

Explanation: This Ordinance amends Article II, titled “Penalties”, Section 1-15, titled “Violations and Penalties”, by increasing the maximum amount of fines that may be imposed by the Municipal Court.

ORDINANCE NO. 2008 – 12

**AN ORDINANCE AMENDING ARTICLE II, TITLED
“PENALTIES”, SECTION 1-15, TITLED “VIOLATIONS
AND PENALTIES”, OF THE CODE OF THE
TOWNSHIP OF HILLSBOROUGH**

BE IT ORDAINED, by the Township Committee of the Township of Hillsborough, County of Somerset and State of New Jersey, as follows:

Section 1. Article II, Section 1-15 of the Code of the Township of Hillsborough is repealed and replaced with the following:

- A. Unless a specific penalty is provided elsewhere in the Code of the Township of Hillsborough, any person, firm or corporation who shall violate this Code shall upon conviction thereof, be punishable by one (1) or more of the following: a fine not exceeding two thousand (\$2,000.00) dollars or imprisonment for a period not exceeding ninety (90) days at the discretion of the Municipal Court.

- B. Any property owner may be fined in excess of one thousand two hundred (\$1,200.00) dollars for a housing or zoning violation, provided that prior to the imposition of a fine in excess of one thousand two hundred (\$1,200.00) dollars, the property owner is afforded a thirty (30) day period to cure or abate the condition and is entitled to an opportunity for a hearing before the Municipal Court for an independent determination concerning the violation. Subsequent to the expiration of the thirty (30) day period, a fine greater than one thousand two hundred and fifty (\$1,250.00) dollars may be imposed if the Municipal Court has not determined otherwise or, upon reinspection of the property, it is determined that the abatement has not been substantially completed. Each day during which there is a violation shall constitute a separate and continuing violation without the necessity of an additional summons being issued.

- C. Wherever in the Code of the Township of Hillsborough there is a reference to a Class A, B or C violation, the penalty for that violation shall be assessed pursuant to Section 15A of this Ordinance.

Section 2. Article II, Section 188-25A of the Code of the Township of Hillsborough is amended by repealing the following:

Any person convicted of such violations before a court of competent jurisdiction shall be subject to a penalty not to exceed \$500 and/or 90 days in jail, and each act shall be deemed a separate violation.

Section 3. Article II, Section 188-25A of the Code of the Township of Hillsborough is amended to add the following:

Any person convicted of such violations before a court of competent jurisdiction shall be subject to the penalties stated in Section 15A of this Ordinance.

Section 4. Severability.

If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision and the remainder of this Ordinance shall be deemed valid and effective.

Section 5. Effective Date.

This Ordinance shall take effect as provided by law.

ATTEST:

HILLSBOROUGH TOWNSHIP COMMITTEE

Kevin P. Davis, Clerk

By: _____
Anthony Ferrera, Mayor

Introduced: 2/26/08

Published: 3/06/08

Public Hearing: 3/25/08

Adopted: 3/25/08

Published: 4/3/08