

ADOPTING ORDINANCE

AN ORDINANCE ADOPTING AND ENACTING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WARREN, 1972.

BE IT ORDAINED by the Mayor and Council of the Township of Warren, in the County of Somerset, and State of New Jersey:

Section 1. The revision of ordinances, consisting of Chapters 1 through 16, with the exception of Chapters 11 and 12; designated as the "Revised General Ordinances of the Township of Warren, 1972," being a revision of all the general and permanent ordinances of the Township of Warren with certain exceptions described below is hereby adopted and enacted.

Section 2. The revision shall supersede and repeal all the general and permanent ordinances of the Township of Warren adopted prior to July 6, 1972.

Section 3. The effect of proposed changes contained in the revision is as follows:

CHAPTER 1 — GENERAL. Chapter 1 is new. It contains definitions and rules of construction that are intended to provide uniform interpretation and construction of general terms used throughout the revision.

CHAPTER 2 — ADMINISTRATION. This chapter contains the Administrative Code for the Township of Warren. This code has been derived in part from existing ordinances of the township and in part from the general laws of the State of New Jersey. Section 2-1 concerning the township clerk, covers his general duties, subsection 2-1.1; and his duties with respect to ordinances and resolutions, subsection 2-1.2; records, subsection 2-1.3; corporate seal, subsection 2-1.4; insurance, surety bonds and contracts, subsection 2-1.5; rules and regulations (do not take effect until filed with the clerk), subsection 2-1.6; administration of oaths, subsection 2-1.7; notice to officers of election or appointments, subsection 2-1.8; and all other laws and ordinances, subsection 2-1.9. Subsection 2-7.2 describes the powers, duties and qualifications of the municipal judge. The power to appoint a court clerk is given to the township committee in subsection 2-7.3; and in subsection 2-7.4 the power to appoint a deputy clerk is given to the township committee.

CHAPTER 3 — GENERAL POLICE REGULATIONS. Section 3-1 pertains to litter with subsection 3-1.1 defining terms used within the section. Subsections 3-1.2, 3-1.3, 3-1.4, 3-1.5, 3-1.6 and 3-1.7 are separate regulations governing the control of litter. Subsection 3-2.3 provides exceptions to the noise ordinance. Subsection 3-3.2 prohibits certain types of loitering; subsection 3-3.3 provides that loitering is a violation and vests discretion in police officers; and subsection 3-3.4 deals specifically with loitering by minors. Section 3-10 sets forth the penalty clause applicable to the entire revision. Subsection 3-10.1 sets forth the maximum penalty provided by law, i.e., \$500.00 fine or 90 days imprisonment, or both. Subsection 3-10.2 provides that each day a violation continues is counted as a separate violation; and subsection 3-10.3 provides that the amount of the penalty shall be at the discretion of the judicial office for each particular violation.

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CHAPTER 4 — GENERAL—LICENSING. This chapter codifies existing ordinances of the township, without change.

CHAPTER 5 — ALCOHOLIC BEVERAGE CONTROL. Section 5-2 sets forth applicable definitions as provided by law. Subsection 5-3.1 invokes relevant state laws and regulations. The requirement of a license is articulated at subsection 5-3.3. Sales to certain persons are prohibited at subsection 5-4.4; subsection 5-5.5 sets up a presumption that a parent permitting a minor to be served has misrepresented the minor's age.

CHAPTER 6 — DOG LICENSING. This chapter codifies existing ordinances of the township, without change.

CHAPTER 7 — TRAFFIC. This chapter codifies existing ordinances of the township, without change.

CHAPTER 8 — BUILDINGS AND HOUSING. This chapter codifies existing ordinances of the township, without change.

CHAPTER 9 — STREETS AND SOIL REMOVAL. This chapter codifies existing ordinances of the township, without change.

CHAPTER 10 — FIRE PREVENTION. This chapter codifies existing ordinances of the township, without change.

CHAPTER 11 is reserved for future use.

CHAPTER 12 is reserved for future use.

CHAPTER 13 — FLOOD PLAINS. This chapter codifies existing ordinances of the township, without change.

CHAPTER 14 — SWIMMING POOLS. This chapter codifies existing ordinances of the township, without change.

CHAPTER 15 — LAND SUBDIVISION. This chapter codifies existing ordinances of the township, without change.

CHAPTER 16 — ZONING. This chapter codifies existing ordinances of the township, without change.

Throughout the revision there has been reorganization and editing of the source ordinances, not to effect substantive changes but intended to eliminate word duplications and overlapping and to effect uniformity of expression. In some cases provisions of the source ordinances have not been included in the revision either because they have been expressly or impliedly repealed by later ordinances, are obsolete or no longer apply in the Township of Warren.

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Section 4. The repeal provided for in Section 2 of this ordinance shall not affect:

- a. Any offense or act committed or done prior to its adoption or any contract right of any person or of the Township of Warren.
- b. Any ordinance or resolution promising or guaranteeing the payment of money, or authorizing the issuance of any bonds, or any other obligation assumed by the Township of Warren.
- c. Any right of franchise of any person.
- d. Any ordinance dedicating, naming, establishing, locating, relocating, opening, paving, widening or vacating any street or public way, or accepting or dedicating any plot or subdivision.
- e. Any appropriation ordinance or ordinances providing for the payment of salaries.
- f. Any other special ordinance of the township or any resolution.
- g. Alcoholic beverage control ordinances pending approval by the State Alcoholic Beverage Control Board.
- h. Traffic ordinances pending approval by the Director of the Department of Transportation.
- i. The following ordinances concerning the regulation of sewers in the township; Ord. No. 66-14; No. 66-15; No. 69-13; and Ord. No. 70-5.
- j. This repeal shall not be construed to revive any ordinance, or part thereof, that has been repealed by a subsequent ordinance which is repealed by this ordinance.

Section 5. All additions or amendments to the revision, when so designated, shall be deemed to be incorporated in the revision so that the reference to the "Revised General Ordinances of the Township of Warren, 1972, As Amended," as well as reference to the "revision" shall be understood and intended to include such additions and amendments.

Section 6. A copy of the revision shall be kept on file in the office of the township clerk, preserved in looseleaf form, or in such other form as the township clerk may consider most expedient. This copy of the revision shall be available to all persons desiring to examine the same and shall be considered the official copy of the revision.

Section 7. In case of amendment to any section of the revision, or the adoption of a new section for which a penalty is not provided, the general penalty section of the revision, section 3-10, shall apply.

Section 8. No person shall insert or delete any pages or make any other changes in any copy of the revision for the purpose of misrepresenting the contents of the revision. For the purpose of invoking penalties under this section, this ordinance shall be deemed to be a part of the

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revision.

Section 9. This ordinance shall take effect in accordance with law.

FIRST READING: December 7, 1972

FINAL PASSAGE: December 21, 1972