

TOWNSHIP OF WALL

ORDINANCE NO. 31 - 1999

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL, AMENDING CHAPTER III "REGULATORY ORDINANCES" SECTION 3-16, "DRUG-FREE SCHOOL ZONES", OF "THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WALL, 1977", AS AMENDED AND SUPPLEMENTED, PERTAINING TO AN EXPANSION OF THE TOWNSHIP'S DRUG-FREE SCHOOL ZONE TO TO INCLUDE PUBLIC HOUSING FACILITIES, PUBLIC PARKS, LIBRARIES, MUSEUMS AND PUBLIC BUILDINGS.

WHEREAS, Chapter III, "Regulatory Ordinances", Section 3-16, "Drug-Free School Zones", of "The Revised General Ordinances of the Township of Wall" establishes a drug-free school zone map, pursuant to the provisions of N.J.S.A. 2C:35-7, and provides substantial minimum mandatory terms of imprisonment for persons convicted of distributing or dispensing controlled dangerous substances within 1,000 feet of a school property; and

WHEREAS, the State of New Jersey has enacted further legislation expanding the drug free school zones to include real property comprised of public housing facilities, public parks, libraries, museums, and public buildings; and

WHEREAS, this legislation allows for enhanced penalties for persons distributing, dispensing or possessing any controlled dangerous substance within 500 feet of real property comprised of a public housing facility, public parks, libraries, museums and public buildings; and

WHEREAS, the legislation provides that a municipality may adopt by ordinance an official map reflecting the drug free areas surrounding the aforesaid facilities which would allow law enforcement officials to introduce the map in the prosecution of any matter under the statute;

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

Section 1. Chapter III "Regulatory Ordinances", Section 3-16.1, "Drug-Free School Zone Not Authorized", 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 addition of the following subsection:

3-16.1(a) Drug-Free Zone Map To Include Public Housing, Public Parks, Public Facilities, and Public buildings. Pursuant to authority of *N.J.S.A. 2C:35-5*, the drug-free school zone map prepared by Glenn R. Gerken, Township Engineer, and dated August 24, 1999, be and the same is hereby approved and adopted as an official finding on record of the location and boundaries of the real property within the Township which are comprised of public housing facilities, public parks, libraries, museums and public buildings, and the areas within 500 feet of such properties."

Section 2. All Ordinances, or parts thereof, inconsistent with the provision 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 October 6, 1999, and will further be considered for final passage and adopted at the Wall Township Municipal Building, 2700 Allaire Road, Wall, New Jersey on ^{December 8} ~~November 10~~, 1999 at 8:00 o'clock 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 members of the general public who shall request the same.

JOSEPH L. VERRUNI
Acting Township Clerk