

BOROUGH OF RIVERDALE

ORDINANCE NO. 11-2008

ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF RIVERDALE AND PROHIBITING SMOKING IN MUNICIPAL BUILDINGS, GROUNDS, PARKS OR RECREATION FACILITIES

BE IT ORDAINED by the Borough Council of the Borough of Riverdale, in the County of Morris and State of New Jersey, as follows:

1. The Revised General Ordinances of the Borough of Riverdale are hereby amended by the inclusion of new Chapter 139 which shall be entitled “Smoking in municipal buildings, parks, grounds, or recreation facilities.”, which shall read in its entirety as follows:

139 Smoking in municipal buildings, grounds, parks, or recreation facilities.

139-1 Definitions.

The following words and terms shall have the meanings herein indicated for the purposes of this Chapter:

TOBACCO USE is hereby defined as “the use of or burning of a lighted cigar, cigarette, pipe or any other matter or substance which contains tobacco, including chewing tobacco”.

BUILDING shall mean any building or enclosed structure held, used, owned, leased or controlled exclusively by the Borough of Riverdale for public purposes.

GROUNDS shall mean the property surrounding any public building owned, leased, or controlled by the Borough of Riverdale. It shall specifically include the entire Riverdale School property including, but not limited to, the area around the Riverdale Community Center.

PARK OR RECREATION FACILITY shall mean any park, ball field, recreation facility, owned or leased or used by the Borough of Riverdale for public purposes.

139-2 It shall be unlawful for any person to use tobacco in any municipal building, grounds, park, or recreation facility unless the Borough of Riverdale posts a sign specifically permitting smoking in a designated area.

139-3 This Ordinance may be enforced by any municipal official. Any person who uses tobacco in a municipal building, grounds, park, or recreation facility in violation of this Ordinance is subject to a fine not to exceed \$250.00.

139-4 This Ordinance is intended to supplement N.J.S.A. 26:3D-48, et seq.

2. If any section or provision of this Ordinance shall be held invalid in any Court of competent jurisdiction, the same shall not affect the other sections or provisions of this Ordinance, except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

3. All Ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed to the extent of such inconsistency.

4. This Ordinance shall take effect immediately after final passage and publication in the manner provided by law.

Adopted this ____ day of _____, 2008.

Carol Talerico, Borough Clerk

William Budesheim, Mayor

CLERK'S CERTIFICATION

NOTICE is hereby given that the above Ordinance was introduced and passed first reading by title at a regular meeting of the Mayor and Council of the Borough of Riverdale, held on September 15, 2008 and it will be considered for final passage at a regular meeting of said Mayor and Council to be held on October 20, 2008 at 7:30 p.m. or as soon thereafter same can be considered, in the Municipal Building, 91 Newark Pompton Turnpike, Riverdale, New Jersey, at which time and place all persons interested therein or affected thereby will be given an opportunity to be heard concerning same. During the week prior and up to the time of public hearing, copies of said Ordinance will be available to the members of the general public who request same, in the Borough Clerk's Office between the hours of 9:00 a.m. and 4:30 p.m.

Carol J. Talerico, R.M.C.
Municipal Clerk