

****ADOPTED JUNE 5, 2006****

DELANCO TOWNSHIP

ORDINANCE 2006-7

**AMENDING CHAPTER 1, OF THE CODE OF THE TOWNSHIP OF DELANCO
ENTITLED "GENERAL PROVISIONS" TO INCREASE THE GENERAL PENALTY
PROVISION**

WHEREAS, the Township Committee of the Township of Delanco ("Township") previously enacted Chapter 1, Section 14 governing the "General Penalty" provision to establish a uniform fine and penalty for violation of municipal ordinances; and

WHEREAS, on January 5, 2006, the State of New Jersey enacted Public Law 2005, Chapter 269 which increased said maximum penalty to \$2,000; and

WHEREAS, it is the desire of Township Committee to amend the ordinance to be consistent with this new State law;

NOW, WHEREFORE, BE IT HEREBY ORDAINED by the Township Committee of the Township of Delanco, County of Burlington, State of New Jersey that Chapter 1-14 is hereby amended as follows:

ARTICLE I.

Chapter 1 § 1-14(A) is amended to strike the term "\$1,000" and replace with the term "\$2,000".

Chapter 1 § 1-14 is further amended to create a new paragraph G. and H. to read as follows:

G. Any person, upon conviction by a court of competent jurisdiction, for the violation of an ordinance pertaining to unlawful solid waste disposal shall be fined an amount not exceeding \$2,500 for each and every offense to a maximum penalty by a fine not exceeding \$10,000.

H. Before filing or imposing a fine greater than \$1,250 for a violation of the housing or zoning codes enacted by the Township as may be amended from time to time, the Township shall provide a 30-day period in which the owner shall be afforded the opportunity to cure or competent jurisdiction for an independent determination concerning the violation. Subsequent to the expiration of the 30-day period, a fine greater than \$1,250 may be imposed if a court has not determined otherwise, or upon reinspection of the property, it is determined that the abatement has not been substantially completed.

ARTICLE II – Repealer, Severability and Effective Date

- A. Repealer. Any and all ordinance inconsistent with this Ordinance are hereby repealed to the extent of the inconsistency with this ordinance.
- B. Severability. In the event that any clause, section, paragraph or sentence of this Ordinance is deemed to be invalid or unenforceable for any reason, then the Township Council hereby declares its intent that the balance of

the Ordinance not affected by said invalidity shall remain in full force and effect to the extent that it allows the Township to meet the goals of the Ordinance.

- C. Effective Date. This Ordinance shall take effect upon proper passage in accordance with the law.