

Ordinance # 24-09

**AN ORDINANCE OF THE BOROUGH OF STOCKTON
ESTABLISHING GENERAL PENALTIES AND FINES FOR
VIOLATING ORDINANCES OF THE BOROUGH OF
STOCKTON**

WHEREAS, pursuant to N.J.S.A. 40:49-5, the Borough Council may prescribe penalties for the violation of ordinances it has passed and may have the authority to pass and which do not have specific penalties prescribed therein; and

WHEREAS, at this time the Borough Council seeks to adopt an ordinance for the purpose of prescribing such penalties that apply to existing ordinances with no specific penalties, and ordinance which it may in the future adopt that do not have specific penalties, for violations thereof.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Stockton in Hunterdon County, New Jersey as follows:

Section 1. General Penalty

Whenever in any ordinance of the Borough of Stockton, any act is prohibited or is made or declared to be unlawful or an offense, or whenever in any ordinance the doing of any act is required or the failure to do an act is declared to be unlawful, where no specific penalty is provided therefor, the violator of any such provision of the ordinance shall be punished by a fine not exceeding \$2,000, by imprisonment for a period not exceeding 90 days, or be required to perform community service for a period not exceeding 90 days or by a combination of such fine, imprisonment and/or community service.

Section 2. Continuing Violations

Each day any violation of any ordinance shall continue or shall have continued shall constitute a separate offense, unless otherwise provided in the subject ordinance.

Section 3. Repeat Offenses

Any person who is convicted of violating an ordinance within one year of the date of a previous violation of the same ordinance and who was fined for the previous violation, shall be sentenced by the court to an additional fine as a repeat offender pursuant to the provisions of N.J.S.A. 40:49-5.

Section 4. Failure to Pay Fines

Any person convicted of violating any ordinance, and who is in default of the payment of any fine imposed for the violations may, in the court's discretion, be imprisoned for a term not exceeding 90 days or be required to perform community service for a period not exceeding 90 days.

Section 5. Severability

Each section, subsection, sentence, clause, and phrase of this ordinance is declared to be an independent section, subsection, sentence, clause, and phrase, and finding or holding of any such portion of this ordinance to be unconstitutional, void, or ineffective for any cause or reason shall not affect any other portion of this ordinance.

Section 6. Repealer

All ordinances or parts thereof inconsistent with this ordinance are hereby repealed.

Section 7. Effective Date

This ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

Introduced: June 17, 2024

Adopted: July 15, 2024

Certification:

The foregoing ordinance was adopted after a public hearing held on July 15, 2024.

 Recoverable Signature

X Laurie A. Courter

Laurie A. Courter

Borough Clerk

Signed by: f294cf7e-b128-47e4-b5d9-0d760677edc7