

**TOWNSHIP OF HANOVER  
BOARD OF HEALTH  
LEGAL NOTICE**

**ORDINANCE NO. 1-2020**

**AN ORDINANCE OF THE TOWNSHIP OF HANOVER BOARD OF HEALTH  
AMENDING AND SUPPLEMENTING  
PART III, BOARD OF HEALTH LEGISLATION, CHAPTER 337  
ENTITLED "ELECTRONIC SMOKING DEVICES"**

**WHEREAS**, in 2019 the Hanover Township Board of Health amended the electronic smoking device ordinance to prohibit the sale of electronic smoking device liquids; and

**WHEREAS**, the intent of the ordinance was to prohibit all electronic smoking device liquids including but not limited to those with a distinguishable flavor, taste, or aroma of fruit, chocolate, vanilla, honey, candy, cocoa, dessert, alcoholic beverage, herb or spice flavoring, menthol, tobacco, or mint; and

**WHEREAS**, to improve clarity, the Hanover Township Board of Health wishes to amend the ordinance to include tobacco and nicotine as prohibited flavors.

**NOW, THEREFORE, BE IT ORDAINED** by the Board of Health of the Township of Hanover in the County of Morris and State of New Jersey, that Chapter 337 entitled, "Electronic Smoking Devices" is hereby amended and supplemented as follows:

**SECTION 1.** Chapter, 337-2 entitled "Definitions and terminology" is amended and supplemented as follows:

Characterizing Flavor - a distinguishable flavor, taste, or aroma, including but not limited to, any fruit, chocolate, vanilla, honey, candy, cocoa, dessert, alcoholic beverage, herb or spice flavoring, menthol, mint, tobacco, or nicotine in liquid, wax, gel, oil, cartridge, or in any other format that is imparted, prior to or during consumption, by an electronic smoking device or other related product. An electronic smoking device or other related product shall be deemed to have a characterizing flavor if the device is packaged with, contains, or includes such flavors or ingredients in liquid,

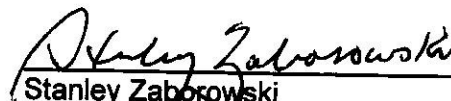
wax, gel, oil, cartridges, or any in other format and/or is advertised or marketed as having or producing characterizing flavors.

**SECTION 2.** All ordinances or parts of ordinances inconsistent herewith are repealed to the extent of such inconsistency.

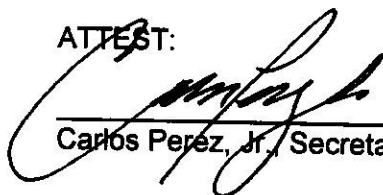
**SECTION 3.** If any word, phrase, clause, section, or provision of this ordinance shall be found by any Court of competent jurisdiction to be unenforceable, illegal or unconstitutional, such word, phrase, clause, section, or provision shall be severable from the balance of the ordinance and the remainder of the ordinance shall remain in full force and effect.

**SECTION 4.** This ordinance shall take effect immediately after final passage and publication in the manner provided by law.

**BOARD OF HEALTH  
TOWNSHIP OF HANOVER  
COUNTY OF MORRIS  
STATE OF NEW JERSEY**

  
\_\_\_\_\_  
Stanley Zaborowski  
Board President

ATTEST:

  
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Carlos Perez, Jr., Secretary

Date of Introduction: March 11, 2020

Date of Adoption: May 13, 2020