

TOWNSHIP OF WEEHAWKEN

HUDSON COUNTY, NEW JERSEY

AN ORDINANCE AMENDING ORDINANCE #1-1989, CHAPTER 3, SECTION 8 OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WEEHAWKEN, 1987, IN ORDER TO BAN SMOKING IN PUBLIC PLAYGROUNDS

ORDINANCE # 09 - 2004

WHEREAS, smoking of tobacco has been identified to be detrimental to public health and welfare; and

WHEREAS, it has been determined that trying to curb smoking in public areas, especially where children will gather, will be beneficial to public health, safety and general welfare; and

WHEREAS, increasing areas where smoking is prohibited has a benefit in curbing the use of smoking; and

WHEREAS, State Legislation allows the prohibition of smoking in various public places including, but not limited to Municipal Playgrounds,

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Weehawken, County of Hudson and State of New Jersey, as follows:

Section 1. Chapter 3, Section 8 of the Revised General Ordinances of the Township of Weehawken, 1987, is hereby amended by adding a new subsection 3-8.3, as follows:

3-8.3. Public Playgrounds. No person shall smoke, carry or possess a lighted cigar, cigarette, pipe or match, or use tobacco in any form lighted by fire in any public playground within the Township.

Section 2. Separate Violations. Each violation of any of the provisions of this Ordinance shall be deemed and taken to be a separate and distinct offense.

Section 3. Inconsistent Ordinances Repealed. All other ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed, to the extent of such inconsistency.

Section 4. Severability. If any portion of this ordinance or the application thereof to any person or circumstance shall for any reason be adjudged by a court of competent jurisdiction to be invalid or unenforceable, that portion shall be deemed severed from, and shall not impair the validity or enforceability of, the balance of this ordinance.

Section 5. Gender and Number. As used in this ordinance, wherever necessary or appropriate, one gender shall be deemed to include and mean either of the other two, and the singular number shall include the plural and vice versa.

Section 6. Paragraph Headings. The paragraph headings appearing in this ordinance are inserted only as a matter of convenience and are neither a part of the substantive provisions, nor in any way define, limit or describe the scope or intent of this ordinance.

Section 7. Effective Date. This ordinance shall take effect <<MARK>> upon final adoption and publication according to law.

Introduced: June 9th 2004

Adopted: June 23rd 2004