

**BERNARDSVILLE BOROUGH
ORDINANCE 2010-#1541**

**AN ORDINANCE REPEALING SECTION 3-8 OF THE BOROUGH CODE ENTITLED
“LOITERING”**

STATEMENT OF PURPOSE: To repeal the Borough loitering ordinance which has been preempted.

WHEREAS, the Borough loitering ordinance set forth in Section 3-8 of the Borough Code was adopted in 1957, and was last amended in 1969; and

WHEREAS, local loitering ordinances were preempted by the adoption in 1979 of the New Jersey Code of Criminal Justice (Title 2C of the Revised Statutes);

NOW THEREFORE, BE IT ORDAINED by the Council of the Borough of Bernardsville in the County of Somerset, State of New Jersey as follows:

Section 1. Section 3-8 of the Borough Code entitled “Loitering” is hereby repealed in its entirety.

Section 2. Any or all other ordinances or parts thereof in conflict or inconsistent with any of the terms hereof are hereby repealed to such extent as they are so in conflict or inconsistent.

Section 3. In case any article, section or provision of this ordinance shall be held invalid in any court of competent jurisdiction, the same shall not affect any other article, section or provision of this ordinance except insofar as the article, section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

Section 4. This ordinance shall become effective immediately upon final passage and publication as required by law.

COUNCIL OF THE BOROUGH OF
BERNARDSVILLE IN THE COUNTY
OF SOMERSET

ATTEST:

Sandra G. Jones, Borough Clerk

By: _____
Lee C. Honecker, Mayor

Introduction: _____

1st Publication: _____

Public Hearing and Adoption: _____

2nd Publication: _____