



<b>COMMITTEE STATEMENT:</b>	<b>ASSEMBLY:</b>	No
	<b>SENATE:</b>	No
<b>FLOOR AMENDMENT STATEMENTS:</b>		No
<b>LEGISLATIVE FISCAL ESTIMATE:</b>		No
<b>VETO MESSAGE:</b>		No
<b>GOVERNOR'S PRESS RELEASE ON SIGNING:</b>		No

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# ASSEMBLY, No. 2645

## STATE OF NEW JERSEY 209th LEGISLATURE

INTRODUCED JUNE 19, 2000

**Sponsored by:**

**Assemblyman MICHAEL J. ARNONE**

**District 12 (Monmouth)**

**Assemblyman PETER J. BIONDI**

**District 16 (Morris and Somerset)**

**Co-Sponsored by:**

**Senator Singer**

**SYNOPSIS**

Increases maximum fine for first violation of municipal ordinance.

**CURRENT VERSION OF TEXT**

As introduced.



(Sponsorship Updated As Of: 11/27/2001)

A2645 ARNONE, BIONDI

2

1 AN ACT concerning fines for violation of municipal ordinances and  
2 amending R.S.40:49-5.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6

7 1. R.S.40:49-5 is amended to read as follows:

8 40:49-5. The governing body may prescribe penalties for the  
9 violation of ordinances it may have authority to pass, by one or more  
10 of the following: imprisonment in the county jail or in any place  
11 provided by the municipality for the detention of prisoners, for any  
12 term not exceeding 90 days; or by a fine not exceeding **[\$1,000.00]**  
13 \$1,250; or by a period of community service not exceeding 90 days.

14 The governing body may prescribe that for the violation of any  
15 particular ordinance at least a minimum penalty shall be imposed which  
16 shall consist of a fine which may be fixed at an amount not exceeding  
17 \$100.00. The court before which any person is convicted of violating  
18 any ordinance of a municipality shall have power to impose any fine,  
19 term of imprisonment, or period of community service not less than  
20 the minimum and not exceeding the maximum fixed in such ordinance.

21 Any person who is convicted of violating an ordinance within one  
22 year of the date of a previous violation of the same ordinance and who  
23 was fined for the previous violation, shall be sentenced by a court to  
24 an additional fine as a repeat offender. The additional fine imposed by  
25 the court upon a person for a repeated offense shall not be less than  
26 the minimum or exceed the maximum fine fixed for a violation of the  
27 ordinance, but shall be calculated separately from the fine imposed for  
28 the violation of the ordinance.

29 Any municipality which chooses not to impose an additional fine  
30 upon a person for a repeated violation of any municipal ordinance may  
31 waive the additional fine by ordinance or resolution.

32 Any person convicted of the violation of any ordinance may, in the  
33 discretion of the court by which he was convicted, and in default of the  
34 payment of any fine imposed therefor, be imprisoned in the county jail  
35 or place of detention provided by the municipality, for any term not  
36 exceeding 90 days, or be required to perform community service for  
37 a period not exceeding 90 days.

38 (cf: P.L.1989, c.114, s.1)

39

40 2. This act shall take effect immediately.

**EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.**

**Matter underlined thus is new matter.**



ASSEMBLY LOCAL GOVERNMENT COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 2645**

**STATE OF NEW JERSEY**

DATED: NOVEMBER 9, 2000

The Assembly Local Government Committee reports favorably  
Assembly Bill No. 2645.

This bill amends R.S.40:49-5 to increase from \$1,000 to \$1,250  
the maximum fine that can be imposed for the first violation of a  
municipal ordinance. The maximum fine was last changed in 1983,  
when it was increased from \$500 to \$1,000.

SENATE COMMUNITY AND URBAN AFFAIRS COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 2645**

**STATE OF NEW JERSEY**

DATED: FEBRUARY 8, 2001

The Senate Community and Urban Affairs Committee reports favorably Assembly Bill No. 2645.

This bill would increase from \$1,000 to \$1,250 the maximum fine that may be imposed for the first violation of a municipal ordinance. The maximum fine was last changed in 1983, when it was increased from \$500 to \$1,000.

**SENATE, No. 2163**

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**STATE OF NEW JERSEY**  
**209th LEGISLATURE**

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INTRODUCED FEBRUARY 26, 2001

**Sponsored by:**

**Senator ROBERT W. SINGER**

**District 30 (Burlington, Monmouth and Ocean)**

**SYNOPSIS**

Increases maximum fine for first violation of municipal ordinance.

**CURRENT VERSION OF TEXT**

As introduced.





S2163 SINGER

2

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**S2163 SINGER**

3

1

STATEMENT

2

3 This bill amends R.S.40:49-5 to increase from \$1,000 to \$1,250 the  
4 maximum fine that can be imposed for the first violation of a municipal  
5 ordinance. The maximum fine was last changed in 1983, when it was  
6 increased from \$500 to \$1,000.

P.L. 2001, CHAPTER 274, *approved December 26, 2001*  
Assembly, No. 2645

1 **AN ACT** concerning fines for violation of municipal ordinances and  
2 amending R.S.40:49-5.

3

4 **BE IT ENACTED** *by the Senate and General Assembly of the State*  
5 *of New Jersey:*

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7 1. R.S.40:49-5 is amended to read as follows:

8 40:49-5. The governing body may prescribe penalties for the  
9 violation of ordinances it may have authority to pass, by one or more  
10 of the following: imprisonment in the county jail or in any place  
11 provided by the municipality for the detention of prisoners, for any  
12 term not exceeding 90 days; or by a fine not exceeding [~~\$1,000.00~~  
13 \$1,250]; or by a period of community service not exceeding 90 days.

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STATEMENT

This bill amends R.S.40:49-5 to increase from \$1,000 to \$1,250 the maximum fine that can be imposed for the first violation of a municipal ordinance. The maximum fine was last changed in 1983, when it was increased from \$500 to \$1,000.

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Increases maximum fine for first violation of municipal ordinance.

## CHAPTER 274

AN ACT concerning fines for violation of municipal ordinances and amending R.S.40:49-5.

**BE IT ENACTED** *by the Senate and General Assembly of the State of New Jersey:*

1. R.S.40:49-5 is amended to read as follows:

Penalties for violations of municipal ordinances.

40:49-5. The governing body may prescribe penalties for the violation of ordinances it may have authority to pass, by one or more of the following: imprisonment in the county jail or in any place provided by the municipality for the detention of prisoners, for any term not exceeding 90 days; or by a fine not exceeding \$1,250; or by a period of community service not exceeding 90 days.

The governing body may prescribe that for the violation of any particular ordinance at least a minimum penalty shall be imposed which shall consist of a fine which may be fixed at an amount not exceeding \$100.00. The court before which any person is convicted of violating any ordinance of a municipality shall have power to impose any fine, term of imprisonment, or period of community service not less than the minimum and not exceeding the maximum fixed in such ordinance.

Any person who is convicted of violating an ordinance within one year of the date of a previous violation of the same ordinance and who was fined for the previous violation, shall be sentenced by a court to an additional fine as a repeat offender. The additional fine 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 ordinance, but shall be calculated separately from the fine imposed for the violation of the ordinance.

Any municipality which chooses not to impose an additional fine upon a person for a repeated violation of any municipal ordinance may waive the additional fine by ordinance or resolution.

Any person convicted of the violation of any ordinance may, in the discretion of the court by which he was convicted, and in default of the payment of any fine imposed therefor, be imprisoned in the county jail or place of detention provided by the municipality, for any term not exceeding 90 days, or be required to perform community service for a period not exceeding 90 days.

2. This act shall take effect immediately.

Approved December 26, 2001.