

WILSON
07-27-06

ORDINANCE AMENDING THE CAMDEN CODE –
WEAPONS FREE SCHOOL ZONES

WHEREAS, this City Council believes that it would be in the best interests of the residents and children of the City of Camden to amend the Camden Code to help prevent crime in the City of Camden and protect the safety of Camden's residents; now, therefore,

BE IT ORDAINED, by the City Council of the City of Camden that the Code of the City of Camden be, and hereby is, amended and supplemented to add the following new provisions:

SECTION 1. Definitions.

"Weapon" - means anything readily capable of lethal use or of inflicting serious bodily injury. The term includes, but is not limited to, all (1) firearms, even though not loaded or lacking a clip or other component to render them immediately operable; (2) components which can be readily assembled into a weapon; (3) gravity knives, switchblade knives, daggers, dirks, stiletos, or other dangerous knives, billies, blackjacks, bludgeons, metal knuckles, sandclubs, slingshots, cesti or similar leather bands studded with metal filings or razor blades imbedded in wood; and (4) stun guns; and any weapon or other device which projects, releases, or emits tear gas or any other substance intended to produce temporary physical discomfort or permanent injury through being vaporized or otherwise dispensed in the air.

SECTION 2. Weapons Free School Zones.

In addition to, but not in conflict with, the restrictions and penalties imposed under N.J.S.A. 2C:39-5 (Unlawful Possession of Weapons) and other applicable provisions of law, the following additional restrictions and penalties shall be applicable within the corporate boundaries of the City of Camden:

- A. No person shall (a) knowingly have in his possession any weapon while in or within 1,000 feet from the outermost boundaries of buildings or grounds owned or leased by any school, college, university or other educational institution and used for school purposes and (b) possesses that weapon in violation of any law of this State.
- B. It shall not be a defense to a prosecution for a violation of this subsection that the actor was unaware that the prohibited possession took place while in or upon any part of the buildings of any school, college, university or other educational institution or within 1,000 feet from school property. It shall not be a defense to a prosecution under this subsection that no juveniles or students were present on the school property at the time of the offense or that the school was not in session.
- C. In a prosecution under this subsection, a map produced or reproduced by the City engineer for the purpose of depicting the location and boundaries of the buildings or grounds owned by or leased to any school, school board, college, university or other educational institution and used for school purposes, or within 1,000 feet from the outermost boundaries of those buildings or grounds, or a true copy of such a map, shall be admissible upon proper authentication, and shall constitute

prima facie evidence of the location and boundaries of those areas, provided that the City Council has adopted a resolution or ordinance approving the map as the official finding and record of the location and boundaries of those areas, which areas shall hereinafter be referred to as "Weapons Free School Zones." Any map approved pursuant to this section may be changed from time to time by the City Council. The original of every map approved or revised pursuant to this section, or a true copy thereof, shall be filed with the clerk of the City, and shall be maintained as an official record of the City. Nothing in this subsection shall be construed to preclude the prosecution from introducing or relying upon any other evidence or testimony to establish any element of this offense; nor shall this section be construed to preclude the use or admissibility of any map or diagram other than one which has been approved by the City Council, provided that the map or diagram is otherwise admissible pursuant to the Rules of Evidence.

D. The provisions of this subsection shall not apply to any person who, in conformance with the provisions of N.J.S.A. 2C:39-6, N.J.S.A. 2C:58-4 or any other provisions of law, is permitted or authorized to possess a weapon.

E. Nothing in this subsection shall be deemed to preclude, if the evidence so warrants, an indictment and conviction for a violation of other provisions of law concerning the unlawful possession of a weapon.

F. The map attached to this ordinance shall be incorporated by reference as the initial map that is to serve as the initial official finding and record of the location and boundaries of the City's Weapons Free School Zones, as required in subsection C of this ordinance.

SECTION 3. Violations and Penalties.

Any person who violates any provision of this chapter shall, upon conviction thereof, be punished by a fine not exceeding \$1,000 or by imprisonment for a term not exceeding 90 days, or both.

SECTION 4. All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed as to such inconsistency only.

SECTION 5. This ordinance shall take effect twenty (20) days after its final passage and publication as provided by law.

SECTION 6. If any provision of this ordinance is declared invalid, such invalidity shall not effect the other provisions of this ordinance. Furthermore, the other provisions of this ordinance are deemed to be severable and remain in full force and effect.

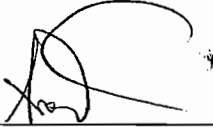
BE IT FURTHER ORDAINED, that pursuant to N.J.S.A. 52:27BBB-23, a true copy of this Ordinance shall be forwarded to the Chief Operating Officer, who shall have ten (10) days from the receipt thereof to approve or veto this Ordinance. Notice of approval or veto shall be filed in the office of the Municipal Clerk.

GILBERT "WHIP" WILSON

Dated: July 27, 2006

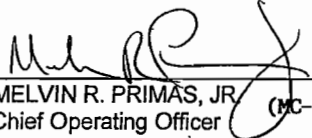
The above has been reviewed
and approved as to form.

LEWIS WILSON
City Attorney



ANGEL FUENTES
President, City Council

GWENDOLYN A. FAISON
Mayor



MELVIN R. PRIMAS, JR. (MC-4209)
Chief Operating Officer

FIRST READING: JULY 27, 2006

SECOND READING: SEPTEMBER 14, 2006

ADOPTED: SEPTEMBER 14, 2006

ATTEST: 

LUIS PASTORIZA
Municipal Clerk