Part I

Administrative Ordinances

Chapter 1

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[HISTORY: Article I adopted by the Mayor and Common Council of the City of Gloucester 12-5-74; Article II adopted by the Board of Health 12-16-74. Amendments noted where applicable.]

ARTICLE I
Adoption of Code by Mayor and Common Council
[Adopted 12-5-74]

Be it ordained by the Mayor and Common Council of the City of Gloucester City, in the County of Camden and State of New Jersey, that:

§ 1-1. Adoption of Code.

Pursuant to N.J.S.A. 40:49-4, the ordinances of the City of Gloucester City, of a general and permanent nature, adopted by the Mayor and Common Council of the City of Gloucester City, as revised, codified and consolidated into chapters and sections by General Code Publishers Corp. and consisting of Chapters 1 through 93, together with an Appendix, are hereby approved, adopted, ordained and enacted as the "Code of the City of Gloucester City," hereinafter known and referred to as the "Code."

§ 1-2. Copy of Code on file.

A copy of the Code in loose-leaf form has been filed in the office of the City Clerk and shall remain there for the use and examination by the public until final action is taken on this ordinance; and, if this ordinance shall be adopted, such copy shall be certified to by the Clerk of the City of Gloucester City by impressing thereon the seal of the city, as provided by law, and such certified copy shall remain on file in the office of the Clerk of the City of Gloucester City, to be made available to persons desiring to examine the same during all times while the said Code is in effect.

§ 1-3. Publication; filing.

The Mayor and Common Council of the City of Gloucester City, pursuant to law, shall cause to be published in the manner required, a copy of this adopting ordinance in a newspaper of general circulation in the city. Sufficient copies of the Code shall be maintained in the office of the City Clerk for inspection by the public at all times during regular office hours. The enactment and publication of this adopting ordinance, coupled with availability of copies of the Code for inspection by the public, shall be deemed, held and considered to be due and legal publication of all provisions of the Code for all purposes.

§ 1-4. Repeal of ordinances.

All ordinances or parts of ordinances of a general and permanent nature, adopted and in force on the date of the adoption of this ordinance and not contained in the Code, are hereby repealed as of the effective date of this adopting ordinance, except as hereinafter provided.

§ 1-5. Ordinances saved from repeal.

The adoption of this Code and the repeal of ordinances provided for in § 1-4 of this ordinance shall not affect the following ordinances, rights and obligations, which are hereby expressly saved from repeal.

A. Any ordinance adopted subsequent to March 7, 1974.

B. Any right or liability established, accrued or incurred under any legislative provision prior to the effective date of this ordinance, or any action or proceeding brought for the enforcement of such right or liability.

C. Any offense or act committed or done before the effective date of this ordinance in violation of any legislative provision, or any penalty, punishment or forfeiture which may result therefrom.

D. Any prosecution, indictment, action, suit or other proceeding pending, or any judgment rendered, prior to the effective date of this ordinance, brought pursuant to any legislative provision.

E. Any franchise, license, right, easement or privilege heretofore granted or conferred.

F. Any ordinance providing for the laying out, opening, altering, widening, relocating, straightening, establishing grade, changing name, improvement, acceptance or vacation of any right-of-way, easement, street, road, highway, park or other public place, or any portion thereof.

G. Any ordinance or resolution appropriating money or transferring funds, promising or guaranteeing the payment of money or authorizing the issuance and delivery of any bond or other instruments or evidence of the city's indebtedness.

H. Ordinances authorizing the purchase, sale, lease or transfer of property, or any lawful contract or obligation.

I. The levy or imposition of taxes, assessments or charges.

J. The dedication of property or approval of preliminary or final subdivision plats.

K. Ordinances establishing the amount and manner of payment of salaries or compensation of officers and employees; establishing workdays and working hours of certain employees; and providing for holidays and vacations for employees and keeping of employment records.

L. Any ordinance making any change or revision in the Zoning Map.

M. Any ordinance regulating traffic or parking.

§ 1-6. Changes in previously adopted ordinances.

A. In compiling and preparing the ordinances for adoption and revision as part of the Code pursuant to N.J.S.A. 40:49-4, certain grammatical changes and other minor changes were made in one (1) or more of said ordinances. It is the intention of the Mayor and Common Council that all such changes be adopted as part of the Code as if the ordinances so changed had been previously formally amended to read as such.

B. In addition, the following changes, amendments or revisions are made herewith, to become effective upon the effective date of this ordinance. (Chapter and section number references are to the ordinances as they have been renumbered and appear in the Code.)

(1) In §§ 13-3, 13-13, 13-14, 15-13A, 15-17, 17-6, 19-16, 21-9, 25-4, 27-2D, 32-3, 36-11, 36-24, 39-3, 41-15, 43-14, 46-8, 48-10, 50-6, 50-10, 52-1, 52-3, 53-16, 55-15, 58-5, 62-8, 65-4, 68-3, 73-17, 76-15, 82-15, 83-1, 83-8, 84-13, 85-19 and 88-7 the penalty provisions are amended to provide that violators will be punishable by a fine not exceeding five hundred dollars ($500.) or by imprisonment for a term not exceeding ninety (90) days, or by both such fine and imprisonment, the imposition of such penalties being authorized by N.J.S.A. 40:49-5, as amended.

(2) In Chapter 21, Barbers and Barbershops, § 21-3 is amended to delete provisions dealing with residency and ownership requirements.

(3) In Chapter 27, Building Code § 27-1 is amended to provide for the adoption of the 1965 Editions of the BOCA Basic Building Code and the BOCA Abridged Building Code, together with all existing or future

amendments or supplements thereto and/or revisions thereof and to provide for the filing of three (3) copies of said copies in the office of the City Clerk.

(4) In Chapter 48, Fire Prevention Code, § 48-1 is amended to change the reference to the "National Board of Fire Underwriters" to a reference to the "American Insurance Association" and to provide for the adoption of the 1965 Edition of the Fire Prevention Code, together with all existing or future amendments or supplements thereto and/or revisions thereof.

(5) In Chapter 50, Garbage Collection:

(a) Section 50-5A is amended to delete the provision for obtaining a license from the Superintendent of Streets.

(b) Section 50-9 is amended to insert the words "and license" between the words "written permission" and the words "of the Common Council of Gloucester City..."

(6) In Chapter 58, Junk Dealers, § 58-4 is amended to increase the annual license fee to three hundred dollars ($300.).

(7) In Chapter 65, Playgrounds: Hours of Use, § 65-3 is amended to clarify the hours when Martins Lake may be used for ice skating.

§ 1-7. Code supersedes prior ordinances.

This ordinance and the Code shall supersede all other general and permanent ordinances enacted prior to the enactment of this Code, except such ordinances as are hereinbefore expressly saved from repeal or continued in force.

§ 1-8. When effective.

All provisions of this ordinance and the Code shall be in full force and effect on and after December 31, 1974.

§ 1-9. Amendments to Code.

Any and all additions, amendments or supplements to the Code, when passed and adopted in such form as to indicate the intent of the governing body to make them a part thereof, shall be deemed to be incorporated into such Code so that reference to the "Code of the City of Gloucester City" shall be understood and intended to include such additions and amendments. Whenever such additions, amendments or supplements to the Code shall be adopted, they shall thereafter be printed and, as provided hereunder, inserted in the loose-leaf book containing the said Code, as amendments and supplements thereto.

§ 1-10. Code book to be kept-up-to-date.

It shall be the duty of the City Clerk, or someone authorized and directed by him, to keep up-to-date the certified copy of the book containing the Code required to be filed in his office for the use of the public. All changes in said Code and all ordinances adopted specifically as part of the Code, shall, when finally adopted, be included therein by reference until such changes or new ordinances are printed as supplements to said Code book, at which time such supplements shall be inserted therein.

§ 1-11. Sale of Code book.

Copies of the Code book containing the Code may be purchased from the City Clerk upon the payment of a fee to be set by resolution of the Mayor and Common Council, who may also arrange, by resolution, for procedures for the periodic supplementation thereof.

1-12. Altering or tampering with Code; penalties for violation. [Amended 6-28-2007 by Ord. No. 14-2007]

It shall be unlawful for anyone to improperly change or amend, by additions or deletions, any part or portion of the Code, or to alter or tamper with such Code in any manner

whatsoever which will cause the law of the City of Gloucester City to be misrepresented thereby. Notwithstanding any provision of this Code to the contrary, the penalty for any violation of this Code shall be a fine of up to $1,250. and up to six (6) months in jail to be determined by the Municipal Court. This maximum penalty shall apply to all provisions of the Code whether or not individual provisions contain a penalty section. This ordinance shall act as an amendment to all penalty provisions in the Gloucester City Code to increase each and every maximum penalty to the foregoing.

§ 1-13. Severability of Code provisions.

Each section of the Code, and every part of each section, is an independent section or part of a section, and the holding of any section or a part thereof to be unconstitutional, void or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any other section or parts thereof.

§ 1-14. Severability of ordinance provisions.

Each section of this ordinance is an independent section, and the holding of any section or part thereof to be unconstitutional, void or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any other sections or parts thereof.

ARTICLE II
Adoption of Code by Board of Health
[Adopted 12-16-74]

Be it ordained by the Board of Health of the City of Gloucester City, in the County of Camden and State of New Jersey, that:

§ 1-15. Adoption of Code.

Pursuant to N.J.S.A. 40:49-4, the ordinances of the Board of Health of the City of Gloucester City of a general and permanent nature, as revised, codified and consolidated into chapters and sections by General Code Publishers Corp. and consisting of Chapter 97 through 102, are hereby approved, adopted, ordained and enacted as the "Code of the City of Gloucester City" hereinafter known and referred to as the "Code."

§ 1-16. Code supersedes prior ordinances.

This ordinance and the Code shall supersede all other general and permanent ordinances of the Board of Health enacted prior to the enactment of this Code, except such ordinances as are expressly saved from repeal or continued in force and effect hereinafter.

§ 1-17. When effective.

All provisions of this ordinance and the Code shall be in full force and effect on and after December 28, 1974.

§ 1-18. Copy of Code on file.

A copy of the Code in loose-leaf form has been filed in the office of the Secretary of the Board of Health and shall remain there for use and examination by the public until final action is taken on this ordinance; and, if this ordinance shall be adopted, such copy shall be certified to as provided by law, and such certified copy shall remain on file in the office of the Secretary of the Board of Health, to be made available to persons desiring to examine the same during all times while the said Code is in effect.

§ 1-19. Amendments to Code.

Any and all additions, amendments or supplements to the Code, when passed and adopted in such form as to indicate the intent of the Board of Health to make them a part thereof, shall be deemed to be incorporated into such Code so that reference to the "Code of the City of Gloucester City" shall be understood and intended to include such additions and amendments. Whenever such additions, amendments or supplements to the Code shall be adopted, they shall thereafter be printed and, as provided hereunder, inserted in the loose-leaf book containing the said Code, as amendments and supplements thereto.

§ 1-20. Publication; filing.

The Secretary of the Board of Health, pursuant to law, shall cause to be published, in the manner required, a copy of this adopting ordinance in a newspaper of general circulation in the city. Sufficient copies of the Code shall be maintained in the office of the Secretary for inspection by the public at all times during regular office hours. The enactment and publication of this adopting ordinance, coupled with availability of copies of the Code for inspection by the public, shall be deemed, held and considered to be due and legal publication of all provisions of the Code for all purposes.

§ 1-21. Code book to be kept up-to-date.

It shall be the duty of the Secretary, or someone authorized and directed by him, to keep up-to-date the certified copy of the book containing the Code required to be filed in his office for the use of the public. All changes in said Code and all ordinances adopted subsequent to the effective date of this codification, which shall be adopted specifically as part of the Code, shall, when finally adopted, be included therein by reference until such changes or new ordinances are printed as supplements to said Code book, at which time such supplements shall be inserted therein.

§ 1-22. Altering or tampering with Code; penalties for violation.

It shall be unlawful for anyone to improperly change or amend, by additions or deletions, any part or portion of the Code, or to alter or tamper with such Code in any manner whatsoever, which will cause the law of the Board of Health to be misrepresented thereby. Anyone violating this section of this ordinance shall be subject, upon conviction, to a fine of not less than five dollars ($5.) nor more than five hundred dollars ($500.).

§ 1-23. Severability of Code provisions.

Each section of the Code, and every part of each section, is an independent section or part of a section, and the holding of any

section or a part thereof to be unconstitutional, void or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any other sections or parts thereof.

§ 1-24. Severability of ordinance provisions.

Each section of this ordinance is an independent section, and the holding of any section or part thereof to be unconstitutional, void or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any other sections or parts thereof.

§ 1-25. Repeal of ordinances.

All ordinances or parts of ordinances inconsistant with the provisions of this ordinance or the Code are hereby repealed to the extent of such inconsistency.

§ 1-26. Changes in previously adopted ordinances.

In compiling and preparing the ordinances of the Board of Health for adoption and revision as part of the Code pursuant to N.J.S.A. 40:49-4, certain grammatical changes and other minor changes were made in one (1) or more of said ordinances. It is the intention of the Board of Health that all such changes be adopted as part of the Code as if the ordinances so changed had been previously formally amended to read as such.