

**ORDINANCE NO. 24 -43-OA B**

**AN ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER XXXV, ENTITLED "LAND DEVELOPMENT" SO AS TO AMEND SECTION 35-63.14, ENTITLED "ELECTRIC VEHICLE SUPPLY/SERVICE EQUIPMENT"**

**August 19, 2024**

**SECTION 1.** Chapter 35 of the Township Code of the Township of Berkeley, entitled "Land Development," is hereby amended and supplemented so as to amend §35-63.14, entitled "Electric Vehicle Supply/Service Equipment", so as to amend subsection f.6, "usage fees" which shall now read as follows:

**§35-63.14 Electric Vehicle Supply/Service Equipment**

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f. Reasonable Standards for All New EVSE and Make-Ready Parking Spaces

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6. Usage Fees.

(a) For publicly accessible municipal EVSE. In addition to any parking fees, the fee to use parking spaces within the municipality identified as EVSE spaces shall be \$0.28 to \$0.75 per kWh, as determined by resolution adopted by the governing body.

(b) This fee may be amended by a resolution adopted by the governing body.

(c) Private EVSE. Nothing in this subsection shall be deemed to preclude a private owner/designee of an EVSE from collecting a fee for the use of the EVSE, in accordance with applicable State and Federal regulations. Fees shall be available on the EVSE or posted at or adjacent to the EVSE parking space.

**SECTION 2.** All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

**SECTION 3.** If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent

jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

  
John A. Bacchione, Mayor

  
Keith Buscio, Council President  
Angelo Guadagno, Council Vice President

**NOTICE**

**NOTICE IS HEREBY GIVEN** that the foregoing ordinance was introduced and passed on first reading at a regular meeting of the Township Council of the Township of Berkeley, in the County of Ocean, State of New Jersey, held on August 19, 2024, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the 16<sup>th</sup> day of September, 2024, at 6:00 p.m., or as soon thereafter as this matter can be reached, at the meeting room of the Municipal Building located at 627 Pinewald-Keswick Road, Bayville, New Jersey, at which time all persons interested shall be given an opportunity to be heard concerning this ordinance.

  
KAREN STALLINGS, RMC  
Township Clerk, Township of Berkeley

**AFFIDAVIT OF PUBLICATION**

State of New Jersey, County of Hudson, ss:

Yuade Moore, being first duly sworn, deposes and says: That (s)he is a duly authorized signatory of Column Software, PBC, duly authorized agent of The Press of Atlantic City, a newspaper printed and published in the City of Linwood, distributed in the following counties: Atlantic, Camden, Cape May, Cumberland, Gloucester, and Ocean and mailed to various parts of the State of New Jersey, the United States, and foreign countries, does hereby certify that the Notice was published in The Press of Atlantic City on:

**PUBLICATION DATES:**

Aug. 29, 2024

**NOTICE ID:** eP4prK7yBIJXeN9SZL0w

**PUBLISHER ID:** COL7096

**NOTICE NAME:** 08-19-2024 Introduced Ordinances

**Publication Fee:** 75.60

All interested parties may rely upon the representations contained herein limited solely to the authenticity of the Notice accompanying this Certification to be an accurate reproduction of the same and the date upon which it was published.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

(Signed) Yuade Moore

SHANNEA H HOLMES  
NOTARY PUBLIC  
STATE OF NEW JERSEY  
My Commission Expires August 1, 2026

**VERIFICATION**

State of New Jersey  
County of Hudson

Subscribed in my presence and sworn to before me on this: 08/30/2024

Shanea H. Holmes

Notary Public

Notarized remotely online using communication technology via Proof.

## Notice Of Pending Ordinances

08-19-24 Berkeley Township Notice of Pending Ordinances

24-43-0A

AN ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER XXXV, ENTITLED "LAND DEVELOPMENT" SO AS TO AMEND SECTION 35-63.14, ENTITLED "ELECTRIC VEHICLE SUPPLY/SERVICE EQUIPMENT"

24-44-0A

AN ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER XVII, ENTITLED "STREETS AND SIDEWALKS" SO AS TO AMEND VARIOUS SECTIONS

24-45-0A

AN ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER XXXV, ENTITLED "LAND DEVELOPMENT", SO AS TO AMEND VARIOUS SECTIONS OF 35-101

24-46-0A

AN ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE SALE OF BLOCK 946, LOT 4.01 ON THE MUNICIPAL TAX MAP TO THEODORE & SLOANE ZAREMBA IN ACCORDANCE WITH THE PROVISIONS OF N.J.S.A. 40A:12-13 (\$50,000.00)

24-47-0A

AN ORDINANCE OF THE TOWNSHIP OF BERKELEY, BERKELEY TOWNSHIP BOARD OF EDUCATION, STATE OF NEW JERSEY AUTHORIZING THE DONATION OF PROPERTY TO THE BERKELEY TOWNSHIP BOARD OF EDUCATION, IN ACCORDANCE WITH N.J.S.A. 40A:12-13

24-48-0A

AN ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE SALE OF Block 951, Lot 16.04 ON THE MUNICIPAL TAX MAP TO 1211 WG LLC IN ACCORDANCE WITH THE PROVISIONS OF N.J.S.A. 40A:12-13 (\$50,000.00)

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed on first reading at a regular meeting of the Township Council of the Township of Berkeley, in the County of Ocean, State of New Jersey, held on August 19, 2024, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the 16 th day of September, 2024 , at 6:00 p.m., or as soon thereafter as this matter can be reached, at the meeting room of the Municipal Building located at 627 Pinewald-Keswick Road, Bayville, New Jersey, at which time all persons interested shall be given an opportunity to be heard concerning this ordinance. Copies of the Ordinance will be provided upon request from the Clerk's office at the address above, during regular business hours and can be found online at [www.berkeleystownship.org](http://www.berkeleystownship.org)

**Karen Stallings, RMC**

Township Clerk, Township of Berkeley

Printer Fee: \$75.60

Pub Date: August 29th, 2024

Order #: COL7096