

TOWNSHIP OF WALL

ORDINANCE NO. 9 - 1990

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF TOWNSHIP OF WALL AMENDING AND SUPPLEMENTING CHAPTER III "REGULATORY ORDINANCES", OF "THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WALL, 1977", AS AMENDED AND SUPPLEMENTED, PERTAINING TO PENALTIES FOR VIOLATION OF TOWNSHIP ORDINANCES.

WHEREAS, N.J.S.A. 40:49-5 has been recently amended to provide for an additional fine to be imposed upon persons for second or subsequent ordinance violations within one year of the date of a previous violation, except where a Municipality provides for the waiver of such additional fine; and

WHEREAS, the Township Committee finds that the imposition of penalties for violations of Township Ordinances is a matter best left to the discretion of the Municipal Court;

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Wall in the County of Monmouth and State of New Jersey as follows:

SECTION 1. Chapter III, "Regulatory Ordinances", Section 3-1 "Penalties", of "The Revised General Ordinances of the Township of Wall, 1977", as amended and supplemented, be and the same is hereby further amended and supplemented by the deletion therefrom of subsection 3-1.1 "Maximum Penalty" and the substitution therefor of the following:

"3-1.1 Maximum Penalty. a. For violation of any provision of this codification, or any other ordinance of the township where no specific penalty is provided, the maximum penalty upon conviction shall be

a fine not exceeding one thousand (\$1,000.00) dollars, or imprisonment for a period not exceeding 90 days or both.

b. The additional fine for repeated offenses established by N.J.S.A. 40:49-5 be and the same is hereby waived, and the penalty to be imposed for repeated violations of Township Ordinances shall be determined in the sound discretion of the Municipal Court Judge."

SECTION 2. All Ordinances, or parts thereof, inconsistent with the provisions of this Ordinance, be and the same are hereby repealed to the extent of such inconsistency.

SECTION 3. Should any section, paragraph, clause, or any other portion of this Ordinance be adjudged by a Court of competent jurisdiction to be invalid, such judgment shall not affect or impair the remainder of this Ordinance.

SECTION 4. This Ordinance shall take effect immediately upon its passage and publication according to law.

NOTICE

Notice is hereby given that the foregoing Ordinance was introduced and passed on first reading by the Township Committee of the Township of Wall on Jan. 24, 1990 and will be further considered for final passage and adoption at the Court Room, Police Headquarters Building, Allaire Road, Wall, New Jersey, on Feb. 14, 1990 at 8:00 p.m., or as soon thereafter as the matter can be reached on the agenda at which time and place all persons interested therein shall be given an opportunity to be heard, and during the week prior to, and up to and including, the date of such meeting, copies of said Ordinance will be made available at the Clerk's office in the Township of Wall Town Hall to the members of the general public who shall request the same.

BEATRICE M. GASSNER
Township Clerk

ordinance.ord