

# Ordinance

Ordinance No. 02

OF THE  
CITY OF ATLANTIC CITY, N.J.

Date.01-25-2017  
Date to Mayor.02-23-2017

Approved as to Form and Legality on Basis of Facts Set Forth      Factual contents certified to by

Legislative Counsel/ Robert Tarver, Esq.

Business Administrator /s/ Jason Holt

Prepared by the Legislative Counsel

Council Members GILLIAM, RANDOLPH & SHABAZZ Present the following Ordinance:

## AN ORDINANCE TO AMEND CHAPTER 190 OF THE CODE OF THE CITY OF ATLANTIC CITY WHICH REGULATES NUISANCES

**BE IT ORDAINED** by the Council of the City of Atlantic City that the following City Code sections shall be amended to add the following as described below:

### SECTION 1:

**Release of Balloons-Purpose and Intent.** This article is adopted in order to protect the environment, particularly the wildlife in the health, safety and well-being of persons and property by prohibiting the release of helium balloons into the atmosphere, including latex and mylar, as it has been determined that the release of balloons inflated with lighter than air gases poses a danger and nuisance to the environment, particularly to wildlife and marine animals so as to constitute a public nuisance and may pose a threat to the safety of its inhabitants and their property.

**Prohibited Releases.** It shall be unlawful for any person, firm or corporation to intentionally release, organize the release or intentionally cause to be released balloons inflated with a gas that is lighter than air within the Atlantic City limits, except for:

- (a) Balloons released by a person on behalf of a governmental agency or pursuant to a governmental contract for scientific or meteorological purposes.
- (b) Hot air balloons that are recovered after launching.
- (c) Balloons released indoors.

**Violations and Penalties.** Any person found in violation of this ordinance is guilty of a non-criminal infraction punishable by a fine not to exceed the sum of \$500.

**SECTION 2:** All Ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance are hereby repealed to the extent necessary to remedy the inconsistency.

**SECTION 3.** This Ordinance shall become effective upon final passage and publication as provided by law.

February 23, 2017 9:32 AM pg 1-B

DO NOT USE SPACE BELOW THIS LINE

RECORD OF COUNCIL VOTE ON FINAL PASSAGE

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	MOT.	SEC.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	MOT.	SEC.
CHENG	X						MARSH	X					
DELGADO	X						RANDOLPH	X				X	
GILLIAM	X						SHABAZZ	X					X
KURTZ	X						TIBBITT	X					
							SMALL, PRESIDENT	X					

X-Indicates Vote NV-Not Voting AB-Absent MOT-Motion SEC-Second

Adopted on first reading at a meeting of the Council of the City of Atlantic City, N.J. on ...JANUARY 25, 2017.....

Adopted on second and final reading after hearing on...FEBRUARY 22, 2017.....

Reconsidered Over

Approved By *[Signature]* Date 2/23/17 By Council.....Ride \_\_\_\_\_  
 Mayor Aye Nay

This is a Certified True copy of the Original Ordinance on file in the City Clerk's Office.

/s/ *Paula Geletei* PAULA GELETEI, City Clerk