

ORDINANCE NO. 01-2025

AN ORDINANCE OF THE TOWNSHIP OF EAST HANOVER AMENDING CHAPTER 164 “GENERAL PROVISIONS, BOARD OF HEALTH”, ARTICLE I, “ADOPTION OF CODE BY BOARD OF HEALTH”, SECTION 164-14 “VIOLATION OF CODE; PENALTIES” AND CHAPTER 173, “ANIMALS”, ARTICLE I, “ANIMALS AND ANIMAL ESTABLISHMENTS”, SECTION 173-30.2 VIOLATIONS AND PENALTIES.”

WHEREAS, pursuant to N.J.S.A. 26:3-70 “[t]he local board may prescribe a penalty for the violation of any provision of a health ordinance or code. Such penalty shall not be more than \$500.00 nor less than \$5.00”; and

WHEREAS, it is necessary to amend the provisions of the Township of East Hanover Municipal Code, §164-14 and §173-30.2 so as to ensure that the penalties that can be imposed for any violation of the Township’s health ordinances or code comply with the requirements of N.J.S.A. 26:3-70.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Township of East Hanover, County of Morris, State of New Jersey as follows:

Section 1. Chapter 164 “General Provisions, Board of Health”, Article I “Adoption of Code by Board of Health”, Section 164-14 “Violation of Code” is hereby amended to read as follows.

§ 164-14. Violations of Code; penalties.

- A. Unless a specific penalty is provided elsewhere in Part III of this Code, in state law or in other ordinances of the Board of Health for a particular violation, any person, firm or corporation who shall violate any provision of Part III of this Code or any code or other regulation adopted by reference therein or any order promulgated under such provision, code or regulation, by doing any act prohibited or declared to be unlawful or a violation thereby, or shall engage in or exercise any business or occupation or do anything for which a license or permit is required thereby without having a license or permit therefor as required or who shall fail to do any act required by any such provision or when such provision declares such failure to be unlawful or a violation shall, upon conviction thereof, be punishable by a fine of not less than \$5.00 nor more than \$500.00 for each violation.

Section 2. Chapter 173 “Animals”, Article I “Animals and Animal Establishments”, Section 173-30.2 “Violations and Penalties” is hereby amended to read as follows.

§ 173-30.2. Violations and penalties.

- A. Any person who violates or fails or refuses to comply with § 173-2, 173-3, 173-6, 173-8, 173-9, 173-10, 173-11, 173-14, 173-22, 173-23, 173-24, 173-26, 173-27, 173-28B, 173-30 173-31, or 173-30.1 of this article shall, upon conviction, be subject to the penalties provided in § 164-14 of Chapter 164, General Provisions, Board of Health.
- B. Deleted in its entirety.

Section 3. If any section, paragraph, sub-section, clause or provision of this ordinance shall be

declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this ordinance as a whole or any part thereof.

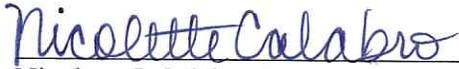
Section 4. All ordinances or parts of ordinances of the Township heretofore adopted that are inconsistent with any of the terms and provisions of this ordinance are hereby repealed to the extent of such inconsistency.

Section 5. Any section of Chapter 164 “General Provisions, Board of Health” and/or Chapter 173 “Animals” of the Township Code not expressly repealed, replaced, amended or supplemented by this ordinance remains in full force and effect

Section 6. This Ordinance shall take effect upon final publication as provided by law.

Attest:

TOWNSHIP OF EAST HANOVER


Nicolette J. Calabro, RMC, Township Clerk


Joseph Pannullo, Mayor

Introduced: January 6, 2025
Adopted: February 3, 2025

I, Nicolette J. Calabro, RMC, Township Clerk of the Township of East Hanover, County of Morris, do hereby certify the foregoing to be a true copy of an Ordinance adopted by the Township Council at a duly convened meeting held on February 3, 2025


Nicolette J. Calabro, RMC, Township Clerk