Township Council
1 Municipal Plaza
Bloomfield, NJ 07003

Louise M. Palagano
Municipal Clerk

http://www.bloomfieldtwpnj.com

Meeting: 08/21/17 06:30 PM

2017 ORDINANCE AMENDMENT

AN ORDINANCE TO AMEND CHAPTER 478, "SMOKING", IN THE CODE OF THE TOWNSHIP OF BLOOMFIELD, ESSEX COUNTY, NEW JERSEY

BE IT ORDAINED, by the Mayor and Council of the Township of Bloomfield, County of Essex, State of New Jersey, as follows:

Section 1. Chapter 478, entitled, SMOKING of the Code of the Township of Bloomfield, County of Essex, State of New Jersey, is hereby amended to read as follows:

§478-1. Definitions.

SMOKING

Means the burning of, inhaling from or exhaling the smoke or the possession of a lighted cigar, cigarette, pipe, e-cigarette, hookah, electronic smoking device that can be used to deliver nicotine or other substances to the person inhaling from the device, or any other matter or substance which contains tobacco or any other matter or substance that can be smoked.

§478-2. Determination.

The Township Council of the Township of Bloomfield recognizes that smoking is the leading cause of preventable diseases in the State and the nation. The Township Council does hereby determine that smoking constitutes a substantial health hazard to the nonsmoking majority of the public, and it is within the public interest to prohibit smoking in public buildings and on public property, such as public parks and recreation areas. The Township Council further determines the public interest is especially concerned with preventing the youth of Bloomfield from being exposed and succumbing to the temptations of experimenting with tobacco and nicotine products.

§478-3. Restrictions.

A.   Smoking is prohibited throughout all Municipal Buildings.

B.   Smoking is prohibited within 25 feet of outside entrances, exits or wheelchair ramps

APPROVED AS TO FORM AND PROCEDURE
ON BASIS OF FACTS SET FORTH

DIRECTOR OF LAW-TOWNSHIP ATTORNEY

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serving any entrance or exit, of all Municipal Buildings.

C.   Smoking is prohibited in any vehicle registered to the Township of Bloomfield.

D.   Smoking is prohibited within the outdoor parks and recreational facilities operated by the Township of Bloomfield listed below:

Bloomfield Morris Canal Greenway	Brookside Park
Civic Center	Clark's Pond South
Collins House	Felton Field
Halcyon Park	Lionsgate Park
Memorial Park	Milbank Park
Morris Canal Park at Oak Tree Lane	Oakeside Mansion
Pulaski Park	Town Green
Vassar Field	Wright's Field

§478-4. Posting of restrictions.

A.   "NO SMOKING" signs shall be conspicuously posted at all locations provided for in §478-3.

Section 2.   All ordinances inconsistent herewith are hereby repealed.

Section 3.   This ordinance shall take effect upon final passage and publication in accordance with the law.

§478-5. Violations and penalties.

Any person violating any provision of this chapter shall be subject to a civil penalty of up to $200, as provided for in P.L. 2017, c.191. The civil penalty shall be recovered in a civil action by a summary proceeding in the name of the Township of Bloomfield pursuant to the "Penalty Enforcement Law of 1999," P.L.1999, c.274 (C.2A:58-10 et seq.).

§478-6. Enforcement.

The action may be brought in the Bloomfield Township Municipal Court, which shall

have jurisdiction of proceedings for the enforcement of the penalty provided for in §478-5.

Section 2.   All ordinances inconsistent herewith are hereby repealed.

Section 3.   This ordinance shall take effect upon final passage and publication in

accordance with the law.

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I hereby certify that the above ordinance was duly adopted by the Mayor and Council of the Township of Bloomfield at a meeting of said Township Council held on _SEPTEMBER 25, 2017._

Louise M. Palagaro
_____
Municipal Clerk of the Township of Bloomfield

Merm
_____
Mayor of the Township of Bloomfield

✓ Vote Record - Ordinance			Yes/Aye	No/Nay	Abstain	Absent
☐ Adopt						
☐ Deny						
☐ Withdrawn	Jenny Mundell		☑	☐	☐	☐
☐ Table	Nicholas Joanow		☑	☐	☐	☐
☐ Not Discussed	Carlos Bernard		☑	☐	☐	☐
☐ First Reading	Wartyna Davis		☐	☐	☐	☑
☐ Table with no Vote	Ted Gamble		☐	☐	☐	☑
☐ Approve	Carlos Pomares		☑	☐	☐	☐
☐ Veto by Mayor	Michael J. Venezia		☑	☐	☐	☐
☐ Discussion						
☐ Defeated						
☐ Discussion No Vote						

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