

ORDINANCE #1240

AN ORDINANCE AMENDING CHAPTER VI OF "REVISED GENERAL ORDINANCES OF THE BOROUGH OF DEAL, 1982" Beach Regulations

THE BOARD OF COMMISSIONERS OF THE BOROUGH OF DEAL HEREBY
ORDAIN:

Section 1. That Chapter VI, Beach Regulations, of the "Revised General Ordinance of the Borough of Deal, 1982 be and it hereby is amended in the following particulars:

Section 2. Subsection 6-1 **Conover Pavilion** is amended to read as follows:

6-1.6 Rules and Regulations.

- f. No person shall smoke any cigarettes, cigars, or other tobacco products in the Conover Pavilion and on the Beach. In addition thereto, no person shall smoke cannabis or other cannabis based products as defined by P.L. 2021, c. 16, commonly known as the "New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act" (the "Act"), in the Conover Pavilion and on the beach at any time.

"Smoking" means the burning of, inhaling from, exhaling the smoke from, or the possession of a lighted cigar, cigarette, pipe, vaporizer, or any other matter or substance which contains tobacco, cannabis, or any other matter that can be smoked, or the inhaling or exhaling of smoke or vapor from an electronic smoking device.

Section 3. Subsection 6-2 **Deal Casino Beach Club** is amended to read as follows:

6-2.2 Club Rules and Regulations

25. SMOKING

No person shall smoke any cigarettes, cigars, or other tobacco products in the Deal Casino and on the Beach. In addition thereto, no person shall smoke cannabis or other cannabis based products as defined by P.L. 2021, c. 16, commonly known as the "New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act" (the "Act"), in the Deal Casino and on the beach at any time.

"Smoking" means the burning of, inhaling from, exhaling the smoke from, or the possession of a lighted cigar, cigarette, pipe, vaporizer, or any other matter or substance which contains tobacco, cannabis, or any

other matter that can be smoked, or the inhaling or exhaling of smoke or vapor from an electronic smoking device.

Section 4. Subsection 6-6 **Public Beach** is amended to read as follows:

6-6.8 Rules and Regulations.

- o. No dogs, pets or other animals are permitted on any beaches during the bathing season, with the exception of service animals.
- r. No person shall smoke any cigarettes, cigars, or other tobacco products on the any beach. In addition thereto, no person shall smoke cannabis or other cannabis based products as defined by P.L. 2021, c. 16, commonly known as the “New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act” (the “Act”), on any beach at any time.

“Smoking” means the burning of, inhaling from, exhaling the smoke from, or the possession of a lighted cigar, cigarette, pipe, vaporizer, or any other matter or substance which contains tobacco, cannabis, or any other matter that can be smoked, or the inhaling or exhaling of smoke or vapor from an electronic smoking device.

Section 5. If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

Section 6. All ordinances or parts of ordinances inconsistent with or in conflict with the Ordinance are hereby repealed to the extent of such inconsistency.

Section 7. This Ordinance shall take effect upon passage and publication according to law.

Introduced by Commissioner Ades on June 2, 2021

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Motion to Adopt by Commissioner Ades on July 7, 2021

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon