

EXPLANATION: This Ordinance amends Section 200-2 of the Code of the Township of Hillsborough titled "Prohibitions" by adding a new subsection, Section 200-2(C), and repeals Section 221-6 of the Code of the Township of Hillsborough, titled "Drugs or Narcotics; Alcoholic Beverages" and replaces it with a new Section 221-6 titled "Drugs or Narcotics; Alcoholic Beverages."

ORDINANCE 2009 - 45

AN ORDINANCE AMENDING SECTION 200-2 OF THE CODE OF THE TOWNSHIP OF HILLSBOROUGH TITLED "PROHIBITIONS" BY ADDING A NEW SUBSECTION, SECTION 200-2(C), AND REPEALING AND REPLACING SECTION 221-6 OF THE CODE OF THE TOWNSHIP OF HILLSBOROUGH, TITLED "DRUGS OR NARCOTICS; ALCOHOLIC BEVERAGES" AND REPLACING IT WITH A NEW SECTION 221-6 TITLED "DRUGS OR NARCOTICS; ALCOHOLIC BEVERAGES."

BE IT ORDAINED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, as follows:

Section 1. Section 200-2 of the Code of the Township of Hillsborough titled "Prohibitions" is hereby amended by adding a new Section 200-2(C) as follows:

- C. A person who is intoxicated may be assisted to their residence or to an intoxication treatment or other facility by a Township Police Officer consistent with the requirements contained in N.J.S.A. 26:2B-16, a portion of the New Jersey Alcoholism Treatment and Rehabilitation Act, and shall not be charged with a violation of the Code of the Township of Hillsborough.

Section 2. Section 221-6 of the Code of the Township of Hillsborough titled "Drugs or Narcotics; Alcoholic Beverages" is hereby repealed and replaced with a new Section 221-6 titled "Drugs or Narcotics; Alcoholic Beverages" as follows:

§221-6 Drugs or narcotics; alcoholic beverages.

- A. At no time will drugs or narcotics or alcoholic beverages be allowed in the parks.
- B. Any person violating Section 221-6A shall upon conviction thereof be penalized as provided in Section 1-15 of the Code of the Township of Hillsborough.
- C. No person shall be under the influence of drugs or narcotics or alcoholic beverages in the parks.
- D. A person found to be guilty of being under the influence of drugs or narcotics in the parks shall be penalized as provided in Section 1-15 of the Code of the Township of Hillsborough.
- E. A person who is intoxicated in a park may be assisted to their residence or to an intoxication treatment or other facility by a Township Police Officer consistent with the requirements contained in N.J.S.A. 26:2B-16, a portion of the New Jersey Alcoholism Treatment and Rehabilitation Act, and shall not be charged with a violation of the Code of the Township of Hillsborough.

Section 3. Severability.

If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision and the remainder of this Ordinance shall be deemed valid and effective.

Section 4. Effective Date.

This Ordinance shall take effect as provided by law.

ATTEST:

HILLSBOROUGH TOWNSHIP COMMITTEE

Kevin P. Davis, Clerk

Frank DelCore, Mayor

Introduced: 11/24/09

Published: 12/03/09

Public Hearing: 12/22/09

Adopted: 12/22/09

Published: 12/31/09