

ORDINANCE NO. 3645

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF FRANKLIN, COUNTY OF SOMERSET AND STATE OF NEW JERSEY, MORE PARTICULARLY CHAPTER 1, GENERAL PROVISIONS, ARTICLE II, GENERAL PENALTY, SUBSECTION 1-3, VIOLATIONS AND PENALTIES.

SUMMARY

An ordinance amending the Code, Chapter 1, General Provisions, Article II, General Penalty, Subsection 1-3, Violations and Penalties - Establishing Minimum Penalty of \$100.00.

BE IT ORDAINED by the Township Council of the Township of Franklin, County of Somerset and State of New Jersey that the Code of the Township of Franklin be and it is hereby amended as follows:

SECTION I

Chapter 1, General Provisions, Article II, General Penalty, Subsection 1-3 Violations and Penalties, is amended as follows:

1-3. Violations and penalties.

- A. Except as hereinafter provided, whenever in this Code or in any other ordinance of the Township or in any rule, regulation or order promulgated pursuant to such Code or other ordinance of the Township any act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or whenever in such Code or in such other Township ordinance, rule, regulation or order the doing of any act is required or the failure to do any act is declared to be unlawful or an offense or a misdemeanor, where no specific penalty is provided therefor, the violation of any such provision of this Code or of any other ordinance of the Township or of any rule, regulation or order promulgated pursuant to such Code or other Township ordinance shall be punished by one or more of the following: a *minimum* fine *of \$100.00 with said fine* not exceeding \$2,000; imprisonment for a period of not to exceed 90 days; a period of community service of not to exceed 90 days.
- B. Whenever any provision of the New Jersey Revised Statutes limits the authority of the Township to punish the violation of any particular provision of this Code or other Township ordinance or rule, regulation or order promulgated pursuant thereto to a fine of less amount than that provided in this section or imprisonment for a shorter term or for a shorter term of community service than that provided in this section, then the violation of such particular provision of this Code or other Township ordinance, rule, regulation or order shall be punished by the imposition of not more than the maximum fine or imprisonment or community service so authorized.
- C. Each day any violation of this Code or any other Township ordinance or rule, regulation or order promulgated pursuant thereto shall continue shall constitute a separate offense, unless otherwise provided.
- D. Whenever any such fine is imposed upon any corporation, such fine and costs and charges incident thereto may be collected in an action of debt or in such other manner as may be provided by law.

SECTION II

Each clause, section or subsection of this ordinance shall be deemed a separate provision to the intent that if any such clause, section or subsection should be declared invalid, the remainder of the ordinance shall not be affected.

SECTION III

All ordinances or parts of ordinance inconsistent with this ordinance are hereby repealed as to the extent of such inconsistency.

SECTION IV

This ordinance shall take effect immediately upon adoption and publication according to law.

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THIS IS A TRUE COPY OF AN ORDINANCE ADOPTED BY THE
TOWNSHIP COUNCIL, TOWNSHIP OF FRANKLIN, SOMERSET, NJ

INTRODUCED: September 26, 2006
PUBLIC HEARING: October 24, 2006
ADOPTED:
NOTICE OF FINAL ADOPTION:
EFFECTIVE DATE:

ANN MARIE McCARTHY, TOWNSHIP CLERK