

**AN ORDINANCE BY THE TOWNSHIP
OF PRINCETON CONCERNING
GENERAL PENALTY PROVISIONS AND
AMENDING THE "CODE OF THE
TOWNSHIP OF PRINCETON, NEW
JERSEY 1968"**

BE IT ORDAINED by the Township Committee of the Township of Princeton as follows:

1. Sec. 1.1-6 of the "Code of the Township of Princeton, New Jersey, 1968" which prescribes general penalties for the violation of any ordinance, rules, regulations or orders promulgated pursuant to the Township Code is amended to read as follows:

Sec. 1-6. General penalty; continuing violations.

Except as hereinafter provided, whenever in this Code or in any other ordinance of the township or in any rule, regulation or order promulgated pursuant to such Code or other ordinance of the township any act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or whenever in such Code or in such other township ordinance, rule, regulation or order the doing of any act is required or the failure to do any act is declared to be unlawful, where no specific penalty is provided therefor, the violation of any such provision of this Code or of any other ordinance of the township or of any rule, regulation or order promulgated pursuant to such Code or other township ordinance shall be punished by a fine not exceeding [one thousand two hundred fifty dollars] two thousand (\$2,000.00) dollars, or by imprisonment for a period not exceeding ninety days; or a period of community service not exceeding ninety days; or by both such fine and imprisonment or community service.

Any person who is convicted of violating this Code or any other ordinance of the township or any other rule, regulation or order promulgated pursuant to this Code or other township ordinance within one year of the date of a previous violation of the same provision, and who was fined for that previous violation shall be sentenced by the court to an additional fine as a repeat offender. The additional find imposed by the court upon a person for a repeated offense shall not be less than the minimum or exceed the maximum fine fixed for a violation of the provision, but shall be calculated separately from the fine imposed by the violation of the provision.

Whenever any provision of the New Jersey revised Statutes limits the authority of the township to punish the violation of any particular provision of this Code or other township ordinance, rule, regulation or order promulgated pursuant thereto to a fine of less amount than that provided in this section or imprisonment for a shorter term than that provided in this section, then the violation of such particular provision of this Code or other township ordinance, rule, regulation or order shall be punished by the imposition of not more than the maximum fine, imprisonment or community service so authorized or by both such fine or imprisonment.

The maximum penalty stated in the general penalty clause of this section is not intended to state an appropriate penalty for each and every violation. Any lesser penalty, including a nominal penalty or no penalty at all, may be appropriate for a particular case or a particular violation.

The township committee may prescribe that, for the violation of any particular Code provision or ordinance, at least a minimum penalty shall be imposed which shall consist of a find which may be fixed at an amount not exceeding one hundred dollars.

Each day any violation of this Code or any other township ordinance, rule, regulation or order promulgated pursuant thereto shall continue shall constitute a separate offense, unless otherwise provided.

Any person convicted of violating this Code or any other ordinance of the township or any other rule, regulation or order promulgated pursuant to this Code or other township ordinance, and who is in default of the payment of any fine imposed for the violation, may, in the court's discretion, be imprisoned for a term not exceeding ninety days or be required to perform community service for a period not exceeding ninety days.

Whenever any fine is imposed upon any corporation, such fine and any costs and charges incident thereof may be collected in an action of debt or in such other manner as may be provided by law.

Any person convicted of violating any of the housing standards set forth in Chapter 10 of this Code or the zoning regulations set forth in Chapter 10B, Article XI of this Code may be subject to a fine greater than \$1,250.00 for each violation provided, however, said violator will be entitled to a thirty day period to cure or abate the violation before said fine is imposed. Additionally, said violator shall be entitled to a judicial hearing before the municipal court before the imposition of said fine. Said fine in excess of \$1,250.00 may be imposed if the court determines that the violation was not cured or substantially abated.

2. This Ordinance shall take effect upon its passage and publication as provided for by law.

Linda S. McDermott, Clerk

Phyllis L. Marchand, Mayor