

**TOWNSHIP OF HAMILTON
COUNTY OF MERCER, NEW JERSEY**

ORDINANCE

No. **21-028**

1ST READING	<u>May 4, 2021</u>	DATE TO MAYOR	_____
2ND READING & PUBLIC HEARING	<u>June 1, 2021</u>	DATE RESUBMITTED TO COUNCIL	_____
WITHDRAWN _____	LOST _____	DATE EFFECTIVE	_____

APPROVED AS TO FORM AND LEGALITY

FACTUAL CONTENTS CERTIFIED TO BY

TOWNSHIP ATTORNEY

TITLE

ORDINANCE AMENDING AND SUPPLEMENTING THE CODE OF THE TOWNSHIP OF HAMILTON, NEW JERSEY, CHAPTER 550, LAND DEVELOPMENT, ARTICLE IX, ADMINISTRATION AND ENFORCEMENT, § 550-284, PENALTIES

Be It Ordained by the Council of the Township of Hamilton, in the County of Mercer and State of New Jersey, that the *Code of the Township of Hamilton, New Jersey, Chapter 550, Land Development, Article IX, Administration and Enforcement, § 550-284, Penalties*, as amended and supplemented, be further amended and supplemented as follows:

Chapter 550

LAND DEVELOPMENT

ARTICLE IX – ADMINISTRATION AND ENFORCEMENT

.....
§ 550-284. Penalties.

A. Fines.

- (1) Any person, firm or corporation that shall violate any provisions of this chapter shall, upon conviction thereof by any court authorized by law to hear and determine the matter, be fined such sum not less than \$100 nor more than [~~\$1,000~~] \$2,000 as such court, in its discretion, may impose; or if the party so convicted is a natural person, such person may be imprisoned for such term not exceeding 90 days as such court, in its discretion, may impose; or such natural person may be both imprisoned and fined not exceeding the maximum limits set forth herein as such court, in its discretion, may impose. Each day that such violation exists shall constitute a separate offense.

.....
B. Selling land before final subdivision approval.

EXPLANATION Matter UNDERLINED thus in this legislation is new matter.
Matter contained in BRACKETS [thus] is to be omitted from the law.

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- (1) If before final subdivision approval has been granted any person, as owner or agent, transfers or sells or agrees to transfer or sell any land which forms a part of a subdivision for which municipal approval is required in accordance with the provisions of this chapter, except pursuant to an agreement expressly conditioned on final subdivision approval, such person shall be subject to a penalty not less than \$100 nor more than [\$1,000] \$2,000, and each lot disposition so made may be deemed a separate violation.

Any Ordinance or Ordinances in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

This Ordinance shall become effective immediately upon final adoption and publication thereof according to law.

RECORD OF VOTE													
First Reading							Second Reading						
COUNCIL	AYE	NAY	NV	AB	ORD	SEC	COUNCIL	AYE	NAY	NV	AB	ORD	SEC
ANTHONY P. CARABELLI, JR.	✓					✓	ANTHONY P. CARABELLI, JR.						
RICHARD L. TIGHE, JR.	✓				✓		RICHARD L. TIGHE, JR.						
CHARLES F. WHALEN	✓						CHARLES F. WHALEN						
NANCY PHILLIPS	✓						NANCY PHILLIPS						
PASQUALE "PAT" PAPERIO, JR.	✓						PASQUALE "PAT" PAPERIO, JR.						

X - Indicates Vote A.B. - Absent N.V. - Not Voting ORD. - Moved SEC. - Seconded

REJECTED _____
_____ JEFFREY S. MARTIN, MAYOR _____ DATE

APPROVED _____

RECONSIDERED BY COUNCIL _____ OVERRIDE VOTE AYE _____ NAY _____