

ORDINANCE NO. 23-38-OA^B

**AN ORDINANCE OF THE TOWNSHIP OF BERKELEY,
COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING
AND SUPPLEMENTING CHAPTER 35, ENTITLED "LAND
DEVELOPMENT" SO AS TO AMEND SECTION 35-29,
ENTITLED "APPLICATION FOR ZONING PERMIT; WHEN
REQUIRED"**

October 16, 2023

SECTION 1. Chapter 5 of the Township Code of the Township of Berkeley, entitled "Land Development," is hereby amended and supplemented so as to amend §35-29, entitled "Application for Zoning Permit; When Required", to revise subsection "b" which shall now read as follows:

§35-29 Application for zoning permit; when required

b. If the Zoning Officer shall determine that the proposed undertaking is an exempt development which conforms in all aspects to the requirements of this chapter and does not require direction for issuance of a building permit pursuant to N.J.S.A. 40:55D-34 or 40:55D-36 (Municipal Land Use Law), he shall issue a zoning permit, and the applicant may then apply for a building permit and/or other permits that may be required. The Zoning Officer may authorize and issue a zoning permit for the installation of a temporary ramp to provide access to an occupant of the premises thereof, if, in his/her determination the ramp's location and sizing would not impede pedestrian sidewalk access in the public right of way or adjacent properties and shall not impede stormwater flows. It shall be a stipulation of any such permit issued that when the ramp is no longer needed, it shall be removed within 30 days.

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 All ordinances or parts of ordinances inconsistent herewith are hereby repealed.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.




CARMEN F. AMATO, JR., Mayor



John Bacchione, Council President
Keith Buscio, 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 October 16, 2023, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the **20th day of November 2023** 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, Township Clerk
Berkeley Township

AFFIDAVIT OF PUBLICATION

State of Florida, County of Orange, ss:

Bailee Liston, 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:

Oct. 24, 2023

NOTICE ID: 6zkeEN5CY9MRBy9WVnvi

PUBLISHER ID: COL1376

NOTICE NAME: 10-16-23 - 33 & 34 OAB 35-31OA

Publication Fee: 94.00

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.

Bailee Liston

(Signed) _____

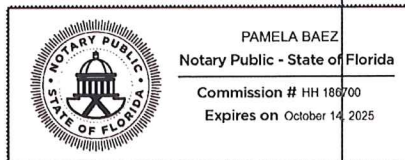
VERIFICATION

State of Florida
County of Orange

Subscribed in my presence and sworn to before me on this:
10/24/2023

[Signature]

Notary Public
Notarized online using audio-video communication



23-33-OAB

ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE SALE OF BLOCK 1433, LOTS 16 & 17 ON THE MUNICIPAL TAX MAP TO BROOKSIDE POINT, LLC IN ACCORDANCE WITH THE PROVISIONS OF N.J.S.A. 40A:12-13 (b) AND N.J.S.A. 40A:12-13.2 (ROGERS STREET; \$10,800.00)

23-34-OAB

ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE SALE OF BLOCK 791, LOTS 30, 32, 34, 36, & 41 ON THE MUNICIPAL TAX MAP TO JEFFREY R. JERMAN IN ACCORDANCE WITH THE PROVISIONS OF N.J.S.A. 40A:12-13 (b) AND N.J.S.A. 40A:12-13.2 (Egenoff Place \$24,400.00)

Foregoing Ordinances were duly passed after Public Hearing held October 16, 2023 at a regular meeting of the Township of Berkeley and approved by the Mayor on 10/17/23.

23-35-OA

AN ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING THE TOWNSHIP CODE, SO AS TO AMEND CHAPTER VII, ENTITLED "TRAFFIC" TO AMEND CHAPTER 7-19 "THROUGH STREETS" (Browning Avenue)

23-36-OA

AN ORDINANCE OF THE TOWNSHIP OF BERKELEY COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 11, ENTITLED "BUILDING AND HOUSING" SO AS TO REPEAL SECTION 11-5.6, ENTITLED "PERMIT FEE"

23-37-OA

AN ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING THE ACQUISITION OF AN EASEMENT ON A PORTION OF BLOCK 10.22, Lot 24, FROM LAURA CALIFRI, IN ACCORDANCE WITH N.J.S.A. 40A:12-5(a)(1)

23-38-OA

AN ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 35, ENTITLED "LAND DEVELOPMENT" SO AS TO AMEND SECTION 35-29, ENTITLED "APPLICATION FOR ZONING PERMIT; WHEN REQUIRED" (Setbacks Temporary Handicapped Ramps)

23-39-OA

AN ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING CHAPTER 37-1 TOWN CENTER REDEVELOPMENT PLAN AND AMENDING THE CHAPTER 35-105 TOWN CENTER REDEVELOPMENT PLAN

23-40-OA re:

AN ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING CHAPTER XXXV, ENTITLED "LAND DEVELOPMENT" SO AS TO AMEND §35-3, ENTITLED "DEFINITIONS" (Low-Speed Vehicle)

23-41-OA

AMENDING AND SUPPLEMENTING CHAPTER II, ENTITLED "ADMINISTRATION" SO AS TO CREATE SECTION 2-56, ENTITLED "MAYOR'S ADVISORY COMMITTEE ON DEVELOPMENTAL DISABILITIES"

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 October 16, 2023, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the 20th day of November, 2023, 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

Printer Fee: \$94.00

Pub Date: October 24th, 2023

Order #: COL1376