

**TOWNSHIP OF MOORESTOWN**

**ORDINANCE NO. 17-2015**

**AN ORDINANCE REPEALING AND REPLACING CHAPTER 11 ENTITLED  
“DRUG-FREE SCHOOL ZONES” WITH  
CHAPTER 11 “DRUG-FREE ZONES” AND ADOPTING A NEW MAP**

WHEREAS, the Moorestown Police Department has recommended that the Township of Moorestown update Chapter 11 “Drug-Free School Zones” to include public housing facilities, public parks and public buildings; and

WHEREAS, the Burlington County Prosecutor’s Office has reviewed and approved the proposed ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Township Council, of the Township of Moorestown, in the County of Burlington, State of New Jersey, that:

Section 1: Chapter 11 “Drug-Free School Zones” is hereby repealed and replaced as follows:

**CHAPTER 11**

**DRUG-FREE ZONES**

**§ 11-1. Purpose.**

**§ 11-2. Definitions.**

**§ 11-3. Adoption of Drug-Free Zone Map.**

**§ 11-4. Filing of the Map.**

**§ 11-5. Notification of Changes to School Locations or Boundaries.**

**§ 11-6. Additional Matters and Findings.**

**§ 11-1 Purpose.**

The purpose of this chapter is to establish drug-free zones pursuant to N.J.S.A. 2C:35-7 and N.J.S.A. 2C:35-7.1 and to adopt a map depicting the location and boundaries of each drug-free zone on or within one-thousand feet (1,000’) of any school property used for school purposes, which is owned or leased by any elementary or secondary school or school board; or the area on or within five-hundred feet (500’) of a public housing facility, which is owned or leased by a housing authority; or the area in or within five-hundred feet (500’) of a public park or public building.

## **§ 11-2 Definitions**

As used in this chapter, the following terms are defined as follows:

**PUBLIC BUILDING** - Any publicly-owned or leased library or museum.

**PUBLIC HOUSING FACILITY** – Any building used for public housing purposes, which is owned by or leased to a local housing authority in accordance with the “Local Redevelopment and Housing Law” (C:40A:12A-1 et seq.) for the purpose of providing living accommodations to persons of low income.

**PUBLIC PARK** - Any park, recreation facility or area or playground owned, leased or controlled by the State of New Jersey or the County of Burlington or the Township of Moorestown.

**SCHOOL PROPERTY** – Any building used for school purposes, which is owned or leased by any elementary or secondary school or school board.

## **§ 11-3 Adoption of Drug-Free Zone Map.**

The “Drug-Free Zone Map” dated September 14, 2015, prepared by the Township Engineer, Alaimo Group, is adopted as the official finding and record of the location and boundaries of the area or areas on or within one thousand feet (1,000’) of any designated school property or on or within five-hundred feet (500’) of a public housing facility, a public park, or a public building. The map may be changed from time to time by the Township Council by ordinance.

## **§ 11-4 Filing of the Map.**

The Township Engineer shall file with the Township Clerk the original of every map approved or revised pursuant to this section, or a true copy thereof, which map shall be maintained by the Township Clerk as an official record. The Township Clerk shall also provide, without cost, a true copy of this chapter and map to the Clerk of Burlington County and to the Office of the Burlington County Prosecutor within twenty (20) days after final adoption. A true copy of the map will be made available for public inspection at the Township Clerk’s office during usual business hours. A true copy will be furnished, at reasonable cost, to each person or public agency who requests such copy, together with the Township Clerk’s certification that such copy is a true copy of the map approved and adopted by this chapter and so kept on file.

## **§ 11-5 Notification of Changes to School Locations or Boundaries.**

The Township Board of Education and, in the case of each non-public school, its chief administrative officer, are hereby directed, requested and given the continuing obligation to inform and notify the Township Manager and Police

Department (via its Township Engineer and Attorney) promptly of any contemplated and actual changes in the locations or boundaries of any of its school property, including contemplated or actual acquisitions, conveyances, leases, subleases, condemnation proceedings and other formal and informal use arrangements and changes.

**§ 11-6 Additional Matters and Findings.**

1. It is understood that the map approved and adopted pursuant to **§11-3** of this chapter was prepared and is intended to be used as evidence in prosecution arising under the criminal laws of this State and that, pursuant to State law, such map shall constitute prima facie evidence of the following:
  - a. The location of elementary and secondary schools and public parks and/or public buildings within Moorestown Township.
  - b. The boundaries of the real property of public parks and/or public buildings and real property owned by or leased by a school or school board.
  - c. School property and public parks and/or public buildings are and continue to be used for their intended uses.
  - d. The locations and boundaries of areas which are on or within one-thousand feet (1,000') of school property and five-hundred feet (500') of public parks and/or public buildings.
2. Pursuant to the provisions of N.J.S.A. 2C:35-1, a prosecutor is not precluded from introducing or relying upon any other evidence or testimony to establish a violation of the offense defined in that statute, including uses of a map or diagram other than the one approved and adopted pursuant to **§11-3** of this chapter. The failure of the map approved herein to depict the location and boundaries of any property which is, in fact, used for school purposes and which is owned by or leased by any elementary or secondary school or school board, or public park or public building, whether the absence of such depiction is the result of inadvertent omission or the result of any changes in the location and boundaries of such property which have not yet been incorporated into a revised approved map, shall not be deemed to be an official finding and record that such property is not owned or leased by a school or school board, that such property is not used for school purposes or that such property is not a public park and/or public building.

Section 2: Repealer. Any and all other ordinances inconsistent with any of the terms and provisions of this ordinance are hereby repealed to the extent of such inconsistencies.

Section 3:     Severability. In the event that any section, paragraph, clause, phrase, term, provision, or part of this ordinance shall be adjudged by a court of competent jurisdiction, to be invalid or unenforceable for any reason, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the section, paragraph, clause, term, provision, or part thereof directly involved in the controversy, if such judgment is rendered.

Section 4:     Effective Date. This ordinance shall take effect, upon proper publication, in accordance with law.

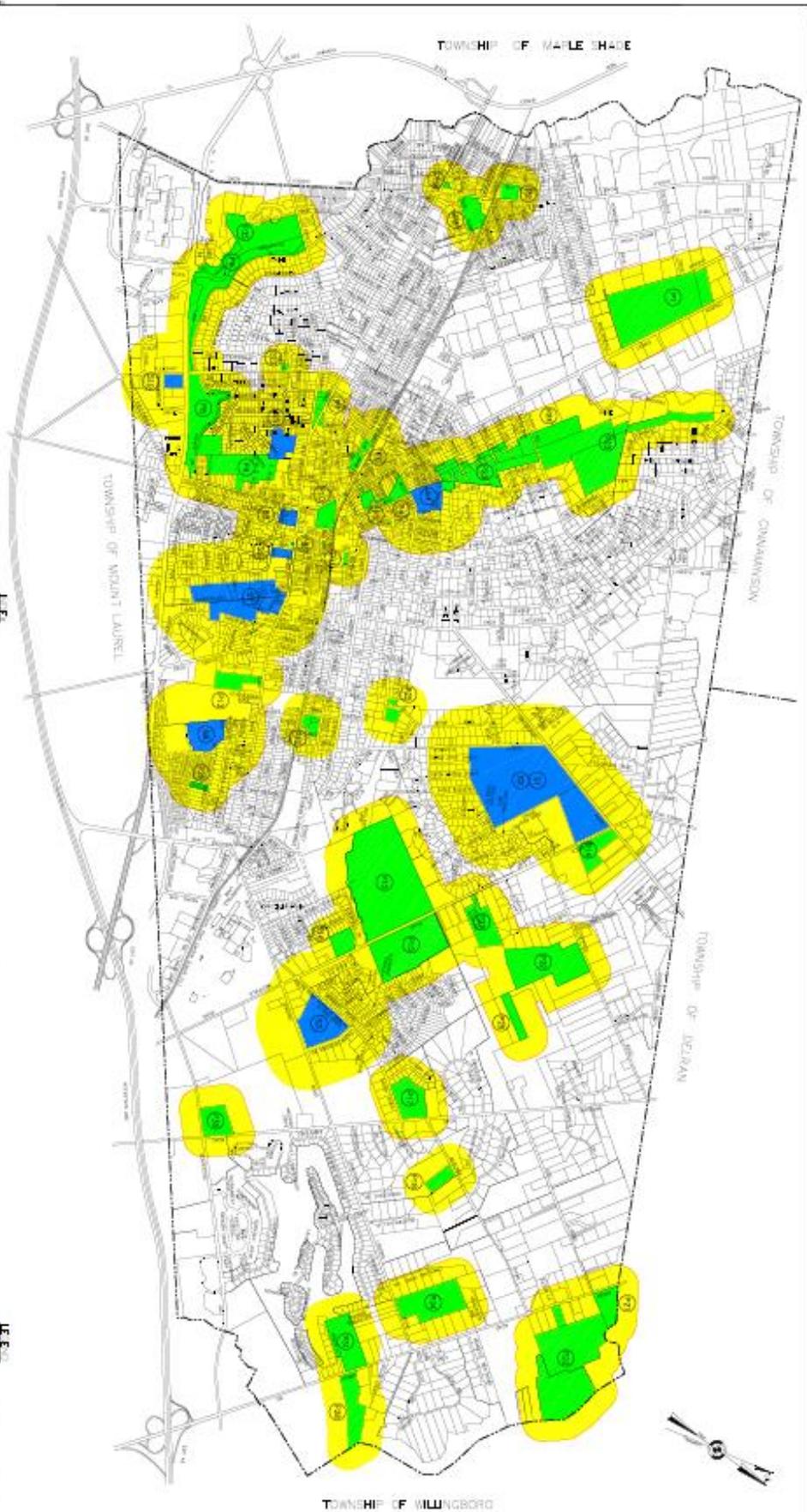
Section 5:     Short Title. This ordinance shall be known as Ordinance 17-2015.

CERTIFICATION

I, Patricia L. Hunt, Township Clerk, hereby certify that the attached is a true and correct copy of Ordinance No. 17-2015 which was introduced and adopted on first reading on September 21, 2015 and heard on second reading and was duly adopted by the Township Council of the Township of Moorestown, County of Burlington, State of New Jersey at a meeting of the Township Council held on October 5, 2015.

<u>VOTE:</u>	
NEWCOMER	YES
GARWOOD	YES
DELGADO	YES
JORDAN	YES
NAPOLITANO	YES

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Patricia L. Hunt, RMC  
Township Clerk



**LEGEND**

Color	Zone Description
Yellow	100-foot Drug-Free Zone
Green	200-foot Drug-Free Zone
Blue	500-foot Drug-Free Zone

Line Style	Boundary Description
Solid line	Township Boundary
Dashed line	Waterway
Dotted line	Other Boundary

**DRUG FREE ZONES**  
**Moorestown Township**  
 BURINGTON COUNTY, NEW JERSEY



Item	Quantity
1.00	1
2.00	1
3.00	1
4.00	1
5.00	1
6.00	1
7.00	1
8.00	1
9.00	1
10.00	1
11.00	1
12.00	1
13.00	1
14.00	1
15.00	1
16.00	1
17.00	1
18.00	1
19.00	1
20.00	1
21.00	1
22.00	1
23.00	1
24.00	1
25.00	1
26.00	1
27.00	1
28.00	1
29.00	1
30.00	1
31.00	1
32.00	1
33.00	1
34.00	1
35.00	1
36.00	1
37.00	1
38.00	1
39.00	1
40.00	1
41.00	1
42.00	1
43.00	1
44.00	1
45.00	1
46.00	1
47.00	1
48.00	1
49.00	1
50.00	1