

**BOROUGH OF ALLENDALE
COUNTY OF BERGEN
STATE OF NEW JERSEY**

ORDINANCE 16-10

**AN ORDINANCE TO ESTABLISH CHAPTER 135 OF THE CODE OF THE BOROUGH
OF ALLENDALE ENTITLED "GLUE SALES AND HEAD SHOPS"**

BE IT ORDAINED BY THE Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey that the following Chapter be adopted and established with the Code of the Borough of Allendale:

GLUE SALES AND HEAD SHOPS

Article I. Glue Sales

§135-1 Definitions.

As used in this article, the phrase "glue containing a solvent having the property of releasing toxic vapors or fumes" shall mean and include any glue, cement or other adhesive or other materials containing one or more of the following chemical compounds: acetone, an acetate, benzene, butyl alcohol, ethyl alcohol, ethylene dichloride, isopropyl alcohol, methyl alcohol, methyl ethyl ketone, pentachlorophenol, petroleum ether, toluene.

§135-2 Inhaling fumes prohibited.

No person shall, for the purpose of causing or inducing in himself or herself or in another person a condition of intoxication, euphoria, excitement, exhilaration, stupefaction or dulling or his or her senses or nervous system, intentionally inhale or smell or intentionally assist another person to inhale or smell the fumes or vapors from any glue containing a solvent which has the property of releasing toxic fumes or vapors.

§135-3 Buying or selling for unlawful purpose.

No person shall, for the purpose of violating or aiding another person to violate any provision of this article, buy, sell, possess, transfer possession or receive possession of any glue containing a solvent having the property of releasing toxic fumes or vapors.

§135-4 Purchases by or sales to minors.

No person under the age of 18 years shall possess or buy any glue containing a solvent having the property of releasing toxic fumes or vapors, and no person shall sell or transfer possession to any person under the age of 18 years any glue containing a solvent having the property of releasing toxic fumes or vapors; provided, however, that nothing contained in this section shall prohibit the sale or transfer of possession to, or the purchase or possession of any such glue by, a person under the age of 18 years where said minor has in his or her possession and exhibits the written consent of his or her parent or guardian; provided, further, that nothing contained herein shall be deemed to prohibit the sale of a model kit containing as a part thereof a container of any

such glue; and provided further that nothing contained herein shall be deemed to prohibit the transfer or possession of any such glue to any minor by the parent or guardian of said minor.

§135-5 Violations and Penalties.

Any person who violates any provision of this article shall, upon conviction thereof, be punished by a fine not exceeding \$2,000, imprisonment in the county/municipal jail for a term not exceeding 90 days, or a period of community service not exceeding 90 days, or any combination thereof as determined by the Municipal Court Judge. Each day on which a violation of this ordinance exists shall be considered a separate and distinct violation and shall be subject to imposition of a separate penalty for each day of the violation as the Municipal Court Judge may determine.

ARTICLE II. Head Shops

§135-6 Sales or display of certain materials prohibited.

No person shall advertise, display, sell or offer to sell any type of syringe, needle, eye dropper, spoon, pipe, testing kit, rolling paper or other “drug paraphernalia”, as such term is defined in N.J.S.A. 2C:36-1, used or intended to be used, in or for smoking, testing, weighing, measuring, injecting, cooking, ingesting, inhaling or otherwise introducing into the human body marijuana, cocaine, opium, hashish, any toxic substance or other “controlled dangerous substances” or “controlled substance analog” as such terms are defined in N.J.S.A. 2C:35-2

§135-7 Buildings used for manufacture or distribution of paraphernalia considered a nuisance.

It shall constitute a common nuisance to maintain any building, conveyance or premises whatsoever which is resorted to by persons for the manufacture, distribution, dispensing, administration or use of any type of syringe, needle, eye dropper, spoon, pipe, testing kit, rolling paper or other “drug paraphernalia”, as such term is defined in N.J.S.A. 2C:36-1, used or intended to be used in or for smoking, testing, weighing, measuring, injecting, cooking, ingesting, inhaling or otherwise introducing into the human body marijuana, cocaine, opium, hashish, any toxic substance or other “controlled dangerous substances” or “controlled substance analog” as such terms are defined in N.J.S.A. 2C:35-2.

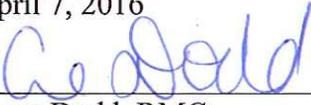
§135-8 Violations and penalties.

Any person who violates any provision of this article shall, upon conviction thereof, be punished by a fine not exceeding \$2,000, imprisonment in the county/municipal jail for a term not exceeding 90 days, or a period of community service not exceeding 90 days, or any combination thereof as determined by the Municipal Court Judge. Each day on which a violation of this ordinance exists shall be considered a separate penalty for each day of the violation as the Municipal Court Judge may determine.

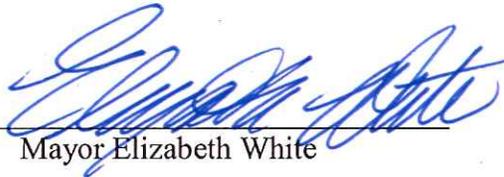
	Motion	Second	Yea	Nay	Absent	Abstain
Bernstein			✓			
Homan			✓			
McSwiggan	✓		✓			
Sasso		✓	✓			

Strauch			✓			
Wilczynski			✓			
White						

I hereby certify the above to be a true copy of an Ordinance adopted by the Governing Body of the Borough of Allendale on April 7, 2016



Anne Dodd, RMC
Municipal Clerk



Mayor Elizabeth White