

Bond Case Briefs

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MUNICIPAL ORDINANCE - NEW JERSEY

Szyfman v. Borough of Glassboro

Superior Court of New Jersey, Appellate Division - July 3, 2014 - Not Reported in A.3d - 2014 WL 2972146

Plaintiffs filed a complaint seeking a declaration that Section 354-18 of the Borough of Glassboro Code (the Borough's Code) addressing "disorderly" houses and houses of "ill fame" was preempted by the Code of Criminal Justice (the Code), N.J.S.A. 2C:1-1 to N.J.S.A. 2C:104-9.

The trial court concluded that N.J.S.A. 40:48-1 and N.J.S.A. 40:48-2 authorizes local laws like Section 354-18. Plaintiffs appealed. The appeals court reversed, holding that the ordinance was plainly preempted by the Code.