

**ORDINANCE NO. 2018-11**

**ORDINANCE OF THE BOROUGH OF BOROUGH OF HARVEY CEDARS, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 3 OF THE BOROUGH CODE OF THE BOROUGH OF HARVEY CEDARS ENTITLED “POLICE REGULATIONS” AS IT PERTAINS TO THE DEFINITIONS OF SMOKING**

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE BOROUGH OF HARVEY CEDARS** Section 3-14 of the Revised General Ordinances of the Borough of Harvey Cedars entitled “Smoking Prohibited” is amended as follows:

Section 1. Subsection 3-14.2 entitled “Definitions” is hereby amended by deleting the definitions “Smoke” and “Smoking” in their entirety and supplementing the following:

“Smoke” and “Smoking” shall mean the act of inhaling, exhaling, burning, carrying or using any electronic device, lighted cigarette, cigar, pipe, weed, plant or other combustible substance in any manner or in any form.

Section 2. The introductory sentence of Subsection 3-14.3 entitled “Restricted Areas” is hereby amended in its entirety to read “Smoking is prohibited in the following areas:”

Section 3. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

Section 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions.

Section 5. This ordinance shall take effect after public reading and publication as required by law.

**NOTICE**

NOTICE is hereby given that the foregoing Ordinance was duly introduced and passed on the first reading at a regular meeting of the Board of Commissioners of the Borough of Harvey Cedars held on **July 13, 2018**. Further notice is given that said Ordinance shall be considered for final passage and adoption at a regular meeting of said Board of Commissioners to be held on **August 3, 2018** at 4:30pm at the Borough Hall, 7606 Long Beach Blvd., Harvey Cedars, NJ, at which time and place any person desiring to be heard will be given an opportunity to be so heard.

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Daina Dale, Municipal Clerk