

TOWNSHIP OF VERONA  
COUNTY OF ESSEX, STATE OF NEW JERSEY

ORDINANCE No. 2022-20

**ESTABLISHING CHAPTER 435 "SMOKING PROHIBITED"**

**WHEREAS**, the Township of Verona desires to prohibit smoking on all Township property.

**NOW THEREFORE BE IT RESOLVED** that the Township Council of the Township of Verona does hereby ordain that Chapter 435 entitled "Smoking Prohibited" of the Code of the Township of Verona is hereby created to read as follows:

**§ 435-1 Purpose**

The purpose of this chapter is to prohibit smoking on all public property and in all public buildings and spaces.

**§ 435-2 Definition**

As used in this chapter, the following term shall have the meaning indicated:

Smoking, includes but is not limited to, the smoking of tobacco, cannabis, and other products, or the inhaling of vapor created by an electronic cigarette or other "vaping" device.

**§ 435-3 Smoking Prohibitions**

- A. The rules and regulations of the Smoke-Free Air Act, *N.J.S.A. 26:3D-55 et seq.*, shall be complied with at all times while on Township property or within Township buildings.
- B. Smoking is prohibited on all Township Property including, but not limited to, yards, parks, parking lots, lawns, fields, playgrounds, open space and in any other property owned by the Township of Verona.
- C. Smoking is prohibited within all buildings owned, rented or leased by the Township of Verona.
- D. Smoking is also prohibited within 25 feet of any entrance to or air intake duct on any building owned, rented or leased by the Township of Verona.
- E. Smoking is prohibited within any outdoor courtyard or atrium on any property owned, rented or leased by the Township of Verona.

**§ 435-4 Violations and penalties**

Where no other penalty is prescribed by law, any person who violates any provision of this chapter shall, upon conviction, be liable to the penalties stated in Chapter 1, Article II, General Penalty, of the Township Code.

**SECTION 1: REPEAL OF INCONSISTENT PROVISIONS**

All ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only to the extent of such conflict or inconsistency, it being the legislative intent that all such ordinances or part of ordinances now existing or in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

**SECTION 2: 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 by a court of competent jurisdiction, such decision shall not affect 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 3: EFFECTIVE DATE**

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

**SECTION 4: CODIFICATION**

This ordinance shall be a part of the Code of the Township of Verona as though codified and fully set forth therein. The Municipal Clerk shall have this ordinance codified and incorporated in the official copies of the Code. The Municipal Clerk and the Township Attorney are authorized and directed to change any Chapter, Article and/or Section number of the Code of the Township of Verona in the event that the codification of this Ordinance reveals that there is a conflict between the numbers and the existing Code, and in order to avoid confusion and possible accidental repealers of existing provisions not intended to be repealed.



ATTEST:

*Jennifer Kiernan*  
JENNIFER KIERNAN  
MUNICIPAL CLERK

**I HEREBY CERTIFY THAT THE AFOREMENTIONED ORDINANCE WAS PUBLISHED IN THE STAR LEDGER, A NEWSPAPER PUBLISHED IN THE COUNTY OF ESSEX AND CIRCULATED IN THE TOWNSHIP OF VERONA, IN THE ISSUE OF JULY 1, 2022 AND JULY 15, 2022**

**JENNIFER KIERNAN  
MUNICIPAL CLERK**

INTRODUCTION: June 27, 2022  
PUBLIC HEARING: July 11, 2022  
EFFECTIVE DATE: August 4, 2022