

ORDINANCE NO. 24-23

AN ORDINANCE OF THE TOWNSHIP OF DENVILLE, COUNTY OF MORRIS, STATE OF NEW JERSEY, REPEALING SECTION 212-1, DISTURBING THE PEACE, OF THE TOWNSHIP CODE

WHEREAS, Section 212-1 of the Code of the Township of Denville prohibits "drunken, riotous or other disorderly conduct" for the protection of the public's health, safety and welfare; and

WHEREAS, while N.J.S.A. 40:48-2 authorizes municipalities to enact ordinances for the preservation of the public's health, safety and welfare, and N.J.S.A. 40:41A-28 provides that "[m]unicipalities are and shall remain the broad repository of local police power in terms of the right and power to legislate for the general health, safety and welfare of their residents," the Township's specific interests set forth in Section 212-1 are superseded by N.J.S.A. 2C:33-2; and

WHEREAS, the Township Council deems it in the best interest of the Township to amend the Township Code to repeal Section 212-1, Disturbing the Peace, in its entirety, upon this basis.

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the Township of Denville, County of Morris, State of New Jersey, as follows:

SECTION 1. Chapter 212, Disorderly Persons, § 212-1, Disturbing the Peace, of the Township Code is hereby repealed in its entirety.

SECTION 2. Ordinances, resolutions, regulations or parts of ordinances, resolutions and regulations inconsistent herewith are hereby repealed to the extent of such inconsistencies.

SECTION 3. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid by a court of competent jurisdiction, such a decision shall not affect the remaining portions of this Ordinance.

SECTION 4. This Ordinance shall take effect twenty (20) days following final passage, approval, and publication as required by law.

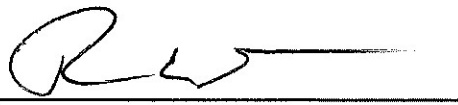
BY ORDER OF THE MUNICIPAL COUNCIL
OF THE TOWNSHIP OF DENVILLE

ATTEST:

APPROVED:



TARA M. PETTONI, RMC
MUNICIPAL CLERK



MAYOR THOMAS W. ANDES
TOWNSHIP OF DENVILLE

I hereby certify the foregoing to be a true copy of an ordinance adopted by the Municipal Council of the Township of Denville at its meeting held on December 5, 2023.



Tara M. Pettoni, RMC
Municipal Clerk