

**ORDINANCE
TOWNSHIP OF FRANKLIN**

**ORDINANCE REPEALING CHAPTER 322 OF THE CODE OF THE TOWNSHIP
OF FRANKLIN, ENTITLED “RESTRICTION BY CLASSIFICATION OF
OFFENDER,” AS FOLLOWS:**

O-16-09

WHEREAS, the Township of Franklin had adopted an Ordinance entitled “Restriction by classification of offender,” codified under Chapter 322 of the Code of the Township, due to the Township being interested and committed to protecting the youth of Franklin Township and recognizing the need to create zones of protection to advance and protect the health, safety and welfare of the citizens of Franklin Township; and

WHEREAS, on May 27, 2009, the Supreme Court of New Jersey rendered a decision in the case of G.H. v. Township of Galloway affirming the decision of the Appellate Division below which found that Galloway Township’s and Cherry Hill Township’s Sex Offender Ordinances, establishing residency restrictions, were precluded by Megan’s Law, N.J.S.A. 2C:7-1 et. seq.; and

WHEREAS, based upon the Supreme Court of New Jersey’s decision in G.H. v. Township of Galloway, the Township must repeal Chapter 322 of the Code of the Township, as such a local ordinance is preempted by Megan’s Law, N.J.S.A. 2C:7-1 et. seq.; and

NOW THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Franklin, County of Gloucester, State of New Jersey that Chapter 322 of the Code of the Township of Franklin is hereby rescinded and repealed.

ATTEST

TOWNSHIP OF FRANKLIN

CAROLYN K. TOY, CLERK

JOSEPH C. PETSCH, MAYOR

CERTIFICATION

I, CAROLYN K. TOY, Clerk of the Township of Franklin, County of Gloucester, do hereby certify that the foregoing Ordinance was introduced at a regular meeting of the Township of Franklin, held on Tuesday, November 10, 2009, and thereafter duly advertised in the legal newspaper of the Township at least ten (10) days prior to it being considered for final passage and adoption at a subsequent meeting to be held on December 8, 2009, at which time any person interested therein will be given an opportunity to be heard.

CAROLYN K. TOY, CLERK