

TOWNSHIP OF MOORESTOWN

ORDINANCE NO. 1-2014

**AN ORDINANCE OF THE TOWNSHIP OF MOORESTOWN
AMENDING CHAPTER 125
TO PROHIBIT SMOKING IN PUBLIC PARKS AND RECREATION AREAS**

WHEREAS, the New Jersey Smoke Free Air Act (N.J.S.A. 26:3D-63) specifically authorizes local restrictions on smoking “equivalent to, or greater than those provided in the NJSFAA for purposes of protecting public health”; and

WHEREAS, studies have shown that exposure to secondhand smoke (SHS), a Class A carcinogen, is a significant health hazard for children, the elderly, and individuals affected by cardiovascular disease, impaired respiratory function and asthma; and

WHEREAS, the Township of Moorestown believes that the general health and well-being of its residents is a top priority and banning smoking in public parks and recreation areas would benefit all residents.

NOW, THEREFORE, BE IT ORDAINED by the Township Council for the Township of Moorestown, Burlington County, State of New Jersey, that Chapter 125 of the Code of the Township of Moorestown is hereby amended as follows:

Section 1: Chapter 125-2, Article I, Use and Prohibited Activities, shall be amended to insert/add the following language after Paragraph D.

F. No person shall smoke, meaning the burning of, inhaling from, exhaling the smoke from, or the possession of a lighted cigar, cigarette, pipe or other paraphernalia that can be used to consume tobacco or a tobacco like substance.

Section 2: The subsequent paragraphs in Section 125-2 shall be relettered.

Section 3: In all other respects, Chapter 125 shall remain in full force and effect.

Section 4: 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 Any and all other ordinances inconsistent with any of the terms and provisions of this ordinance are hereby repealed to the extent of such inconsistencies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 5: 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 effect, 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 in such judgment shall be rendered.

Section 6: Effective Date. This ordinance shall take effect on upon proper publication and in accordance with law.

Section 7: Short Title. This Ordinance shall be known as Ordinance 1-2014.

NOTICE

The ordinance published herewith was introduced and passed upon first reading at a meeting of the Township Council of the Township of Moorestown, County of Burlington, State of New Jersey, held on March 24, 2014. This ordinance will be further considered for final passage by the Township Council at a meeting to be held in the IT Room of the Moorestown High School, 350 Bridgeboro Road, Moorestown, NJ on April 7, 2014 at 7:30 pm or at any time and place to which such meeting may be adjourned. All persons interested will be given the opportunity to be heard concerning such ordinance. During the week prior to and including the date of such further consideration, copies will be made available at the Municipal Clerk's Office in said Municipal Building to any member of the general public who shall request such copies.

Patricia L. Hunt, RMC
Township Clerk