

**ORDINANCE OF THE BOROUGH OF BROOKLAWN,
COUNTY OF CAMDEN AND STATE OF NEW JERSEY
ADDING CHAPTER 121A, SMOKING IN PUBLIC AREAS, IN
THE CODE OF THE BOROUGH OF BROOKLAWN**

BE IT ORDAINED by the Mayor and Borough Council of the Borough of Brooklawn, County of Camden, and State of New Jersey, that Chapter 121A, Smoking in Public Areas, in the Code of the Borough of Brooklawn, is added as follows:

ARTICLE I. SECTION 121A-1 Definitions.

As used in this chapter, the following words and phrases shall have the following meanings:

MUNICIPAL BUILDINGS — All structures owned, leased, rented and/or operated by the Borough of Brooklawn, and/or occupied by Borough employees and used for official business of the Borough of Brooklawn.

PARKS AND RECREATIONAL FACILITIES — All public parks, playgrounds and ball fields publicly owned or leased by the Borough of Brooklawn upon which the public is invited or upon which the public is permitted and where individuals gather for recreational activities, including all areas adjacent to such facilities, including, but not limited to, any parking area, driveway or drive aisle.

SMOKING — the burning of, inhaling, exhaling and or the inhaling and exhaling the smoke and or vapor from or the possession of a lighted cigar, cigarette, e-cigarette, pipe, battery or electronic smoking device, or other paraphernalia that can be used to consume tobacco, e-liquid, cannabis, marijuana products or a tobacco like substance. Tobacco products encompasses all smokeless tobacco, including, but not limited to, chewing tobacco; loose leaf tobacco; tobacco pellets; plug tobacco; twist or rope tobacco; dipping tobacco and dissolvable tobacco.

ARTICLE II. SECTION 121A-2 Prohibition of smoking in public areas.

A. No person shall smoke within the boundary of the Brooklawn Borough-owned property including, but not limited to, the Brooklawn Borough Hall, the Brooklawn Department of Public Works, the Brooklawn Public Library, and/or the Brooklawn Community Center.

B. No person shall smoke within five hundred (500) feet of any recreational equipment or recreational playing fields in all public parks and recreation facilities owned or leased by the Borough of Brooklawn and all property owned or leased by the Borough of Brooklawn upon which the public is invited or upon which the public is permitted and where individuals gather for recreational activities, including all areas adjacent to such facilities, including, but not limited to, any parking area, driveway or drive aisle,

ARTICLE III. SECTION 121A-3 Enforcement.

The enforcement authority of this chapter shall be the Police Department, Fire Department, Recreation Department, Public Works Department and Health Department of the Borough of Brooklawn.

ARTICLE IV. SECTION 121A-4 Violations and penalties.

Any person who violates any provision of this Article shall, upon conviction in the Municipal Court of the Borough of Brooklawn, or such other court having jurisdiction, be liable to a fine of not less than \$50.00, and not exceeding \$1,250.00, or imprisonment for a term not exceeding 90 days, or community service for a term not exceeding 90 days, or all of the above. Any municipal employee found in violation of this chapter may also be subject to discipline in accordance with the provisions

of the Borough of Brooklawn's policies and procedures.

ARTICLE V.

All Ordinances contrary to the provisions of this Ordinance are hereby repealed to the extent that they are inconsistent herewith.

ARTICLE VI.

This Ordinance shall take effect upon passage and publication according to law.

THE BOROUGH OF BROOKLAWN

BY: _____
THERESA M. BRANELLA, MAYOR

ATTEST:

RYAN GILES, BOROUGH CLERK

The foregoing ordinance was introduced by Mayor and Council at a meeting held on May 17, 2021. This Ordinance will be considered for adoption on final reading and public hearing to be held on June 21, 2021 at 6:00 p.m in the Council Meeting Room, Brooklawn Borough Hall, 229 Trenton Avenue, Brooklawn, New Jersey.

The purpose of this Ordinance is to regulate the use of tobacco, cannabis and smoke producing products in all structures owned, leased, rented and/or operated by the Borough of Brooklawn, and/or occupied by Borough employees and used for official business of the Borough of Brooklawn. A copy of this Ordinance is available at no charge to the general public between the hours of 9:00

AM to 4:30 PM, Monday through Thursday (Legal Holidays excluded), at the Office of the Borough Clerk, Brooklawn Borough Hall, 229 Trenton Avenue, Brooklawn, New Jersey.