

**ORDINANCE NO. 18-2021**

**AN ORDINANCE OF THE BOROUGH OF AVON-BY-THE-SEA,  
COUNTY OF MONMOUTH, STATE OF NEW JERSEY AMENDING  
AND SUPPLEMENTING THE CODE OF THE BOROUGH OF  
AVON-BY-THE-SEA CHAPTER §64 “Beaches”, Article III. “Rules and  
Regulations”, SECTION §64-8.1 et seq. “No Smoking and Beach Refuse”**

Article III. Rules and Regulations

§64-8.1. No smoking and beach refuse.

[Added 7-14-03 by Ord. No. 4-2003]

- A. No person shall smoke, vape, or aerosolize any cigarettes, cigars, e-cigarettes, or tobacco products in the beachfront area, as hereinafter defined, at any time. For the purpose of this chapter, the term “beachfront area” shall mean all areas within fifty (50) feet of any entrance to the beach, the entrance ramps, the boardwalk, and all areas east of the boardwalk, the jetties, dunes, beach plantings area, the beach, and waters immediately adjacent thereto. The penalty for a violation of this section shall be five hundred dollars (\$500). [Amended 6-30-14 by Ord. No. 4-2014]
- B. No person shall smoke, vape, or aerosolize any cannabis item as defined by the New Jersey Cannabis Regulatory Enforcement Assistance and Marketplace Modernization Act in the beachfront area, public places as defined by the New Jersey Cannabis Regulatory Enforcement Assistance and Marketplace Modernization Act and as prohibited by Chapter 128 of the Borough Code (§128.8.1).
- C. No person shall throw or discard any bottles, cans, paper, or other refuse, including but not limited to, cigarette butts, cigar butts, and other tobacco products, in the beachfront area, and all refuse and paper and litter shall be placed in refuse containers provided therefor. The penalty for a violation of this section shall be one hundred dollars (\$100) and two (2) days community service.
- D. The Board of Commissioners of the Borough of Avon-by-the-Sea is hereby authorized and empowered to adopt, by resolution, such other rules and regulations as may be necessary for the proper control and regulation of the beachfront area.

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Edward Bonanno, Mayor

I, Thea Kratochvil, Acting Municipal Clerk of the Municipality of Avon-By-The-Sea do hereby attest that the foregoing ordinance was introduced at a regular meeting of the Governing Body of Avon-By-The-Sea held on this 24<sup>th</sup> day of May, 2021 and adopted at a regular meeting of the Governing Body of Avon-By-The-Sea held on this 14<sup>th</sup> day of June, 2021.

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