

**ORDINANCE 2012-01**

**AN ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL ORDINANCE'S OF THE BOROUGH OF BRADLEY BEACH, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, CHAPTER 123, BEACHFRONT AREAS AND ADJACENT WATERS, AMENDING SECTIONS 123-8.Y(1) & (2) AND ENACTING SECTION 8.Y(3)**

**WHEREAS** the Mayor and Council of the Borough of Bradley Beach finds that each is charged with the duty to promote and protect the health, safety and welfare of the citizens of the Borough of Bradley Beach, and;

**WHEREAS** the Mayor and Council of the Borough of Bradley Beach acknowledges that the smoking of tobacco products has been shown to deleteriously affect the health of both smokers and non-smokers and;

**WHEREAS** the Mayor and Council of the Borough of Bradley Beach finds that by banning the smoking of tobacco products in the beach area at all times, and on the beach proper during peak use periods, that it may fairly and effectively promote a more healthy and clean beach environment for its citizens and guests;

**BE IT ORDAINED** by the Mayor and Council of the Borough of Bradley Beach that Chapter 123, Sections 8.Y (1) (2) AND (3), of the Revised General Ordinances of the Borough of Bradley Beach shall be revised, amended and enacted to read as follows:

**Y.** Smoking restrictions in beach and beachfront areas.

(1) No person shall smoke a cigarette, cigar or other tobacco product in the beachfront area at any time.

(2) For purposes of this subsection, the term "beachfront area" shall mean all public areas, excepting the beach area proper, including but not limited to, boardwalk areas, access ramps, grass areas, sidewalk areas, paver areas, areas leased to third parties, and other areas subject to the control or jurisdiction of the Borough of Bradley Beach east of the easterly curb line along Ocean Avenue, in the Borough of Bradley Beach.

(3) No person shall smoke a cigarette, cigar or other tobacco product on any beach area proper from 9:00 AM through 7 PM on any day through and including the dates of May 1 and September 30 of any year.

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MARY ANN SOLINSKI  
Borough Clerk

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JULIE SCHRECK  
Mayor

Introduced: January 24, 2012

Date of Hearing and Adoption: February 14, 2012

Date of Publication: \_\_\_\_\_