

1-23-13 1:30
2-20-13 8:10

Township of Lower, County of Cape May, State of New Jersey

Ordinance # 2013-02

AN ORDINANCE AMENDING CHAPTER 1 OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF LOWER

WHEREAS, Article III Section 1-21 Schedule B of the Revised General Ordinances of the Township of Lower governs general penalties for certain non-traffic violations ; and

WHEREAS, the Lower Township Court Administrator and Municipal Prosecutor has recommended to Lower Township Council that said Ordinance be modified to reset certain penalties for non-traffic ordinance violations and those requiring mandatory court appearances.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Township of Lower Council, County of Cape May and the State of New Jersey as follows:

Section 1. Section 1-21 Schedule B of the Revised General Ordinance of the Township of Lower is hereby amended as follows:

**Schedule B
Mandatory Penalties for Non-Traffic Offenses**

Code Section	Description	Penalty
157-1	Possession/consumption of Alcohol in Public	\$ 150.00
166-1b	Dog Running Loose	100.00
166-2A	Dog License Required	100.00
166-4	Defecation on public or private property (Dogs)	100.00
178-2B	Littering on Beach	100.00
178-3C	Changing clothing on beach in motor vehicle	100.00
178-3D	Possession/consumption of alcohol on beach	150.00
178-3G	Sleeping in motor vehicle on beach	100.00
178-5	Operation of motor vehicles on beach prohibited	150.00
351-19C(2)(A)	Illegal passage across sand dune foot or vehicle	200.00
400-57C	Parking of commercial vehicles in residential zone	150.00
419-2	Littering/Rubbish Prohibited	100.00
419-3	Proper placement of litter in receptacles	100.00
419-4	Sweeping of litter restricted clearing of sidewalks	100.00

419-6	Throwing of litter from vehicles prohibited	250.00
419-7	Litter and dirt from vehicles prohibited	250.00
419-8	Distribution of commercial handbills	150.00
419-9	Distribution of non-commercial handbills	150.00
419-10	Commercial handbills in or upon vehicles	150.00
419-11	Distribution of handbills on vacant premises	150.00
419-13	Posting notices on public property prohibited	150.00
441-6B(4)	Loading/unloading boxes, crates, container etc. Between hours of 10:00 PM to 8:00 AM	150.00
570-4A(2)	Trash placed at curb before allowed times	50.00
570-10	Fail to separate recyclable items from trash	150.00
617-2	Storing trailer w/in 6 ft of property line	100.00
617-3	Storing trailer closer to street than house	100.00
617-11	Parking trailer	100.00
302-1	Failure to remove debris	50.00
302-4	Failure to cut grass or weeds	50.00

**PART II
NON-TRAFFIC SECTION**

Code Section	Description	Penalty
230-2	Loitering in public places	Court Mandatory
230-3	Indecent or profane language	Court Mandatory
230-4	Throwing stones or Missiles	Court Mandatory
230-5	Mutilating property	Court Mandatory
230-6	Indecent exposure	Court Mandatory
230-7	Permitting noisy/disorderly conduct	Court Mandatory
230-8	Permitting smoke or fumes	Court Mandatory
230-9	Obstructing streets or sidewalks	Court Mandatory
230-10	Starting fires	Court Mandatory
230-11	Obstructed view at corners	Court Mandatory

Section 2. The above Schedule B penalties and court appearance requirements is Intended to replace and supersede all previous penalties and appearance requirements for all cited section violations.

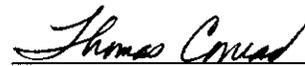
Section 3. All other Ordinances in conflict or inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

Section 4. Should any section, paragraph, sentence, clause or phrase of this Ordinance be Declared unconstitutional or invalid for any reason, the remaining portions of this

Ordinance shall not be affected thereby and shall remain in full force and effect, and to this end the provisions of this Ordinance are hereby declared to be severable.

Section 5. Upon final passage and publication according to law, a copy of the Ordinance shall forthwith be certified by an appropriate officer of the Township of Lower and filed with the Secretary of State.

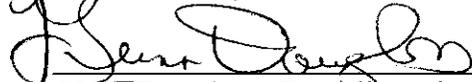
Section 6. This Ordinance shall take effect twenty (20) days after final passage and Publication as provided by law.



Thomas Conrad, Councilmember



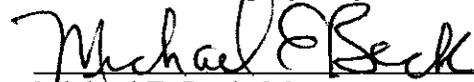
James Neville, Councilmember



Glenn Douglass, Councilmember

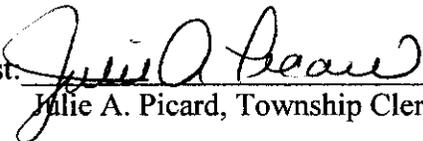


Norris Clark, Deputy Mayor



Michael E. Beck, Mayor

Adopted: Feb. 20, 2013

Attest: 
Julie A. Picard, Township Clerk