

**ORDINANCE
TOWNSHIP OF FRANKLIN
AMENDING OF CHAPTER 278 OF THE CODE OF THE TOWNSHIP OF FRANKLIN
O - 27- 08**

WHEREAS, N.J.S.A. 26:2B-1, et seq., the New Jersey Alcohol Treatment and Rehabilitation Act, prohibits the imposition of criminal or civil penalties for being intoxicated in public; and

WHEREAS, Chapter 278-4 of the Franklin Township Code currently imposes penalties for being under the influence of intoxicating liquor while in any park area of Franklin Township; and

WHEREAS, the Township Committee of the Township of Franklin is desirous of revising the Code of the Township of Franklin so that it complies with all New Jersey State statutes; and

WHEREAS, after due deliberation and consultation with the Solicitor, the Township Committee has determined that the following revisions and amendments to Chapter 278 of the Franklin Township Code are necessary and appropriate.

NOW, THEREFORE, the Township Committee of the Township of Franklin, in Gloucester County, New Jersey, does hereby adopt and enact the following amendments to Chapter 278 of the Township's Code:

§278-4 Prohibited Activities shall be amended to read as follows:

A. Possess alcoholic beverages or a controlled dangerous substance or its analog, as defined in New Jersey Statutes Annotated, in park areas or consume the same while there. Violation of this Subsection A shall be punishable by a fine in the sum of \$200 or imprisonment in the county jail for a maximum of 90 days, or both.

BE IT FURTHER ORDAINED, Any Ordinance or parts of ordinances inconsistent with the provisions of this Ordinance be and the same are hereby repealed; and

BE IT FURTHER ORDAINED, that this Ordinance shall take effect immediately upon passage and publication in accordance with the laws of the State of New Jersey.

Introduced: August 26, 2008

YES					
NO					
ABSTAIN					
ABSENT					

Public Hearing Held: , 2008

Adopted: , 2008

YES					
NO					
NO					
ABSTAIN					

NOTICE

The above ordinance was introduced and passed on first reading at the meeting of the Township Committee of the Township of Franklin in the County of Gloucester held on the 26th day of August, 2008 and will be considered for final passage at a meeting to be held by the Township Committee at 7:00 p.m. on the day of , 2008 at which time and place any person interested will be given an opportunity to be heard.

FRANK SCAVELLI, Mayor

ATTEST:

CAROLYN TOY, Clerk

CERTIFICATION

I, CAROLYN 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, August 26, 2008, and thereafter duly advertised in the legal newspaper of the Township at least 10 days prior to it being considered for final passage and adoption at a subsequent meeting to be held on Tuesday , 2008, at which time any person interested therein will be given an opportunity to be heard.

CAROLYN TOY, Clerk