

**AN ORDINANCE CREATING A DRUG-FREE SCHOOL ZONE
IN THE BOROUGH OF MANVILLE, COUNTY OF SOMERSET
AND STATE OF NEW JERSEY**

BE IT ORDAINED by the Mayor and Council of the Borough of Manville, County of Somerset, State of New Jersey as follows:

1. Section 1.

1. Map Adopted.

In accordance with and pursuant to the authority of L. 1988 c. 44 (N.J.S.A. 2C:35-7), the Drug-Free School Zone Map produced as set forth below is hereby approved and adopted as official findings and records of the locations and areas within the municipality of property which is used for school purposes and which is owned by or leased to any elementary or secondary school or school board, and of the areas on or within one thousand (1,000) feet of such school property. A copy of said map is on file in the Borough of Manville Municipal Clerk's Office. Said map was originally prepared by

<u>MAP</u>	<u>SCHOOL NAME</u>
Exhibit A	Overall View
Exhibit B	Roosevelt School, Alexander Batcho Intermediate School, Manville High School,
	Christ the King School
Exhibit C	Weston School

2. Map to Constitute Official Finding and Record.

The Drug-Free School Zone Map approved and adopted pursuant to this Ordinance shall continue to constitute an official finding and record as to the location and boundaries of areas on or within one thousand (1,000) feet of property owned by or leased to any elementary or secondary school or school board which is used for school purposes until such time, if any, that this Ordinance shall be amended to reflect any additions or deletions with respect to the location and boundaries of school property and Drug-Free School Zones.

3. Notification of Change of School Properties.

The School Board of Chief Administrative Officer in the case of any private or parochial school, is hereby directed and shall have the continuing obligation to promptly notify the Municipal Engineer and the Municipal Attorney of any changes or contemplated changes in the location and boundaries of any property owned or leased to any elementary or secondary school or school board and which is used for school purposes.

4. Map to be Kept on File; Copies to be Provided.

The Clerk of the Municipality is hereby directed to receive and to keep on file the original of the map approved and adopted pursuant to this Ordinance and to provide, at a reasonable cost, a true copy thereof to any person, agency or court which may, from time to time, request such a copy, along with a certification that such copy is a true copy of the map approved and adopted herein and kept on file. It is hereby further directed that a true copy of such map and of this Ordinance shall be provided without cost to the County Clerk and to the office of the Somerset County Prosecutor.

5. Purpose of Map.

The following additional matters are hereby determined, declared, recited and stated:

- A. It is understood that the map approved and adopted pursuant to this Ordinance was prepared and is intended to be used as evidence in prosecutions arising under the criminal laws of this State and that, pursuant to State Law, such map shall constitute prima facie evidence of the following:
- (1) The location of elementary and secondary schools within the municipality;
 - (2) The boundaries of the real property which is owned by or leased to such schools or a school board;
 - (3) That such school property is and continues to be used for school purposes;
 - (4) The location and boundaries of areas which are on or within one thousand (1,000) feet of such school property.
- B. Except as is otherwise expressly noted on the face of the approved and adopted map, all of the property depicted on the map approved and adopted herein as school property was owned by, or leased to, a school or school board and was being used for school purposes as of July 9, 1987, that being the effective date of L. 1987, c. 101 (N.J.S.A. 2C:35-7).

- C. Pursuant to the provisions of L. 1988, c. 441 (N.J.S.A. 2C:35-7 et seq.), a Prosecutor is not precluded from introducing or relying upon any other evidence or testimony to establish a violation of the offense defined in that statute, including use of the map or diagram other than the one approved and adopted pursuant to this Ordinance. The failure of the map approved herein to depict the location and boundaries of any property which is, in fact, used for school purposes and which is owned by or leased to any elementary or secondary school or school board, whether the absence of such depiction is the result of inadvertent omission or the result of any changes in the location and boundaries of such property which have not yet been incorporated into a revised, approved map, shall not be deemed to be an official finding and record that such property is not owned by or leased to a school or school board or that such property is not used for school purposes.
- D. All of the requirements set forth in L. 1988, c. 44 (N.J.S.A. 2C:35-7 et seq.), concerning the preparation, approval and adoption of a Drug-Free School Zone Map have been satisfied.

2. Section 2. Each clause, section or subsection of this Ordinance shall be deemed a separate provision and to the intent that if any clause, section or subsection should be declared invalid, the remainder of the Ordinance shall not be effective.

3. Section 3. All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed as to the extent of such inconsistency.

4. Section 4. This Ordinance shall take effect upon final publication and adoption in accordance with the laws of the State of New Jersey.

Borough of Manville

Angelo Corradino, Mayor

ATTEST:

Philip E. Petrone, Borough Clerk

STATEMENT OF PURPOSE

The purpose of this Ordinance is to establish a Drug-Free School Zone.

ORDINANCE #2002-967

FIRST READING:

Introduced	Seconded	Council	Yes	No	Abstain	Absent
		ALLAN	√			
	√	ASHER	√			
		PETROCK	√			
		POLAK	√			
		WEISS	√			
√		WIERZBA	√			
		MAYOR CORRADINO				

PASSED this 11th day of February, 2002

Attest:

Philip E. Petrone, Borough Clerk

SECOND READING:

Introduced	Seconded	Council	Yes	No	Abstain	Absent
		ALLAN	√			
	√	ASHER	√			
√		PETROCK	√			
		POLAK	√			
		WEISS	√			
		WIERZBA	√			
		MAYOR CORRADINO				

ADOPTED this 25th day of February, 2002.

Attest:

Philip E. Petrone, Clerk