

**BOROUGH OF DUNELLEN  
NOTICE OF ORDINANCE ADOPTION  
ORIDNANCE 2026-11**

THE ORDINANCE BELOW WAS INTRODUCED AND PASSED FOR ITS FIRST READING ON APRIL 20, 2026. IT HAS BEEN PRESENTED FOR A SECOND READING, PUBLIC HEARING & ADOPTION AT 7:00 P.M. IN THE DUNELLEN BOROUGH MUNICIPAL BUILDING, 355 NORTH AVENUE, DUNELLEN, NEW JERSEY, ON MAY 4, 2026 AND COPIES OF THIS ORDINANCE HAVE BEEN POSTED ON THE PUBLIC BULLETIN BOARD PRIOR TO THE DATE FOR SECOND READING AND FINAL PASSAGE AND COPIES OF THIS ORDINANCE HAVE BEEN AVAILABLE AT THE OFFICE OF THE BOROUGH CLERK, 355 NORTH AVENUE, FOR ANY INTERESTED MEMBERS OF THE PUBLIC.

**AN ORDINANCE TO AMEND CHAPTER 180, "LIBRARY" OF PART II "GENERAL LEGISLATION" OF THE BOROUGH CODE OF THE BOROUGH OF DUNELLEN**

**BE IT ORDAINED** by the Mayor and Council of the Borough of Dunellen, in the County of Middlesex, State of New Jersey, as follows:

**Section I**

**180-1 Failure to return books or property**

No person shall detain or fail to return any book, periodical, pamphlet, artistic reproduction, recording, audiovisual material or any other article borrowed from the Dunellen Public Library, hereinafter referred to as "Library," after 30 days have elapsed from the date of posting by certified mail, return receipt requested, of a notice demanding return thereof and informing the person in such notice that the book or material is overdue and that he is subject to prosecution pursuant to this chapter. Such notice shall be mailed to the person at the last address furnished to the Library.

**180-2 Damaging books or other property**

No person shall willfully cut, tear, deface, disfigure, damage or destroy any book, periodical, pamphlet, artistic reproduction, recording, audiovisual material, equipment or any other article or any part thereof which is borrowed from, owned by or is in the custody of the Library.

**180-3 Giving false information**

No person shall register or furnish a false name or address or use without the owner's permission any card other than the one issued to said person for the purpose of borrowing any book,

periodical, pamphlet, recording, audiovisual material or any other article from the Library, or for the use of any equipment or resource.

#### **180-4 Issuance of library card to a minor**

No minor will be issued a library card by the Dunellen Public Library unless the application is signed by one of the parents or the guardian of said minor, the signature indicating the parent or guardian shall be responsible for books or any other library materials borrowed by the minor.

#### **180-5 Rules and regulations**

**A.** The Board of Trustees of the Library shall adopt and post in a conspicuous place in the Library reasonable rules, regulations and procedures governing the borrowing of books, periodicals, pamphlets or any other item or article which may be available for such borrowing to the public.

**B.** No person shall remove any book, periodical, pamphlet, artistic reproduction, recording, audiovisual material or any other item or article from the Library unless such person shall have first complied with said rules, regulations and procedures.

#### **180-6 Enforcement**

The provisions of this chapter shall be enforced by the Director of the Library or such other person as may, from time to time, be designated by the Board of Trustees of the Library. The enforcement shall be carried out with the advice of the Board of Trustees of the Library.

#### **180-7 Violations and penalties**

Any person violating any provision of this chapter shall, upon conviction thereof, be subject to a fine not to exceed \$100 for each offense or, in the case of a violation of 180-1 or 180-2 of this chapter, for each article detained or damaged. Continued failure to return any such article detained or to pay the Library the replacement cost thereof or of any article damaged, for a period of 30 days after conviction of a violation of 180-1 or 180-2 of this chapter, shall constitute a separate offense under this chapter.

#### **180-8 Board of Trustees**

- A.** Pursuant to N.J.S.A. 40:54-9, the Library Board of Trustees shall consist of nine members, as follows:
- 1.** The Mayor or the Mayor's designee;
  - 2.** The Superintendent of Schools or the Superintendent of Schools' designee; and
  - 3.** Six or seven residents of the Borough. The Mayor may appoint a resident of the Township of Green Brook to represent their interests while any cooperative agreement is in effect.
  - 4.** The initial appointments of the first five citizens shall be for terms of one, two, three, four, and five years. The sixth and seventh citizens shall serve terms of five years.

- B.** Following the expiration of the term of office of any trustee, the Mayor shall appoint a citizen to a five-year term each January, except that in the fifth year, there shall be three five-year appointments
- C.** Vacancies occurring in the Library Board of Trustees shall be filled for the unexpired term only, in the same manner as the original appointments were made.
- D.** Pursuant to N.J.S.A. 40A:9-12.1, the Board may notify the Mayor in writing of any trustee who fails to attend and participate at meetings for a period of 8 consecutive weeks, or four consecutive regular meetings, whichever shall be of longer duration, without being excused, and request that the seat be declared vacant and another appointment made.

**Section 2. SEVERABILITY.**

In the event that any provision of this ordinance, or the application thereof to any person or circumstance, is declared invalid by a court of competent jurisdiction, such declaration of invalidity shall not affect any other provision of application of this ordinance which may be given effect, and to realize this intent, the provisions and applications of this ordinance are declared to be severable.

**Section 3. INCONSISTENCY WITH OTHER ORDINANCES.**

Should any provision of this ordinance be inconsistent with the provisions of any other prior ordinances, the inconsistent provisions of such other prior ordinances are hereby released but only to the extent of such inconsistencies.

**Section 4. EFFECTIVE DATE.**

This ordinance shall be effective upon final approval and publication in accordance with law.

Posted 5/5/2026