

**TOWN OF WEST NEW YORK
COUNTY OF HUDSON, STATE OF NEW JERSEY**

ORDINANCE #4/18

AN ORDINANCE AMENDING CHAPTER 27 OF THE CODE OF THE TOWN OF WEST NEW YORK ENTITLED "DRUG FREE ZONES" PROVIDING FOR THE APPROVAL AND ADOPTION OF A MAP DEPICTING THE LOCATION AND BOUNDARIES OF ELEMENTARY SCHOOL, SECONDARY SCHOOL AND SCHOOL BOARD PROPERTY USED FOR SCHOOL PURPOSES, AS WELL AS PUBLIC HOUSING FACILITIES, PUBLIC PARKS AND PUBLIC BUILDINGS, AND MAKING AN OFFICIAL FINDING AND RECORD OF THE LOCATION AND BOUNDARIES OF THE APPROPRIATE DRUG FREE AREA OR ZONE IN RELATION TO SAID PROPERTIES

WHEREAS, due to omissions of various Board of Education facilities and Schools as well as various Public Housing facilities, Municipal Swimming Pool, Firehouses and Public Parks in the Drug Free Zone Map dated June 5, 2006, it is in the best interest of the Town of West New York to amend the Drug Free Zone Map;

NOW THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Town of West New York, County of Hudson, State of New Jersey as follows:

The Code of the Town of West New York is hereby amended and be deleted in its entirety and revised to read as follows:

SECTION ONE

ADOPTION OF OFFICIAL MAP.

In accordance with, and pursuant to, the authority of L. 1988, c.44 (C. 2C: 35-7), and L.1997, c.327 (C.2C35-7.1): The Drug Free Zone Map produced on or about January 3, 2018, by West New York Town Engineer/Mapping Services Provider Remington & Vernick Engineers, is hereby approved and adopted as an official finding and record of the location and areas within the municipality of public housing facilities, public parks, public buildings, and of the areas on or within five hundred (500) feet of said properties, as well as property which is owned by, or leased to, any elementary or secondary school or school board, and used for school purposes, and of the areas on or within one thousand (1,000) feet of said school property, which shall hereby be designated as drug free.

SECTION TWO

OFFICIAL USE UNTIL AMENDED.

The Drug Free School Zone, Public Housing Facility, Public Park and Public Building Map shall herein be known as the "Drug Free Zone Map," and shall be approved and adopted pursuant to the authority of L.1988, c.44 (C.2C:35-7), and L.1997, C.327 (C.2C35-7.1), and shall continue to constitute an official finding and record as to the location and boundaries of areas designated as drug free on or within five hundred (500) feet of any public housing facilities, public parks or

public buildings, as well as to the location and boundaries of areas designated as drug free on or within one thousand (1,000) feet of property which is owned by, or leased to, any elementary or secondary school or school board, and used for school purposes, until such time if any, that this ordinance shall be amended to reflect any additions or deletions with regard to the location and boundaries of said public housing facilities, public parks, public buildings, elementary school, secondary school or school board property used for school purposes, and the corresponding zones designated as drug free in accordance with Section I.

SECTION THREE

RESPONSIBILITY FOR NOTIFICATION OF BOUNDARY CHANGES.

The appropriate Authority of any and all public housing facilities, public parks or public buildings is hereby directed, and shall have continuing obligation, to promptly notify the West New York Town Engineers and the West New York Town Solicitor of any changes or contemplated changes in the location or boundaries of said public housing facilities, public parks or public buildings. The School Board, or, in the case of any private or parochial school, the Chief Administrative Officer of same, is hereby directed, and shall have continuing obligation, to promptly notify the West New York Town Engineer/Mapping Services Provider and the West New York Town Solicitor of any changes or contemplated changes in the location or boundaries of any property owned by, or leased to, any elementary school, secondary school or school board, which is used for school purposes.

SECTION FOUR

AVAILABILITY OF DRUG FREE ZONE MAP.

The Municipal Clerk is hereby directed to receive and keep on file an 11”X 17” color copy of the Drug Free Zone Map, approved and adopted pursuant to the authority of L.1988, c.44 (C.2C:35-7), and L.1997, c327 (C.2C35-7.1), and to provide, at reasonable cost, a true copy of said map to any person, agency or court which may, from time to time, request it. It is further directed that a true copy of said map, and of this ordinance adopting same, shall be provided without cost to the County Clerk and the Office of the County Prosecutor.

SECTION FIVE

Severability. The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional, such decision shall not effect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remaining in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION SIX

Repealer. All Ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only however, to the extent of such conflict or inconsistency, it being the legislative intent that all Ordinances or part of ordinances now existing or in effect unless the same being conflict or inconsistent with any provision of this Ordinance shall remain in effect.

SECTION SEVEN

This Ordinance shall take effect upon passage and publication as required by law.

Summary of Ordinance

This ordinance amends the map depicting the schools, public housing, public parks and other public properties that are required to be depicted in the official drug-free zones map, pursuant to N.J.S.A. 35-7, et seq.

INTRODUCED: 2/15/18

Notice

The foregoing Ordinance was adopted for first reading by the Mayor and Board of Commissioners of the Town of West New York, New Jersey, on **February 15, 2018** and ordered published, and will be further considered before final passage at a public hearing on **March 15, 2018 at 6:30 p.m.** at the Commission Chambers, Municipal Building, West New York, NJ. A copy of this Ordinance has been posted on the bulletin board upon which public notices are customarily posted on in the Town Hall of the Town of West New York, and a copy (at no charge) is available up to and including the time of such meeting to the members of the public of the Town who shall request such copies, at the Office of the Town Clerk in said Town Hall in West New York, N.J.

Carmela Riccio, RMC
Town Clerk