

## **ORDINANCE # 3-2024**

### **Amending Chapter 178 Titled Littering of the Code of the City of Egg Harbor**

**WHEREAS**, the Mayor and Council wish to maintain sanitation and safety in the City; and

**WHEREAS**, pursuant to N.J.S.A. 40: 48-2, a municipality may amend an ordinance as it deems necessary and proper for good government, order and protection of persons and property and for the presentation of the public health, safety and welfare of its inhabitants.

**NOW, THEREFORE BE IT ORDAINED** that § 178 titled Littering is amended as follows:

#### **SECTION 1:**

**§178-12 Violations and Penalties.** Amend to First offense- fine of \$250.00. Second offense- fine of \$500. Third and subsequent offense fine of \$1000 and imprisonment of up to 90 days.

#### **§178-13- Cost to become lien.**

The cost of removal shall be certified by the Public Works department to the City Council, who shall examine the certificate and if found correct shall cause such cost to be charged against the lands. An additional \$250.00 administrative fee shall be charged in addition to the amount certified. The amount so charged shall become a lien upon such lands and shall be added to and become and form part of the taxes next to be assessed and levied upon the lands and the same shall bear interest at the same rate as taxes and shall be collected and enforced by the same officers and in the same manner as taxes.

#### **SECTION 2.**

**REPEAL OF PRIOR ORDINANCES.** All ordinances and parts of Ordinances in conflict with this Ordinance are hereby repealed.

#### **SECTION 3.**

**SEVERABILITY.** To the extent that any part of parts of this Ordinance are repealed or otherwise modified or voided by State Statute or case law, the remaining portions or sections of this Ordinance shall remain in full force and effect. If any section, sentence or any part of this Ordinance is adjudged, unconstitutional or invalid by a Court of competent jurisdiction, such judgment shall not affect, impair or invalidate the remainder of the Ordinance, but shall be confined in its effect to the section, sentence or other part of this Ordinance directly involved in the controversy in which judgment shall have been rendered.

**SECTION 4.**

**EFFECTIVE DATE.** This Ordinance shall take effect after final passage and publication as provided by law.

Introduced: March 14, 2024  
Publication: March 20, 2024  
Public Hearing: April 11, 2024  
Adoption:

Dated:

**ATTEST:**

**CITY OF EGG HARBOR**

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Meg Steeb, City Clerk, RMC

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Lisa Jampetti, Mayor