

**ORDINANCE 2023-02**

**AN ORDINANCE OF THE TOWNSHIP OF CHATHAM PROHIBITING THE TRESPASS UPON PRIVATE OR PUBLIC PROPERTY FOR THE PURPOSE OF TAMPERING WITH OR COMMITTING THE THEFT OR UNLAWFUL TAKING OF A MOTOR VEHICLE AND PRESCRIBING THE PENALTIES THEREFOR**

**WHEREAS**, throughout the State of New Jersey,] communities have been victimized by car theft rings resulting in the damage and loss of private property and threatening the quality of life enjoyed by many; and

**WHEREAS**, in light of the state-wide increase in car thefts, programs to stem the theft of vehicles have been introduced in Chatham Township, including public information campaigns, adjustments in the tactics and methods of community policing, participation in regional law enforcement initiatives, installation of public situational awareness cameras and license plate readers and various strategies of information sharing; and

**WHEREAS**, the actions and efforts of the Chatham Township Police Department to meet this challenge are recognized, commended, and appreciated by the community; and

**WHEREAS**, the sum total of actions taken have resulted in a reduction in the number of cars stolen in our community; and

**WHEREAS**, further action is required to prevent criminals from pursuing car thefts in Chatham Township and to deter the organized criminal enterprise of bad actors regularly targeting our community; and

**WHEREAS**, the increase in key fob car access, the demand for luxury cars in other countries, and the change in state laws which lead to criminal “catch and release” remain unaddressed by state law makers and are encouraging lawless behavior in our community.

**NOW, THEREFORE, BE IT ORDAINED**, by the Township Committee of the Township of Chatham, that Section 3-7, of the Code of the Township of Chatham, be amended by the revision of Section 3-7.11, as follows:

**“§ 3-7.11 Intent to Steal.**

No person shall hide or be in or near any public or private place with intent to steal any goods or chattels nor intentionally enter upon or trespass upon the land nor property of any person without permission for the purpose of tampering with or committing the theft, or unlawful taking, of a motor vehicle.

Intent shall include entering or remaining on any driveway, paved surface, or location within 20 feet of a stationary motor vehicle, knowing that he or she is not licensed or privileged to enter or remain in said location, and committing any of the following acts:

Peering into a window or a motor vehicle that the person does not own or have license or privilege to possess; and

Pulling a door handle or taking an action in an attempt to open or unlock a motor vehicle that the person does not own or have license or privilege to possess; and/or

Possessing an electronic device, tool or machine that is capable of determining if an electronic key is located inside a motor vehicle or able to repeat, duplicate or capture the signal from an electronic key, or obtain illegal access to the vehicle.”

**BE IT FURTHER ORDAINED**, that Section 3-7.12, of the Code of the Township of Chatham, shall be amended to read as follows:

**“§3-7.12      Violations and Penalties.**

Any person who violates any of the provisions of § 3-7 of this chapter shall upon conviction be liable to the penalty stated in Chapter 1, § 1-5. The continuation of such violation on each successive day shall constitute a separate offense. In addition to any other penalty prescribed by this section or Chapter 1, § 1-5, the minimum fine for a violation of § 3-7.11 shall be \$1,000 for the first offense and \$2,000 for each second or subsequent offense. Each property trespassed upon, or vehicle tampered or targeted for theft or unlawful removal, shall constitute a separate and distinct offense.”

**BE IT FURTHER ORDAINED**, that this ordinance shall take effect following adoption and approval in a time and manner prescribed by law.

Introduced: February 21, 2023

Adopted: March 21, 2023

Attest:

  
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Gregory J. LaConte, Clerk

TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY

BY: 

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Ashley Felice, Mayor