

ORDINANCE 2023:08

**ORDINANCE OF THE BOROUGH OF SOMERDALE AMENDING CHAPTER 159 SECTION 4,
ENTITLED "JUNKYARDS"**

§ 159-4 Violations and penalties.

Violations and penalties.

A. Any person who violates any provision of this chapter shall, upon conviction thereof, be subject to any combination of the following:

- (1) A fine of not less than \$100 nor more than \$1,000;
- (2) A term of imprisonment not exceeding 90 days;
- (3) A period of community service not exceeding 90 days.

B. Each violation of a section or subsection of this code shall constitute a separate and distinct violation independent of any other section or subsection or any order issued pursuant to this code. Each day's failure to comply with any such section or subsection shall constitute a separate violation.

C. Where an owner, operator or occupant has been convicted of a violation of this code and within 12 months thereafter, has been found by the Judge of the Municipal Court to be guilty of a second violation, the court may, if it finds that the second offense was willful and inexcusable, sentence the offender.

D. Where the defendant is other than a natural person or persons, Subsections B and C shall also apply to any agent, superintendent, officer, member or partner who shall, alone or with others, have charge, care or control of the premises.

E. In the event of the imposition of a fine or penalty by the Municipal Court or any other court of competent jurisdiction against the owner, operator or lessor of any building or structure in the Borough required to be registered for violation of any Borough ordinance or any state law applicable to the Borough, the fine or penalty shall be collectible as a lien against the premises, in addition to any other remedies now provided by law.

INTRODUCED: JULY 12, 2023

ADOPTED: AUGUST 9, 2023

Michele D. Miller, RMC
Municipal Clerk