

BOROUGH OF NORTH HALEDON

ORDINANCE #16-2023

**AN ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER 499, SMOKE FREE TOBACCO-FREE ZONES
OF THE BOROUGH OF NORTH HALEDON**

WHEREAS, the New Jersey Legislature has determined that smoking is one of the leading causes of preventable disease and death in the United States, and that tobacco smoke is a substantial health hazard to the public; and

WHEREAS, while it is not the Borough's policy to deny anyone the right of smoke, and a balance must be struck between the rights of smoker to smoke and the right of non-smokers to clean air, the Board of Council desires to prohibit smoking in Borough buildings and on their grounds. This prohibition is consistent with N.J.S.A. 40:48-1 and 40:48-2, and 2C:33-13, which provide that smoking may be prohibited by municipal ordinance in any public place.

NOW, THEREFORE BE IT ORDAINED by the Mayor and Council of the Borough of North Haledon, County of Passaic, State of New Jersey, that:

Section 1.

Chapter 499, Smoke Free Zones shall be supplemented as follows:

§499-1. Definitions.

As used in this article the following terms shall have the meaning indicated:

PUBLIC BUILDING - shall mean the interior of any building, and its exterior grounds owned by the Borough of North Haledon.

SMOKING – shall mean the inhaling, exhaling, burning, or carrying of any lighted cigarette, cigar, pipe, electronic cigarette or other similar devices that contain tobacco and/or other similar devices that burn tobacco or similar materials.

§499-2. Smoking Prohibited.

No person shall smoke within any building, and its exterior grounds owned by the Borough of North Haledon. No person shall smoke within the boundary of any part, playground, ball field, recreational area or cultural area, owned, operated, and/or leased by the Borough of North Haledon that is designated as a smoke-free zone by the posting of signage in accordance with §499-3 of this article.

§499-3. Signage.

A "Smoke Free Zone" sign shall be clearly, sufficiently and conspicuously posted at every area where smoking is prohibited by this Ordinance. Each such sign shall have the words "Smoke Free Zone" in lettering that is no less than two (2) inches in height, and shall contain the international no smoking sign or symbol thereon.

§499-4. Violations and Penalties.

Any person, who violates the provisions of this Ordinance shall be subject to the penalties set forth in N.J.S.A. 2C:33-13(b).

Section 2.

All other parts or provisions of the Code of the Borough of North Haledon not specifically amended by this Ordinance shall remain in full force and effect.

Section 3.

This Ordinance shall take effect as provided by law.

NOTICE OF PUBLIC HEARING

Notice is hereby given that the above ordinance was introduced and passed first reading at the Regular Meeting of the Mayor and Council of the Borough of North Haledon on July 19, 2023, and will be considered for final passage after public hearing at the Regular Meeting of the Mayor and Council to be held on August 16, 2023 at the Municipal Bldg., 103 Overlook Ave., North Haledon, NJ at 7:30 p.m., or shortly thereafter at which time anyone interested therein or affected thereby will be given an opportunity to be heard

Notice is hereby given that the above ordinance passed its second and final reading at the Regular Meeting of the Mayor and Board of Council of the Borough of North Haledon which was held on August 16, 2023 at 103 Overlook Avenue, North Haledon, NJ 07508, and is hereby declared a passed ordinance in accordance with law.

Randy George, Mayor

Passed first reading on
July 19, 2023

Passed second and final reading
August 16, 2023

Renate Elatab
Municipal Clerk

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Municipal Clerk