

ORDINANCE 2019-03

AN ORDINANCE AMENDING AN ORDINANCE ENTITLED "REVISED GENERAL ORDINANCES OF THE BOROUGH OF SURF CITY, COUNTY OF OCEAN, STATE OF NEW JERSEY, 2000" AS THE SAME IN CHAPTER 19 PERTAINS TO PARKS, BEACHES AND RECREATIONAL AREAS"

The Mayor and Borough Council of the Borough of Surf City do ordain:

SECTION I

Section 19-7 entitled *Smoking Prohibition*, be and is hereby amended as follows:

Section 19-7.2 entitled *Restricted Area*, be and is hereby amended to include new subsections (c), (d) and (e) to read as follows:

c. The carrying or smoking of lighted tobacco products is prohibited along the ocean beaches in accordance with State Statute. An exception to the smoking prohibition shall be in an area not to exceed fifteen (15%) percent of the total beach area, which area shall be designated by Resolution of the Governing Body.

d. The carrying or smoking of lighted tobacco products is prohibited in the Veterans' Memorial Park.

e. For the purposes of this section, the term lighted tobacco products shall include but not be limited to a lighted cigar, cigarette, pipe or any other matter or substance which contains tobacco or any other matter that can be smoked, or the inhaling or exhaling of smoke or vapor from an electronic smoking device.

SECTION II

All ordinances or parts of ordinances inconsistent herewith are repealed to the extent of such inconsistency.

SECTION III

If any word, phrase, clause, section or provision of this ordinance shall be found by any Court of competent jurisdiction to be unenforceable, illegal, or unconstitutional, such word, phrase, clause, section or provision shall be severable from the balance of the ordinance and the remainder of the ordinance shall remain in full force and effect.

SECTION IV

This ordinance shall take effect immediately upon adoption of the ordinance.

NOTICE

Public Notice is hereby given that the foregoing Ordinance was introduced and passed on the first reading at a regular meeting of the Mayor and Council of the Borough of Surf City, County of Ocean, State of New Jersey, on Wednesday, February 13, 2019.

Further notice is given that said Ordinance will be considered for final passage and adoption, after public hearing, to be held at a regular meeting of the Mayor and Council on Wednesday, March 13, 2019 at 7:30 P.M. in the Municipal Building, 813 Long Beach Blvd., Surf City, New Jersey, at which time and place, any person desiring to be heard upon the same will be given the opportunity to be so heard.

MARY P. MADONNA, RMC/MMC/QPA/CPM
Municipal Clerk/Administrator