

ORDINANCE 275

AN ORDINANCE PROHIBITING THE PROVIDING OF FALSE INFORMATION TO A LAW ENFORCEMENT OFFICER

WHEREAS, the Courts have construed the language of N.J.S.A. 2C:29-39A0 (7) and N.J.S.A. 2C:29-3(b) (4), i.e., "A person commits an offence if...he...volunteers false information to a law enforcement officer," to apply only to those persons who take the initiative in coming forward with information for law enforcement officers, and not those persons responding to officer's inquiries; and,

WHEREAS, the Board of Trustees of the Village of Loch Arbour perceives the need to protect against situations other than where an individual volunteers false information to a law enforcement officers; and

WHEREAS, the Board of Trustees has considered the foregoing.

NOW, THEREFORE, BE IT ORDAINED by the Board of Trustees of the Village of Loch Arbour, County of Monmouth, as follows:

Section I.

No person shall, with the purpose to hinder the apprehension, prosecution, conviction or punishment of another for an offence, provide false information to a law enforcement officer.

Section II.

No person shall, with the purpose to hinder that person's own apprehension, prosecution, conviction or punishment, provide false information to a law enforcement officer.

Section III.

A person violating any provision of this Ordinance shall, upon conviction thereof, be subject to a fine of not more than \$1,000.00 or by imprisonment in the County Jail for a period not exceeding ninety days, or both.

Section IV.

This Ordinance shall take effect upon its final passage and publication as provided by law.

NOTICE

PUBLIC NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced at a regular meeting of the Trustees of the Village of Loch Arbour, County of Monmouth, New Jersey, on the 2<sup>nd</sup> day of July 1997 and was then read for the first time. The said Ordinance will be further considered for final passage by the Board of Trustees on the 6<sup>th</sup> day of August 1997 at 7:30 PM at the Village Office, 550 Main Street at such time and place or at any time and place to which said meeting may be adjourned, all persons interested will be given an opportunity to be heard concerning said Ordinance.