS, a request has been made to designate “the Cove” located at Park Road, Mays Landing, Hamilton Township, New Jersey 08330 as a restricted area under the Smoking Prohibition Ordinance; and

WHEREAS, the Township Committee for the Township of Hamilton has determined that the public interest will be better served by the Smoking Prohibition Ordinance to post “no smoking” signs in the areas covered by the ordinance, to ban ESD in the areas covered by the ordinance and to prohibit smoking in the Cove.

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Hamilton, County of Atlantic, State of New Jersey that Article III: Smoking Prohibition of the Code of Township of Hamilton is hereby amended as follows:

(1) Section 225-32 is hereby amended as follows:

**§ 225-32 Definitions.**

As used in this article, the following terms shall have the meanings indicated:

**SMOKING**

The act of lighting by fire by any means, and/or the act of inhaling, exhaling, burning, or carrying any lighted smoking product, including but not limited to a cigarette, electronic smoking devices (ESD), cigar, pipe, tobacco, weed, plant or other vegetation or similar material.

(2) Section 225-31 is hereby amended as follows:

**§ 225-31 Areas restricted.**

Smoking of any kind shall be and hereby is prohibited at all such locations referenced above. In addition, smoking of any kind shall be and is hereby prohibited at a certain area of the Cove, Park Road, Mays Landing Section, to be designated “NO SMOKING” by the Township Committee. The Township of Hamilton will post signs at all locations referenced above designating the locations as areas where smoking is prohibited. The areas restricted are listed below:

Location	Block	Lot	Tax Map Page	Location
Mizpah Ball Field	515	1	14	6925 Railroad Ave
Knight Ave Ball Field	693	1	26.02	6207 Knight Ave
Underhill Park	809	32	31.05	129 Old Egg Harbor Rd
Hickory Street Soccer Facility	948	8	35	5670 Hickory St
Cologne Ave Ball Field	1140	1	47	2850 Cologne Ave
Liepe Tract Recreation Complex	1141	12	47	3155 Leipzig Ave
Township Hall	786	1.01	31.03	6101 Thirteenth St
Frank Grieco Social Service Center	786	1.01	31.03	1309 Route 50
Cove Beach	588	114	28.04	577 Park Rd

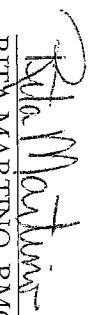
**Severability and Effectiveness Clause.**

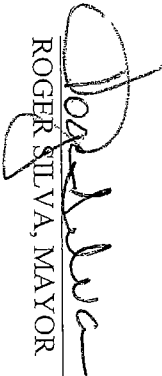
- A. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional, invalid, or unenforceable by a court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.
- B. Any Ordinance inconsistent with the terms of this Ordinance is hereby repealed to the extent of such inconsistency.

**Effective Date.**

This Ordinance shall take effect upon its final passage and publication, as provided by law.

WITNESSED: TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF HAMILTON,  
COUNTY OF ATLANTIC CITY

  
RITA MARTINO, RMC  
TOWNSHIP CLERK

  
ROGER SILVA, MAYOR

COMMITTEE MEMBER	MOTION	YES	NO	ABSTAIN	ABSENT
GATTO	1	X			
GUSHARD		X			
KURTZ	2	X			
SCHENKER		X			
MAYOR SILVA		X			

FIRST READING AND INTRODUCTION: August 1, 2016  
FINAL READING AND ADOPTION: August 15, 2016