

**BOROUGH OF MONTVALE
ORDINANCE NO. 2024-1555**

NOTICE IS HEREBY GIVEN that the following Ordinance was introduced and passed on the first reading at the regular meeting of the Mayor and Council on May 9, 2024 and that said Ordinance will be taken up for further consideration for final passage at a regular meeting of the Mayor and Council to be held on May 28, 2024 at 7:30pm or as soon thereafter as said matter can be reached, at which time and place all persons who may be interested therein will be given an opportunity to be heard concerning same.

Frances Scordo, Municipal Clerk
Borough of Montvale

AN ORDINANCE OF THE BOROUGH OF MONTVALE AMENDING AND SUPPLEMENTING CHAPTER 200 TO REVISE RESTRICTIONS RELATED TO HUNTING AND THE DISCHARGING OF WEAPONS

WHEREAS, the Borough recently became aware of a number of individuals who were hunting on Borough-owned property within Montvale; and

WHEREAS, the State Conservation Officer has made recommendations to the Borough to revise certain sections of the Borough Code to assist the Montvale Police Department and New Jersey Fish and Wildlife in deterring hunters and enforcing Borough ordinances.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Montvale as follows:

Section 1. Chapter 200, "Firearms and Hunting," Section 1, "Hunting," is hereby amended and supplemented by adding the underlined text and deleting the bracketed text, as follows:

§200-1 Hunting.

It shall be unlawful for any person to hunt or pursue game or wild animals with firearms or any other type of weapon [within the municipal limits of] on municipal property within the Borough of Montvale.

Section 2. Chapter 200, "Firearms and Hunting," Section 2, "Discharging firearms," is hereby renamed "Discharging weapons" and is further amended and supplemented by adding the underlined text and deleting the bracketed text, as follows:

§200-2 Discharging weapons.

Within the corporate limits of the Borough of Montvale, no person or persons shall [discharge, fire or set off any] shoot, fire or discharge any bow-and-arrow(s), crossbow, BB gun, spring gun, weapon, revolver, pistol, gun, rifle, shotgun, air gun or firearm of any description which propels with force a bullet, shot, pellet or other projectile. [using cartridges, gunpowder, air pressure or any other explosive substance.]

- A. Nothing herein contained shall be construed to extend such prohibition to law-enforcement officers or to qualified military personnel while in the legal and proper pursuit of their duties or to target practice in and upon a firing range or site approved by the Chief of Police and governing body of the Borough of Montvale.

Section 3. Repeal of Inconsistent Ordinances.

All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

Section 4. Savings Clause.

Nothing in this Ordinance shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed pursuant to this Ordinance, nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

Section 5. Severability.

The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

Section 6. Effective Date.

This Ordinance shall become effective upon adoption and publication as required by law.