

Title 1

GENERAL PROVISIONS

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Chapter 1.04

GENERAL PROVISIONS

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- 1.04.030** **Construction.**
- 1.04.040** **Severability.**

1.04.010 **Short title.**

This book shall be known and may be cited as The Revised General Ordinances of the Township of Raritan, and is referred to herein as "this code." (Prior code § 1-1)

1.04.020 **Definitions.**

For the purpose of this code, and in the interpretation and application of all other ordinances heretofore or hereafter adopted, except as the context may otherwise require:

"Clerk" or "township clerk" means the municipal clerk duly appointed pursuant to law.

"Department" means an organizational unit of the township government established or designated by ordinance or this code as a department, together with any agency or instrumentality of the township government assigned to such organizational unit by the township committee.

"Department head" means the township administrator, if there be one appointed, or a department head designated as such by ordinance; or on the absence of either the immediate supervisor of an employee.

"Licensed" means licensed in accordance with the appropriate section or chapter of this code. (Prior code § 1-2)

"Ordinance" means any act of local legislation heretofore or hereafter adopted, including this code, so long as it has been adopted by the procedure required for the adoption of an ordinance and so long as it remains in force and effect pursuant to law.

"Person" means any individual, natural persons, partnerships, joint ventures, societies, associations, clubs, trustees, trusts, corporations or unincorporated groups; or any officers, agents, employees, servants, factors or any kind of personal representatives of any thereof in any capacity, acting either for himself or herself or for any other person, under either personal appointment or pursuant to law.

"Township" means the township of Raritan in the county of Hunterdon and state of New Jersey.

"Township committee" or "committee" means the governing body of the township.

"Street" includes a street, avenue, road, alley, lane, highway, boulevard, concourse, driveway, culvert, sidewalk and crosswalk, and every class of road, square, place or municipal parking field used by the general public.

"Month" means a calendar month unless otherwise specifically provided.

"Year" means a calendar year unless otherwise specifically provided.

1.04.030 **Construction.**

For the purpose of this code and any other ordinances heretofore or hereafter adopted, except as the context may otherwise require:

The present tense includes the past and future tenses and the future, the present.

The singular number includes the plural and the plural, the singular.

"Shall" is mandatory and "may" is permissive.

The time within which an act is to be done shall be computed by excluding the first and including the last day and if the last day be a Sunday, a legal holiday, or a day on which the offices

of the township are closed, that day shall be excluded.

"Writing" and "written" includes printing, typewriting and any other mode of communication using paper or similar material which is in general use, as well as legible handwriting.

Whenever a specific time is used in this code, it means the prevailing and established time in effect in the state of New Jersey during any day in any year.

Any citation of a statute, law or ordinance contained in this code shall be deemed to refer to such statute, law or ordinance as amended, whether or not such designation is included in the citation. (Amended during 1999 codification; prior code § 1-3)

1.04.040 Severability.

If any chapter, section, subsection or paragraph of this code shall be declared to be unconstitutional, invalid or inoperative, in whole or in part, by a court of competent jurisdiction, such chapter, section, subsection or paragraph shall, to the extent that it is not unconstitutional, invalid or inoperative, remain in full force and effect, and no such determination shall be deemed to invalidate the remaining chapters, sections, subsections or paragraphs of this code. (Prior code § 1-4)

Chapter 1.08

GENERAL PENALTY

Sections:

- 1.08.010** **Maximum penalty.**
- 1.08.020** **Separate violations.**
- 1.08.030** **Applicability.**

1.08.010 **Maximum penalty.**

For violation of any provision of this chapter, any other chapter of this code, or any other ordinance of the township where no specific penalty is provided regarding the section or sections violated, the maximum penalty, upon conviction, shall be one or more of the following: (1) a fine not exceeding two thousand dollars (\$2,000.00); or (2) imprisonment for a period not exceeding ninety (90) days; or (3) serving a period of community service not exceeding ninety (90) days. (Ord. 06-3)

For penalties and fines imposed in excess of \$1,250 upon a property owner as a result of housing or zoning violation, prior to the imposition of the fine such property owner is entitled to a 30-day period to cure or abate the violation, and is entitled to a judicial hearing regarding the violation. After the expiration of the 30-day period, if the abatement has not been substantially completed, and the court has not determined otherwise, a fine greater than \$1,250 may be imposed. (Ord. 06-3)

1.08.020 **Separate violations.**

Except as otherwise provided, each and every day in which a violation of any provision of this chapter or any other ordinance of the township exists shall constitute a separate violation. (Prior code § 3-9.2)

1.08.030 **Applicability.**

The maximum penalty stated in this chapter 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 violation. (Prior code § 3-9.3)