

ORDINANCE 98:16

AN ORDINANCE AMENDING ORDINANCE 88:15 ENTITLED "AN ORDINANCE PROVIDING FOR THE APPROVAL AND ADOPTION OF A MAP DEPICTING THE LOCATION AND BOUNDARIES OF DRUG-FREE SCHOOL ZONES, AND MAKING AN OFFICIAL FINDING AND RECORD OF THE LOCATION AND BOUNDARIES OF SUCH ZONES".

BE IT ORDAINED by the Borough Council of the Borough of Stratford, County of Camden, State of New Jersey, that Ordinance 88:15 be and is hereby amended as follows:

SECTION 01. That the Title hereby be amended to read as follows:

AN ORDINANCE PROVIDING FOR THE APPROVAL AND ADOPTION OF A MAP DEPICTING THE LOCATION AND BOUNDARIES OF DRUG-FREE ZONES, AND MAKING AN OFFICIAL FINDING AND RECORD OF THE LOCATION AND BOUNDARIES OF SUCH ZONES.

SECTION 02. That Sections 01, 02, 03, and 05(a)2,3,4(b)(c) of Ordinance 88:15 are hereby amended to read as follows:

Section 01. In accordance with and pursuant to the authority of L. 1997, c. 327 (C.2C:35-7.1), the Drug-Free Zone map produced on or about May 07, 1998 by Schoor DePalma (municipal) engineer, is hereby approved and adopted as an official finding and record of the location and areas within the municipality of property which is used for school, housing project, public park/playground, or public library purposes and which is owned by or leased to any elementary or secondary school or school board, or Borough. The areas on or within one thousand feet of such school property and five hundred feet of the real property comprising a public housing facility, a public park or public library.

Section 02. The Drug-Free Zone map approved and adopted pursuant to Section 01 of this ordinance shall continue to constitute an official finding and record as to the location and boundaries of area on or within one thousand feet of any elementary or secondary school which is used for school purposes, and boundaries of areas on or within five hundred feet of property comprising a public housing facility, a public park or a public library and used for such purposes until such time if any that this ordinance shall be amended to reflect any additions or deletions with respect to the location and boundaries of such property and Drug-Free Zones.

Section 03. The school board, or the Chief Administrative Officer in the case of any private or parochial school, and the Borough Clerk/Administrator for the public parks or public library, are hereby directed and shall have the continuing obligation to promptly notify the (municipal) engineer and the (municipal) attorney of any changes or contemplated changes in the location and boundaries of any property owned by or leased to any elementary or secondary school or school board for schooling use, or Borough public parks or public library.

Section 05. (a) 2)the location of public libraries within the municipality,

3)the location of public parks and recreation areas,

4)the boundaries of the real property which is owned by or leased to such schools or school board, or Borough,

5)that such property is and continues to be used for such purposes, and

6)the location and boundaries of areas which are on or within one thousand feet of such school property, and five hundred feet of such Borough property.

(b)All of the property depicted on the map approved and adopted herein as such property was owned by (or leased to) a school or school board, or Borough and was being used for school purposes as of January 09, 1998, that being the effective date of L. 1997, c. 327 (C.2C:35-7.1).

(c)Pursuant to the provisions of L. 1997, c. 327 a prosecutor is not precluded from introducing or relying upon any other evidence or testimony to establish a violation of the offense defined in that statute, including use of a map or diagram other than the one approved and adopted pursuant to Section 01 of this Ordinance. The failure of the map approved herein to depict the location and boundaries of any property which is, in fact, used for school purposes and which is owned by or leased to any elementary or secondary school or school board, or used as public park and recreation area, or public library, whether the absence of such depiction is the result of inadvertent omission or the result of any changes in the location and boundaries of such property which have not yet been incorporated into a revised approved map, shall not be deemed to be an official finding and

record that such property is not owned by or leased to a school or school board, or Borough, or that such property is not used for school purposes, park and recreation or library use.

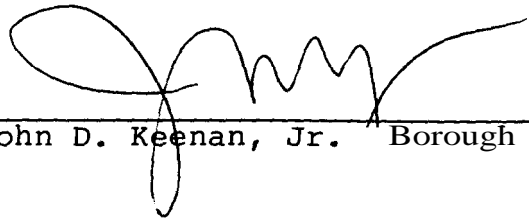
(d) All of the requirements set forth in L. 1997, c. 327 concerning the preparation, approval and adoption of a Drug-Free Zone map have been complied with.

SECTION 02. All Ordinances and provisions thereof inconsistent with the provisions of this Ordinance shall be and are thereby repealed to the extent of such inconsistency.

SECTION 03. If any section, subsection, part, sentence, clause or phrase of this Ordinance shall be declared invalid of judgement by any court of competent jurisdiction, such section, subsection, part, sentence, clause or phrase shall be deemed to be severable from the remainder of this Ordinance.

PUBLIC NOTICE

NOTICE is hereby given that the foregoing Ordinance was introduced and passed at a meeting of the Borough Council of the Borough of Stratford, County of Camden, State of New Jersey, held on the 9th day of June, 1998, and will be considered for final passage after a public hearing at a meeting of the Borough Council of the Borough of Stratford to be held on the 14th day of July, 1998 at 8:00 p.m.



John D. Keenan, Jr. Borough Clerk

NOTICE

I, John D. Keenan, Jr., Clerk of the Borough of Stratford, County of Camden, State of New Jersey, do hereby certify the foregoing ordinance was finally adopted by Mayor and Council after a Public Hearing held on the 14th day of July, 1998 at 8:00 p.m.

John D. Keenan, Jr., Borough Clerk