

**TOWNSHIP OF ROCKAWAY  
COUNTY OF MORRIS, STATE OF NEW JERSEY**

**ORDINANCE NO. 0-21-34**

**AMENDING CHAPTER 1 (GENERAL PROVISIONS), ARTICLE 1, SECTIONS 1-5.1  
(MAXIMUM PENALTY) AND 1-5.2 (MINIMUM PENALTY) OF THE REVISED  
GENERAL ORDINANCES OF THE TOWNSHIP OF ROCKAWAY, COUNTY OF  
MORRIS, STATE OF NEW JERSEY**

**WHEREAS**, N.J.S.A. 40:48-2 permits a municipality to make and amend an ordinance as it may deem necessary and proper for good government, order, and protection of persons and property, and for the preservation of the public health, safety and welfare of the municipality and its inhabitants; and

**WHEREAS**, the Township of Rockaway ("Township") desires to amend Chapter 1, Article 1, Section 1-5.1 (Maximum Penalty), to comply with amendments to State law to increase the maximum fine for municipal ordinance violations; and

**WHEREAS**, the Township wishes to amend Chapter 1, Article 1, Section 1-5.2 (Minimum Penalty) to make mandatory a minimum penalty for local ordinance violations;

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

**SECTION 1. §1-5.1. Maximum Penalty**

Any person who shall violate any provision of this Code or other ordinance of the Township, where no specific penalty is provided regarding the section violated, shall, upon conviction thereof, be punishable by one or more of the following: a fine not exceeding \$2,000 or imprisonment for a period not exceeding 90 days or to a period of community service not exceeding 90 days at the discretion of the Judge of the Municipal Court. (N.J.S.A. 40:49-5)

**SECTION 2. §1-5.2. Minimum Penalty**

The court before which any person is convicted of violating any Township ordinance or code provision shall impose a fine of not less than \$100. The court before which any person is convicted of violating any Township or Code provision shall have the power to impose any fine, term of imprisonment or a period of community service not less than the minimum and not exceeding the maximum fixed in such ordinance.

**SECTION 3.** This ordinance shall take effect upon final passage and approval in accordance with law.

**CERTIFICATION**

I, Christina Clipperton, Township Clerk of the Township of Rockaway, County of Morris, State of New Jersey, do hereby certify that the foregoing is a true and accurate copy of an Ordinance introduced by the Township Council of the Township of Rockaway at a duly convened meeting held on November 9, 2021, and adopted at a duly convened meeting held on November 30, 2021.

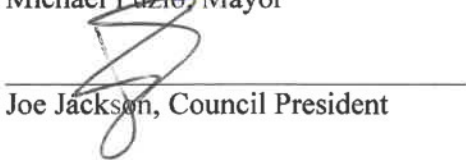
Date: 11/30/2021

  
Christina Clipperton, Township Clerk

Date: 11/30/2021

  
Michael Puzio, Mayor

Date: 11/30/2021

  
Joe Jackson, Council President

**PURPOSE**

These ordinances are being amended to comply with amendments to N.J.S.A. 40:49-5 which establishes penalties for violations of the municipal ordinances.

	Motion	Second	Yes	No	Abstain	Absent
Kelley				X		
Quinn	X		X			
Friedlander		X	X			
Kritz			X			
Salberg			X			
Brookes			X			
Noon			X			
V.P. Sackett			X			
C.P. Jackson			X			