TOWNSHIP OF MAPLE SHADE

Ordinance 2012-01

AMEND TOWNSHIP CODE CHAPTER 32 "PERSONNEL" TO AMENDCOMPENSATORY AND OVERTIME PROVISIONS

INTRODUCTION

The Township Council, in reviewing the employee compensation policy, has determined that it is in the best interest of the Township to limit employee compensation for hours worked in excess of the required weekly working time to overtime pay and to eliminate the practice of providing compensatory time.

NOW THEREFORE, BE IT ORDAINED, by the Township Council of the Township of Maple Shade in the County of Burlington, State of New Jersey as follows:

SECTION I.

A. The following section of the Township Code shall be deleted:

Overtime pay.
Section 32-27

A. General policy. Qualifying employees of the township shall be paid overtime when their working time exceeds the required weekly working time and shall be paid for said overtime at the rate of 1 1/2 times the hourly wage rate. Work on legal holidays, as designated hereinafter, shall be compensated as double time, calculated by paying the employee for the regular hours worked plus pay for the holiday.

B. Administrative Department. Employees in the Administrative Department of the township shall be compensated for overtime by the award of compensatory time off. "Overtime" is defined as that working time which exceeds the required weekly working time. Compensatory time shall be granted at the discretion of the Township Manager, and no more than 40 hours of compensatory time shall be granted to any employee in one year. All such compensatory time must be taken within the current calendar year.

C. Emergency overtime pay. Overtime pay shall be granted on an emergency basis only when authorized by the Township Manager.

D. Department heads. Department heads in all departments of the township shall not be entitled to overtime pay or to compensatory time off unless authorized by the Township Manager.

FIRST READING

MOTION: Wells			
SECONDED: Fletcher			
COUNCIL MEMBER:	YEA	NAY	ABS.
Fletcher	x		
Saporito	x		
Volpe	x		
Wells	x		
Manchello	x		

January 26, 2012

SECOND READING

MOTION:			
SECONDED:			
COUNCIL MEMBER:	YEA	NAY	ABS.
Fletcher			
Saporito			
Volpe			
Wells			
Manchello			

February 23, 2012

MUNICIPAL CLERK

MAYOR

B. The above section shall be replaced with the following:

Overtime pay.
Section 32-27

A. General policy. Qualifying employees of the township shall be paid overtime when their working time exceeds the required weekly working time. Overtime shall be pre-approved in writing by the Township manager.Overtime shall be paid at the rate of 1 1/2 times their regular rate of pay. Work on legal holidays, as designated hereinafter, shall be compensated as double time, calculated by paying the employee for the regular hours worked plus pay for the holiday. "Qualifying employees" shall included those employees deemed nonexempt under the Fair Labor Standards Act and those employees provided overtime benefits pursuant to a collective bargaining agreement.

B. Emergency overtime pay. Overtime pay shall be granted on an emergent basis only when authorized by the Township Manager.

C. Department heads. Department heads in all departments of the township shall not be entitled to overtime pay or to compensatory time off.

SECTION II.

The following section of the Township Code shall be deleted:

Section 32-41:

A. In lieu of overtime compensation, any employee, including police officers, may be granted leave with pay as compensation for overtime work. The Township Manager shall determine whether overtime shall be compensated by compensatory leave. When compensatory, leave is to be granted, it must be scheduled and used within the calendar year in which the overtime was earned, unless otherwise approved by the Township Manager.
B. Compensatory leave shall be granted on the same basis as overtime compensation, namely, only for that time worked in excess of the regular hours of work in one week.

SECTION III.

This Ordinance shall take effect upon final passage and publication according to law.

SECTION IV.

All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION V.

If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision and the remainder of this Ordinance shall be deemed valid and effective.

TOWNSHIP OF MAPLE SHADE

Ordinance 2012-02

AN ORDINANCE TO AMEND SECTION 88.11 OF THE TOWNSHIP CODE WITH RESPECT TO MUNICIPAL COURT DISCOVERY FEES

BE IT ORDAINED, by the Township Council of the Township of Maple Shade, County of Burlington, State of New Jersey as follows:

SECTION I.

Section 88.11(B) of the Township Code, addressing Municipal Court Discovery fees, is hereby deleted and shall be replaced with the following:

B. The following fees shall be payable by the requestor to the Township of Maple Shade for the discovery provided:

(1) Letter-size page or smaller: $0.05 per page.

(2) Legal-size page or larger: $0.07 per page.

(3) Electronic records and nonprinted material: no change.

(4) Computer disc, CD-ROM, DVD: actual costs.

(5) Photographs will be photocopied at the rates established herein. If requests are made for duplicate photographs, the actual cost of making the photographs shall be charged.

(6) Any government record requested in a medium which is not in the printed form shall be charged according to the actual cost of duplication and for actual costs of any needed supplies, such as computer discs.

(7) Where the discovery must be obtained from an entity other than the Township of Maple Shade, e.g., another police department, the actual costs paid to the entity shall be paid by the requestor.

SECTION II.

This Ordinance shall take effect upon final passage and publication according to law.

FIRST READING

MOTION: Fletcher			
SECONDED: Volpe			
COUNCIL MEMBER:	YEA	NAY	ABS.
Fletcher	x		
Saporito	x		
Volpe	x		
Wells	x		
Manchello	x		

January 26, 2012

SECOND READING

MOTION:			
SECONDED:			
COUNCIL MEMBER:	YEA	NAY	ABS.
Fletcher			
Saporito			
Volpe			
Wells			
Manchello			

February 23, 2012

MUNICIPAL CLERK

MAYOR

SECTION III.

All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION IV.

If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision and the remainder of this Ordinance shall be deemed valid and effective.

TOWNSHIP OF MAPLE SHADE

Ordinance 2012-03

CALENDAR YEAR 2012
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Council of the Township of Maple Shade in the County of Burlington finds it advisable and necessary to increase its CY 2012 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Council hereby determines that a 1.0% increase in the budget for said year, amounting to $111,052.00 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Council hereby determines that any amount authorized herein above that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Council of the Township of Maple Shade, in the County of Burlington, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2012 budget year, the final appropriations of the Township of Maple Shade shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to $388,683.00, and that the CY 2012 municipal budget for the Township of Maple Shade be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

FIRST READING

MOTION: Volpe			
SECONDED: Wells			
COUNCIL MEMBER:	YEA	NAY	ABS.
Fletcher	x		
Saporito	x		
Volpe	x		
Wells	x		
Manchello	x		

February 23, 2012

SECOND READING

MOTION: Wells			
SECONDED: Fletcher			
COUNCIL MEMBER:	YEA	NAY	ABS.
Fletcher	x		
Saporito	x		
Volpe	x		
Wells	x		
Manchello	x		

March 22, 2012

MUNICIPAL CLERK

MAYOR

TOWNSHIP OF MAPLE SHADE

Ordinance 2012-04

ORDINANCE AMENDING CHAPTER 194-28 OF THE
TOWNSHIP CODE TO IDENTIFY CURRENT
BUS STOP LOCATIONS

WHEREAS, the Township Council of the Township of Maple Shade has reviewed with the Township Engineer the location of designated bus stops along Main Street and has determined to make certain changes to the designated bus stops in an effort to improve traffic and parking conditions within the Main Street corridor.

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Maple Shade, County of Burlington and State of New Jersey, as follows:

SECTION I.

Chapter 194-28 entitled "Bus stops designated" is hereby amended as follows:

(*Deleted Text is designated by strikethrough, Added Text by underline*)

The locations described are hereby designated as bus stops. No vehicles other than an omnibus, picking up or discharging passengers, shall be permitted to occupy said locations between the hours indicated.

		Name of Street	Hours
A.		Along Main Street (CR537), westbound, on the northerly side thereof at:	
	(1)	One hundred fifty feet east of the easterly curbline of Boulevard Avenue (North) and extending 105 feet easterly therefrom	All
	(2)	Holly Avenue, North (far side) Beginning at the westerly curbline of Holly Avenue, North and extending 100 feet westerly therefrom	All
	(3)	Stiles Avenue (far side) (CR 609) Beginning at the easterly curbline of Stiles Avenue and extending 100 feet westerly therefrom	All
	(4)	Fellowship Road, North (near side) Beginning at the easterly curbline of Fellowship Road, North and extending 105 feet easterly therefrom	All

FIRST READING

MOTION: Volpe			
SECONDED: Wells			
COUNCIL MEMBER:	YEA	NAY	ABS.
Fletcher	x		
Saporito	x		
Volpe	x		
Wells	x		
Manchello	x		

March 8, 2012

SECOND READING

MOTION: Volpe			
SECONDED: Fletcher			
COUNCIL MEMBER:	YEA	NAY	ABS.
Fletcher	x		
Saporito	x		
Volpe	x		
Wells	x		
Manchello	x		

April 12, 2012

MUNICIPAL CLERK

MAYOR

	(5)	Forklanding Road, North (far side) Beginning at the westerly curbline of Forklanding Road, North and extending 100 feet westerly therefrom	All
	(6)	Coles Avenue, North (far side) Beginning at the westerly curbline of Coles Avenue, North and extending 100 feet westerly therefrom.	All
B.	Along Main Street (CR 537), eastbound, on the southerly side thereof at:		
	(1)	Woodcrest Avenue, West (near side) Beginning at the westerly curbline of Woodcrest Avenue, West and extending 105 feet westerly therefrom	All
	(2)	Coles Avenue, South (far side) Beginning at the easterly curbline of Coles Avenue, South and extending 100 feet easily therefrom	All
	(3)	Forklanding Road, South (far side) Beginning at the easterly curbline of Forklanding Road, South and extending 100 feet easterly therefrom	All
	(4)~~(3)~~	Fellowship Road, South (far ~~near~~ side) (CR 610) Beginning at the easterly ~~westerly~~ curbline of Fellowship Road, South and extending 105 feet easterly ~~westerly~~ curbline of Fellowship Road, South and extending 105 feet easterly ~~westerly~~ therefrom.	All
	(5)~~(4)~~	Holly Avenue, South (near side) Beginning at the westerly curbline of Holly Avenue, South and extending 105 feet westerly therefrom.	All
	(6)~~(5)~~	Boulevard Avenue, South (far side) Beginning at the easterly curbline of Boulevard Avenue, South and extending 100 feet easterly therefrom	All

SECTION II.

This Ordinance shall take effect upon final passage and publication according to law.

SECTION III.

All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION IV.

If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision and the remainder of this Ordinance shall be deemed valid and effective.

TOWNSHIP OF MAPLE SHADE

Ordinance 2012-05

AN ORDINANCE TO AMEND CHAPTERS 160 AND 200 OF THE MAPLE SHADE TOWNSHIP CODE WITH RESPECT TO SEWER AND WATER SERVICE AND CONNECTION FEES

BE IT ORDAINED by the Township Council of the Township of Maple Shade, County of Burlington, State of New Jersey as follows:

SECTION I.

The Township Council hereby amends Section 160-3 B of the Township Code as follows:

§ 160-3 Connection Permit: Application; Fees; Street Opening Permit

B. The initial fees for the right to connect directly or indirectly to the Township sanitary sewer system shall include a connection charge or fee per unit, as well as fees for application, review and inspection of the work to be accomplished by the applicant in keeping with the Township's rules and regulations. The following fees shall be paid in connection with the making of said application:

(1) Connection fees.
(a) Residential.

Type	Fee
Single family	$3,810.00
Residential Apartment (per unit)	$2,667.00

(b) Non-residential. All classes of users other than residential shall pay a connection charge upon their estimated daily sewage flow as determined by the Township Engineer. The charge per gallon per day of sewage flow will be $12.70 per gallon. In no case shall the connection charge be less than the charge for a one-family residential unit. (In cases where dormitory-style sleeping quarters are provided, the total number of dwelling units shall be determined by the total authorized occupancy capacity of the facility divided by two.)

(Section 160-3B (c) remains as written)

FIRST READING

MOTION: Wells			
SECONDED: Fletcher			
COUNCIL MEMBER:	YEA	NAY	ABS.
Fletcher	x		
Saporito	x		
Wells	x		
Manchello	x		

April 26, 2012

SECOND READING

MOTION: Wells			
SECONDED: Volpe			
COUNCIL MEMBER:	YEA	NAY	ABS.
Fletcher	x		
Saporito	x		
Volpe	x		
Wells	x		
Manchello	x		

May 24, 2012

MUNICIPAL CLERK

MAYOR

SECTION II.

The Township Council hereby amends Section 160-6 is as follows:

§ 160-6 Sewer service fees

A. The yearly rate or rental for the use of the sewers shall be as follows:
(1) Minimum Quarterly Charge:
(a) There shall be a minimum quarterly charge for usage of 5,000 gallons or less per quarter for all residential and commercial users.The rates are set forth below. The minimum quarterly charge for multi-unit residential units (three or more units) serviced through a single water meter shall be determined by the number of units times the minimum residential quarterly charge. The minimum quarterly charge for senior citizens shall be discounted by 10%. For purposes of this section, a "senior citizen" is a person 65 years or older and who qualifies for the appropriate deduction pursuant to the local property tax laws.
(b) The minimum quarterly charge for multi-unit commercial units (two or more units) serviced through a single water meter shall be determined by the number of units times the minimum commercial quarterly charge.

Water Meter Size	2012 Rate	2013 Rate	2014 Rate
Residential			
5/8" or ¾"	$ 69.50	$ 72.50	$ 74.00
Commercial			
5/8" or ¾"	$ 89.00	$ 91.00	$ 93.00
1"	$ 170.00	$ 173.00	$ 176.00
1 ½"	$ 193.00	$ 197.00	$ 201.00
2"	$ 410.00	$ 418.00	$ 426.00
3"	$ 823.00	$ 839.00	$ 855.00
4"	$1,670.00	$1,703.00	$1,736.00
6"	$2,055.00	$2,095.00	$2,135.00

(2)Excess sewerage use. Excess sewerage use over and above the quarterly allowance shall be at the following rates:

Water Usage Rate (Gallons)	2012 Rate	2013 Rate	2014 Rate
Residential			
0-5,000	$0.00	$0.00	$0.00
5,001-20,000	$4.60	$4.75	$4.90
20,000-40,000	$5.45	$5.60	$5.75
40,000 plus	$6.10	$6.30	$6.50
Commercial			
0-5,000	$0.00	$0.00	$0.00
5,001-20,000	$4.60	$4.75	$4.90
20,000-40,000	$5.45	$5.60	$5.75
40,000 Plus	$6.10	$6.30	$6.50

(3)The above minimum quarterly charges shall be effective as of January 1, 2012. The above excess sewerage use shall be applied to water meter readings used to generate bills for third quarter billing, regardless of when the water may have been consumed.

(4) Dwelling units with garbage disposers installed shall be charged an additional $1.50 per quarter.*This subsection shall be deleted as of December 31, 2012 as this fee shall be incorporated in the minimum quarterly charge as of the first quarter of 2013.*

(5)Summer allowance for water not discharged into the sewer system.

(a) Prior to the computation of the sewer bill for a single-family residential user during the summer months, the water consumption reading for that quarter shall be reduced by 10% to reflect water usage not discharged into the sanitary sewer system.

(b) As an alternative to Subsection A5(a) above, all classes of users within an existing utility account may, at their own cost and expense, request the Township to install an additional water meter to measure water consumption for those uses where water is not discharged into the

sewer system, such as lawn sprinkler systems. Upon installation of the meter and creation of the additional water account, a reading of the additional meter shall be taken each quarter and a bill issued for the actual water consumed.If a quarterly reading indicates no consumption for the given period, the minimum quarterly charge provided in § 200-24 of the Township Code shall be charged.

(6) Any property owner not connected to the Township water system, but connected to the Township sewer system shall be charged for sewerage service in accordance with the water consumption figures provided to the Township from either a water company or a water meter system approved by the Township Tax Collector. Said water meter consumption figures shall be provided to the Township Tax Collectorevery quarter upon demand.

B. Whenever any premises uses water for an industrial or commercial purpose in such a manner that the water so used or any portion thereof is not discharged into the sewerage system of the Township, the quantity of water so used and not discharged into the Township's sewerage system shall be excluded in determining the sewer service charge for said premises; provided, however, that the quantity of water so used and not discharged into the Township's sewerage system is measured by a separate device or devices, meter or meters approved by the Township and installed by the owner or occupant of the premises without cost to the Township and in a manner satisfactory to the Township; and provided further that the water used on said premises and discharged into the Township's sewerage system is also measured separately by an approved meter. The additional sewer service charge for said premises shall be computed on the basis of 40% of the charge for water furnished to said premises and discharged into the Township's sewerage system.

C. Payment.

(1) All of the sewer rentals or rates or charges provided herein shall be payable to the Tax Collector on a quarterly basis and, if not paid within 28 days from the billing date, shall become delinquent and shall bear interest thereon at a rate similar to the rate charged for delinquent taxes in the Township and shall become a lien on the property and shall be collectible as in the case of other municipal taxes, charges or liens.

(2) All of the sewer rentals or rates or charges provided herein for users located outside the territorial boundaries of the Township of Maple Shade shall be payable to the Collector of Taxes on a quarterly basis and, if not paid within 28 days from the billing date, shall become delinquent and shall bear interest thereon at a rate similar to the rate charged for delinquent taxes in the Township. At the time the charges become delinquent, sewer service may be discontinued.

(3) Sewer service may also be shut off in accordance with the procedures set

forth in § 200-18B and C which are established with respect to water service.

SECTION III.

Section 200-3 is hereby amended as follows:

§200-3 Fees

A. The initial fees for the right to connect directly or indirectly, to the Township's potable water system shall include a connection charge or fee per unit, as well as for application, review and inspection of work to be accomplished by the applicant in keeping with the Township's rules and regulations. These fees are as follows:

(1) Connection fees.

(a) Residential.

Type	Fee
Single family	$1,910.00
Residential Apartment (per unit)	$1,337.00

(b) Other than residential. All classes of users other than residential shall pay a connection charge based upon their estimated daily water usage as determined by the Township Engineer. The charge per gallon per day of water usage will be $6.40. In no case shall the connection charge be less than the charge for a one-family residential unit. (In cases where dormitory sleeping quarters are provided, the total number of dwelling units shall be determined by the total authorized occupancy capacity of the facility divided by two.)

(c) Water Service Irrigation:

Service line	Fee
1" connection	$ 1,910.00
1.5" connection	$ 4,298.00
2" connection	$ 7,640.00
3" connection	$17,190.00
4" connection	$30,560.00

All other subsections shall remain as written.

SECTION IV.

Section 200-24 shall be deleted as written and replaced with the following:

§ 200-24 Water Rates

A. The yearly rate or rental for water service shall be as follows:

(1) Minimum Quarterly Charge: There shall be a minimum quarterly charge for usage of 5,000 gallons or less per quarter for all residential and commercial users. The rates are set forth below. The minimum quarterly charge for multi-unit residential units (three or more units) serviced through a single water meter shall be determined by the number of units times the minimum residential quarterly charge.

Water Meter Size	2012 Rate	2013 Rate	2014 Rate
Residential			
5/8" or ¾"	$ 21.50	$ 22.00	$ 22.50
Commercial			
5/8" or ¾"	$ 71.50	$ 73.00	$ 74.50
1"	$ 133.00	$136.00	$139.00
1 ½"	$ 151.00	$ 154.00	$ 157.00
2"	$ 326.00	$ 332.00	$ 338.00
3"	$ 660.00	$ 674.00	$ 688.00
4"	$1,338.00	$1,364.00	$1,390.00
6"	$1,694.00	$1,728.00	$1,762.00

(2) Excess water use. Excess water use over and above the quarterly allowance shall be at the following rates:

Water Usage Rate (Gallons)	2012 Rate	2013 Rate	2014 Rate
Residential			
0-5,000	$0.00	$0.00	$0.00
5,001-20,000	$4.60	$4.75	$4.90
20,000-40,000	$5.45	$5.60	$5.75
40,000 Plus	$6.10	$6.30	$6.50
Commercial			
0-5,000	$0.00	$0.00	$0.00
5,001-20,000	$4.60	$4.75	$4.90
20,000-40,000	$5.45	$5.60	$5.75
40,000 Plus	$6.10	$6.30	$6.50

B. The minimum quarterly charges set forth above shall be applied as of January 1, 2012. The excess water consumption rates shall be applied to water meter readings used to generate bills for the third quarter billing, regardless of when the water may have been consumed.

SECTION V.

Section 200-25 shall be amended as follows:

§200-25 Fees for Fire Service

Annual fees for fire service are as follows:
A. Private fire service.

Service Provided	Unmetered	Metered
Private fire hydrant	$ 150	$ 50
2" fire service line	$ 210	$ 70
3" fire service line	$ 330	$110
4" fire service line	$ 480	$160
6" fire service line	$ 840	$280
8" fire service line	$1200	$400

(2) In addition to the above, an annual charge will also be applied in the amount $.90 per sprinkler head for unmetered and $.30 for metered systems.
(3) The above charges shall be effective as of January 1, 2013.

SECTION VI.

This Ordinance shall take effect upon final passage and publication according to law.

SECTION VII.

All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION VIII.

If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision and the remainder of this Ordinance shall be deemed valid and effective.

TOWNSHIP OF MAPLE SHADE

Ordinance 2012-07

AN ORDINANCE ADOPTING THE 2012 EMPLOYEE HANDBOOK AND EMPLOYMENT POLICY AND PROCEDURES MANUAL AND AMENDING CHAPTER 32 OF THE TOWNSHIP CODE

INTRODUCTION

The Township Council seeks to amend the Township's personnel policies and procedures in accordance with the recommendations of Labor Counsel. These revisions shall be incorporated in the Township's 2012 Employee Handbook, 2012 Employment Policy and Procedures Manual and Township Code Chapter 32 entitled "Personnel."

NOW THEREFORE, BE IT ORDAINED by the Township Council of the Township of Maple Shade as follows:

SECTION I.

The Township Council hereby adopts the 2012 versions of Township of Maple Shade Employee Handbook and Employment Policy and Procedures Manual and directs the Township Manager to distribute these documents as required and to satisfy any and all compliance obligations.

SECTION II.

The Township Council hereby amends Chapter 32 of the Township Code as follows:

A. General Amendment: All references to the State Personnel Department, Department of Personnel or like reference shall be replaced with "the New Jersey Civil Service Commission."

B. §32-17(I): **Delete** the first sentence and replace with: "The Chief Financial Officer shall maintain personnel files/records." The remainder of this paragraph shall remain as written.

FIRST READING

MOTION: Volpe			
SECONDED: Wells			
COUNCIL MEMBER:	YEA	NAY	ABS.
Fletcher	x		
Saporito	x		
Volpe	x		
Wells	x		
Manchello	x		

May 24, 2012

SECOND READING

MOTION: Volpe			
SECONDED: Wells			
COUNCIL MEMBER:	YEA	NAY	ABS.
~~Fletcher~~			
Saporito	x		
Volpe	x		
Wells	x		
Manchello	x		

June 28, 2012

MUNICIPAL CLERK

MAYOR

C. §32-38: **Add** the following to the end of this section:

The leave must include the use of any accrued vacation and sick leave time, regardless of the length of leave requested. The portion of the leave that runs beyond the exhaustion of vacation and sick leave will be without pay or service credit. In exceptional circumstances, the Township may extend a leave of absence, if such extension is considered in the best interests of the Township.

Persona

l leaves are not granted for the purpose of seeking or accepting employment with another employer, or for extended vacation time. Employees on personal leave of absence for more than two weeks in any month will not receive holiday pay, and will not accrue personal leave, sick leave or vacation time for that month. Health benefits may also be impacted. A personal leave is granted with the understanding that the employee intends to return to work for the Township. If the employee fails to return within five business days after the expiration of the leave, the employee shall be considered to have abandoned their job.

D. §32-53: **Replace**the section heading of "Dismissal or Demotion" with "Employee Discipline." **Delete** this section as written and replace with: "Employee discipline shall be in accordance with the Employee Discipline Policy contained within the Employee Handbook."

E. §32-55(E): **Delete** this section as written and replace with: "An immediate suspension without pay of an employee may be ordered when such summary action is considered as being necessary by the Township Manager or, for Police Department employees, by the Chief of Police."

F. §32-64: **Add** to the end of this section the following: "All employees and officers shall also comply with the requirements of N.J.S.A. 52:14-7 unless otherwise exempt under that law."

G. §32-71: **Delete** this section as written and replace with: "The Township is an equal opportunity employer (EOE). It does not discriminate in matters of hiring, promotion, transfer, discharge, pay, fringe benefits, or other matters of employment on the basis of an individual's race, color, sex, religion, creed, national origin, ancestry, affectional and sexual orientation, gender identity or expression, political, domestic partnership, civil union or marital status, atypical hereditary, cellular or blood trait, genetic information, citizenship, veteran status, age, physical or mental disability, liability for service in the United States Armed forces or other basis, characteristic or trait prohibited by federal or state law ("protected class"), except where such considerations are bona fide occupational qualifications permitted by law. Nor does the Township discriminate against an individual based upon their association with a member of a protected class. If any employee or prospective employee believes he or she has been treated unfairly, please use the Complaint Policy. The Township's Employee Handbook contains several other policies prohibiting, among other things, unlawful harassment and retaliation. A copy of the Employee Handbook is maintained on file by the Municipal Clerk."

SECTION III.

This Ordinance shall take effect upon final passage and publication according to law.

SECTION IV.

All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION V.

If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision and the remainder of this Ordinance shall be deemed valid and effective.

TOWNSHIP OF MAPLE SHADE

Ordinance 2012-08

AN ORDINANCE TO AMEND THE REDEVELOPMENT PLAN FOR THE AREA IDENTIFIED AS THE "ROUTE 38/73/LENOLA ROAD REDEVELOPMENT AREA

INTRODUCTION

Pursuant to Ordinance 2007-27, after Township Planning Board review and comment, the Township Council adopted a Redevelopment Plan for the Redevelopment Area designated as the "Route 38/73/Lenola Road Redevelopment Area."

The Township Council now seeks to amend this Redevelopment Plan in accordance with the plan prepared by Burlington County Bridge CommissionDepartment of Economic Development and Regional Planningand attached hereto as Exhibit A.

NOW THEREFORE, BE IT ORDAINED by the Township Council of the Township of Maple Shade as follows:

SECTION I.

The Township Council hereby amends the Redevelopment Plan for the Route 38/73/Lenola Road Redevelopment Area as set forth in attached Exhibit A, subject to the review and approval of the Township Planning Board.

SECTION III.

This Ordinance shall take effect upon final passage and publication according to law.

SECTION IV.

All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION V.

If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision and the remainder of this Ordinance shall be deemed valid and effective.

FIRST READING

MOTION: Volpe			
SECONDED: Saporito			
COUNCIL MEMBER:	YEA	NAY	ABS.
Fletcher	x		
Saporito	x		
Volpe	x		
Wells	x		
Manchello	x		

June 14, 2012
Tabled on July 26, 2012

SECOND READING

MOTION: Wells			
SECONDED: Fletcher			
COUNCIL MEMBER:	YEA	NAY	ABS.
Fletcher	x		
Volpe	x		
Wells	x		
Manchello	x		

August 23, 2012

MUNICIPAL CLERK

MAYOR

TOWNSHIP OF MAPLE SHADE

Ordinance 2012-09

BOND ORDINANCE PROVIDING FOR VARIOUS GENERAL IMPROVEMENTS, APPROPRIATING $2,805,000 THEREFORE AND AUTHORIZING THE ISSUANCE OF $2,671,428 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING THE COSTS FOR SAID IMPROVEMENTS AUTHORIZED TO BE UNDERTAKEN IN AND BY THE TOWNSHIP OF MAPLE SHADE, IN THE COUNTY OF BURLINGTON, NEW JERSEY

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MAPLE SHADE, IN THE COUNTY OF BURLINGTON, NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), **AS FOLLOWS:**

Section 1. The improvements and purposes described in Section 3 of this Bond Ordinance are hereby authorized as capital improvements to be made or acquired by the Township of Maple Shade, County of Burlington, New Jersey (hereinafter referred to as the "Township"). For said improvements or purposes stated in Section 3 hereof, there is hereby appropriated the sum of $2,805,000, being inclusive of all appropriations heretofore made therefor, including the sum of $133,572 as the down payment from the Capital Improvement Fund, or other legally available funds of the Township. The down payment is now available by virtue of a provision in the currently adopted budget or a previously adopted budget of the Township and is currently available for down payment or capital improvement purposes, as required by the Local Bond Law of New Jersey, N.J.S.A. 40A:2-1 et seq. (the "Law").

Section 2. For the financing of said obligations and to meet the part of said $2,805,000 appropriation not otherwise provided for hereunder, negotiable bonds of the Township are hereby authorized to be issued in a principal amount not to exceed $2,671,428 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds, negotiable bond anticipation notes in the principal amount not to exceed $2,671,428 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Law. In the event that bonds are issued pursuant to this Ordinance, the aggregate amount of bond anticipation notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and bond anticipation notes issued pursuant to this ordinance shall at any time exceed $2,671,428, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such bond anticipation notes then outstanding, at maturity. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance and shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within the limitations prescribed by the Local Bond

FIRST READING

MOTION: Volpe			
SECONDED: Saporito			
COUNCIL MEMBER:	YEA	NAY	ABS.
Saporito	x		
Volpe	x		
Manchello	x		

July 26, 2012

SECOND READING

MOTION: Volpe			
SECONDED: Wells			
COUNCIL MEMBER:	YEA	NAY	ABS.
Fletcher	x		
~~XSaporitoXXXX~~			
Volpe	x		
Wells	x		
Manchello	x		

August 23, 2012

MUNICIPAL CLERK

MAYOR

TOWNSHIP OF MAPLE SHADE

Ordinance

Law. Each of said bond anticipation notes shall be signed and shall be under the seal of said Township and attested as permitted by law. The appropriate Township officers are hereby authorized to execute said bond anticipation notes and to issue said notes in such form as may be adopted in conformity with law. The power to determine all matters in connection with this ordinance and also the power to sell said bond anticipation notes, is hereby delegated to the Chief Financial Officer of the Township (the "Financial Officer"), who is hereby authorized to sell said bond anticipation notes either at one time or from time to time in the manner provided by law and the Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. The Financial Officer is authorized and directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of bond anticipation notes pursuant to this ordinance is made, such report to include the principal amount, description, interest rate and maturity of the bond anticipation notes sold, the price obtained and the name of the purchaser.

FIRST READING

MOTION:			
SECONDED:			
COUNCIL MEMBER:	YEA	NAY	ABS.

SECOND READING

MOTION:			
SECONDED:			
COUNCIL MEMBER:	YEA	NAY	ABS.

MUNICIPAL CLERK

MAYOR

TOWNSHIP OF MAPLE SHADE

Ordinance_____

Section 3. The improvements hereby authorized and the purposes of the financing of which said obligations are to be issued are:

Improvements/Purposes	Estimated Cost	Down Payment (Capital Improvement Fund)	Bonds or Notes Authorized	Useful Life (Years)
1) Road Department Improvements and acquisitions including but not limited acquisition of a pickup truck, paving-gas tank and salt storage areas, acquisition of a street sweeper, and acquisition of mobile radios, the foregoing to including all costs, improvements, equipment and/or appurtenances necessary therefore and related thereto.	$243,500	$11,595	$231,905	12.67
2) Acquisition of 4 SUV's, mobile video recording system, technology (Computer and related equipment) upgrades and tactical equipment, all of the forgoing for the Police Department, and to including all costs, improvements, equipment and/or appurtenances necessary therefore and related thereto.	$284,924	$13,568	$271,356	5.42
3) Fire Department- replacement of Pumper Truck with Squirt 1011, acquisition of structural firefighting (turnout) gear, hoses, nozzles, radios, replacement of heater for App. Room, all of the forgoing to including all costs, improvements, equipment and/or appurtenances necessary therefore and related thereto.	$727,000	$34,619	$692,381	9.65
4) General Improvements for the Municipal Complex and various general improvements including but not limited to computer upgrades and cameras, Municipal Building HVAC Phase II, paving of parking lot, Municipal Building Security Locking System, various improvement s to storm drain system including but not limited to Buttonwood Avenue; all the forgoing to including all costs, improvements, equipment and/or appurtenances necessary therefore and related thereto.	$1,519,576	$72,361	$1,447,215	9.39
5) Recreation Department- Tyrex Surface Covering, steel bollards at Clinton Park/Fencing, to including all costs, improvements, equipment and/or appurtenances necessary therefore and related thereto.	$30,000	$1,429	$28,571	15
TOTALS:	$2,805,000	$133,572	$2,671,428	

FIRST READING

MOTION:			
SECONDED:			
COUNCIL MEMBER:	YEA	NAY	ABS.

SECOND READING

MOTION:			
SECONDED:			
COUNCIL MEMBER:	YEA	NAY	ABS.

MUNICIPAL CLERK

MAYOR

TOWNSHIP OF MAPLE SHADE

Ordinance

Section 4. The following additional matters are hereby determined, declared, recited and stated:

(a) The purposes described in Section 3 of this bond ordinance are not current expenses and is property or improvements which the Township may lawfully acquire or make as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of all said purposes is within the limitations of the Local Bond Law taking into consideration the amount of obligations authorized, the average period of usefulness is 9.4119 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Township Clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such Statement shows that the gross debt of the Township determined as provided in said Law is increased by this bond ordinance by $2,671,428 and obligations authorized and/or hereunder will be within all debt limitations prescribed by said Law.

(d) Amounts not exceeding $200,000 in the aggregate for interest on said obligations, costs of issuing said obligations, engineering costs, legal fees and other items of expense listed and permitted under N.J.S.A. 40A:2-20 of the Local Bond Law may be included as part of the costs of said improvements and are included in the foregoing estimates thereof.

Section 5. Any grant or other moneys received for the purposes described in Section 3 hereof, shall be applied either to direct payment of the cost of the improvements or acquisitions or to payment of the obligations issued pursuant to this ordinance and the amount of the obligations authorized herein for such purpose shall be reduced accordingly.

Section 6. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Township, and, unless paid from other revenues of the Township, the Township shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Township for the payment of said obligations and interest thereon without limitation as to rate or amount.

Section 7. The capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board of the State of New Jersey, Department of Community Affairs, showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services, is on file with the Township Clerk and is available there for public inspection.

FIRST READING

MOTION:			
SECONDED:			
COUNCIL MEMBER:	YEA	NAY	ABS.

SECOND READING

MOTION:			
SECONDED:			
COUNCIL MEMBER:	YEA	NAY	ABS.

MUNICIPAL CLERK

MAYOR

TOWNSHIP OF MAPLE SHADE

Ordinance_____

Section 8. The Township reasonably expects to reimburse any expenditures towards the costs of the improvement or purpose described in Section 3 of this ordinance and paid prior to the issuance of any bonds or notes authorized by this ordinance with the proceeds of such bonds or notes. No funds from sources other than the bonds or notes authorized herein has been or is reasonably expected to be reserved, allocated on a long-term basis or otherwise set aside by the Township, pursuant to its budget or financial policies with respect to any expenditures to be reimbursed. This Section is intended to be and hereby is a declaration of the Township's official intent to reimburse any expenditures towards the costs of the improvement or purpose described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations Section 1.150-2(e), and no action (or inaction) will be an artifice or device in accordance with Treasury Regulation Section 1.148-10 to avoid, in whole or in part, arbitrage yield restrictions or arbitrage rebate requirements.

Section 9. To the extent that any previous ordinance or resolution is inconsistent with or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

Section 10. The provisions of this ordinance are severable. To the extent any clause, phrase, sentence, paragraph or provision of this ordinance shall be declared invalid, illegal, or unconstitutional, the remaining provisions shall continue in full force and effect.

Section 11. This Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond Law.

Dated:

Attest:

_____ _____

ANDREA T. DeGOLIA, Township Clerk _____, Mayor

[SEAL]

FIRST READING

MOTION:			
SECONDED:			
COUNCIL MEMBER:	YEA	NAY	ABS.

SECOND READING

MOTION:			
SECONDED:			
COUNCIL MEMBER:	YEA	NAY	ABS.

_____ _____

MUNICIPAL CLERK MAYOR

TOWNSHIP OF MAPLE SHADE

Ordinance 2012-10

BOND ORDINANCE PROVIDING FOR VARIOUS WATER AND SEWER UTILITY IMPROVEMENTS, APPROPRIATING $2,100,000 THEREFORE AND AUTHORIZING THE ISSUANCE OF $2,000,000 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING THE COSTS FOR SAID IMPROVEMENTS AUTHORIZED TO BE UNDERTAKEN IN AND BY THE TOWNSHIP OF MAPLE SHADE, IN THE COUNTY OF BURLINGTON, NEW JERSEY

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MAPLE SHADE, IN THE COUNTY OF BURLINGTON, NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), **AS FOLLOWS:**

Section 1. The improvements and purposes described in Section 3 of this Bond Ordinance are hereby authorized as utility capital improvements to be made or acquired by the Township of Maple Shade, County of Burlington, New Jersey (hereinafter referred to as the "Township"). For said improvements or purposes stated in Section 3 hereof, there is hereby appropriated the sum of $2,100,000, being inclusive of all appropriations heretofore made therefor. The appropriation set forth herein includes the sum of $100,000 as the down payment from the Utility Capital Improvement Fund, or other legally available funds of the Township. The down payment is now available by virtue of a provision in the currently adopted budget or a previously adopted budget of the Township and is currently available for down payment or capital improvement purposes, as required by the Local Bond Law of New Jersey, N.J.S.A. 40A:2-1, et seq. (the "Law").

Section 2. For the financing of said obligations and to meet the part of said $2,100,000 appropriation not otherwise provided for hereunder, negotiable bonds of the Township are hereby authorized to be issued in a principal amount not to exceed $2,000,000 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds, negotiable bond anticipation notes in the principal amount not to exceed $2,000,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Law. In the event that bonds are issued pursuant to this Ordinance, the aggregate amount of bond anticipation notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and bond anticipation notes issued pursuant to this ordinance shall at any time exceed $2,000,000, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such bond anticipation notes then outstanding, at maturity. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance and shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within the limitations prescribed by the Local Bond Law. Each of said bond anticipation notes shall be signed and shall be under the seal of said Township and attested as permitted by law. The appropriate Township officers are hereby authorized to execute said bond anticipation notes and to issue said notes in such form as may be adopted in

FIRST READING

MOTION: Saporito			
SECONDED: Volpe			
COUNCIL MEMBER:	YEA	NAY	ABS.
Saporito	x		
Volpe	x		
Manchello	x		

July 26, 2012

SECOND READING

MOTION: Volpe			
SECONDED: Wells			
COUNCIL MEMBER:	YEA	NAY	ABS.
Fletcher	x		
~~Saporito~~			
Volpe	x		
Wells	x		
Manchello	x		

August 23, 2012

MUNICIPAL CLERK

MAYOR

TOWNSHIP OF MAPLE SHADE

Ordinance _____

conformity with law. The power to determine all matters in connection with this ordinance and also the power to sell said bond anticipation notes, is hereby delegated to the Chief Financial Officer of the Township (the "Financial Officer"), who is hereby authorized to sell said bond anticipation notes either at one time or from time to time in the manner provided by law and the Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. The Financial Officer is authorized and directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of bond anticipation notes pursuant to this ordinance is made, such report to include the principal amount, description, interest rate and maturity of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 3. The improvements hereby authorized and the purposes of the financing of which said obligations are to be issued are:

Improvements/Purposes	Estimated Cost	Down Payment (Utility Capital Improvement Fund)	Bonds or Notes Authorized	Useful Life (Years)
1. Acquisition and installation of a Sludge Press, Thicken Sludge transfer system and Clarifier mechanism replacements and improvements, to include all improvements, equipment and/or appurtenances necessary therefore and related thereto.	$1,935,000	$92,142.85	$1,842,857.15	40
2. Various improvements to the Water System and Sewer System, to include all improvements, equipment and/or appurtenances necessary therefore and related thereto.	$165,000	$7,857.15	$157,142.85	40
TOTALS:	**$2,100,000**	**$100,000**	**$2,000,000**	

Section 4. The following additional matters are hereby determined, declared, recited and stated:

(a) The purposes described in Section 3 of this bond ordinance are not current expenses and is property or improvements which the Township may lawfully acquire or make as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

FIRST READING

MOTION:			
SECONDED:			
COUNCIL MEMBER:	YEA	NAY	ABS.

SECOND READING

MOTION:			
SECONDED:			
COUNCIL MEMBER:	YEA	NAY	ABS.

MUNICIPAL CLERK

MAYOR

TOWNSHIP OF MAPLE SHADE

Ordinance _____

(b) The period of usefulness is within the limitations of the Local Bond Law taking into consideration the amount of obligations authorized, according to the reasonable life thereof computed from the date of the bonds authorized, the period of usefulness is 40 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Township Clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such Statement shows that the gross debt of the Township determined as provided in said Law is increased by this bond ordinance by $2,000,000 and obligations authorized and/or hereunder will be within all debt limitations prescribed by said Law.

(d) Amounts not exceeding $400,000 in the aggregate for interest on said obligations, costs of issuing said obligations, engineering costs, legal fees and other items of expense listed and permitted under N.J.S.A. 40A:2-20 of the Local Bond Law may be included as part of the costs of said improvements and are included in the foregoing estimates thereof.

Section 5. Any grant or other moneys received for the purposes described in Section 3 hereof, shall be applied either to direct payment of the cost of the improvements, obligations or acquisition or to payment of the obligations issued pursuant to this ordinance and the amount of the obligations authorized herein for such purpose shall be reduced accordingly.

Section 6. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Township, and, unless paid from other revenues of the Township, the Township shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Township for the payment of said obligations and interest thereon without limitation as to rate or amount.

Section 7. The capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board of the State of New Jersey, Department of Community Affairs, showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services, is on file with the Township Clerk and is available there for public inspection.

Section 8. The Township reasonably expects to reimburse any expenditures towards the costs of the improvements or purposes described in Section 3 of this ordinance and paid prior to the issuance of any bonds or notes authorized by this ordinance with the proceeds of such bonds or notes. No funds from sources other than the bonds or notes authorized herein has been or is reasonably expected to be reserved, allocated on a long-term basis or otherwise set aside by the

FIRST READING

MOTION:			
SECONDED:			
COUNCIL MEMBER:	YEA	NAY	ABS.

SECOND READING

MOTION:			
SECONDED:			
COUNCIL MEMBER:	YEA	NAY	ABS.

MUNICIPAL CLERK

MAYOR

TOWNSHIP OF MAPLE SHADE

Ordinance_____

Township, pursuant to its budget or financial policies with respect to any expenditures to be reimbursed. This Section is intended to be and hereby is a declaration of the Township's official intent to reimburse any expenditures towards the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations Section 1.150-2(e), and no action (or inaction) will be an artifice or device in accordance with Treasury Regulation Section 1.148-10 to avoid, in whole or in part, arbitrage yield restrictions or arbitrage rebate requirements.

Section 9. To the extent that any previous ordinance or resolution is inconsistent with or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

Section 10. The provisions of this ordinance are severable. To the extent any clause, phrase, sentence, paragraph or provision of this ordinance shall be declared invalid, illegal, or unconstitutional, the remaining provisions shall continue in full force and effect.

Section 11. This Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond Law.

Dated:

Attest:

ANDREA T. DeGOLIA, Township Clerk

Mayor

[SEAL]

FIRST READING

MOTION:			
SECONDED:			
COUNCIL MEMBER:	YEA	NAY	ABS.

SECOND READING

MOTION:			
SECONDED:			
COUNCIL MEMBER:	YEA	NAY	ABS.

MUNICIPAL CLERK

MAYOR

TOWNSHIP OF MAPLE SHADE

Ordinance 2012-11

AN ORDINANCE OF THE TOWNSHIP OF MAPLE SHADE CREATING NEW TOWNSHIP CODE CHAPTER 181 "TAXATION, " AND NEW ARTICLE "FIVE YEAR TAX EXEMPTION AND ABATEMENT"

WHEREAS, pursuant to the Five Year Tax Abatement and Exemption Law, N.J.S.A. 40A:21-1, et seq., (the "Act") a municipality may, by ordinance, provide for the exemption and/or abatement of real property taxes, to encourage and provide incentives for the construction and rehabilitation of certain structures; and

WHEREAS, the Township of Maple Shade has designated certain areas of the Township as areas in need of redevelopment and desires to provide real estate tax incentives for commercial and industrial structures within the boundaries of these designated redevelopment areas within the Township; and

WHEREAS, N.J.S.A. 40A:21-1, et seq. provides for the exemption of assessments on improvements for five years following completion of a project as defined in the statute and the exemption or abatement of property taxes for new construction for a five year period following completion of the project as defined in the statute;

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Maple Shade that the Township Code is hereby amended to include new Chapter 181 entitled "Taxation" and new Article

SECTION I

Chapter 181 TAXATION

ARTICLE I: FIVE-YEAR TAX EXEMPTION AND ABATEMENT

181-1. General Provisions.

A. The Township hereby determines to utilize the authority granted under Article VIII, Section I, Paragraph 6, of the New Jersey Constitution to establish the eligibility of commercial and industrial for five-year tax exemptions and abatements as authorized by N.J.S.A. 40A:21-1, et seq., , but only to the extent set forth herein.

B. This ordinance authorizes the Township of Maple Shade to grant exemptions up to a 5-year period to commence and take effect in the 2012 tax year and thereafter. This ordinance shall lapse, unless readopted, in the 2021 tax year and no exemptions shall be granted after December 31, 2021 tax year without such re-adoption.

FIRST READING

MOTION: Saporito			
SECONDED: Volpe			
COUNCIL MEMBER:	YEA	NAY	ABS.
Saporito	x		
Volpe	x		
Wells	x		
Manchello	x		

July 26, 2012

SECOND READING

MOTION: Volpe			
SECONDED: Fletcher			
COUNCIL MEMBER:	YEA	NAY	ABS.
Fletcher	x		
Volpe	x		
Wells	x		
MAnchello	x		

August 23, 2012

MUNICIPAL CLERK

MAYOR

181-2. Definitions.

A. The definitions contained in N.J.S.A. 40A: 21-3 are incorporated herein by reference as if set forth at length. As used in this Chapter, words shall have the meanings as so defined unless a different meaning is expressed.

B. The following words, terms, phrases, when used in this chapter shall have the meaning ascribed to them in this subsection, consistent with the provisions of N.J.S.A. 40A: 21-3, except where the context clearly indicates a different meaning:

1. Exemption means that portion of the assessor's full and true value of any improvement, conversion alteration, or construction not regarded as increasing the taxable value of a property pursuant to the Act.

2. Qualifying commercial or industrial structure under this ordinance shall refer to:

(a) A structure or parts thereof used for the manufacturing, processing or assembling of material or manufactured products, or for research, office, industrial, commercial, retail, recreational, hotel or motel facilities, or warehousing purposes, or for any combination thereof, which will tend to maintain or provide gainful employment within the Township, assist in the economic development of the Township, maintain or increase the tax base of the Township. It shall not include any structure or part thereof used or to be used by any business relocated from another qualifying municipality unless: the total square footage of the floor area of the structure or part thereof used or to be used by the business at the new site together with the total square footage of the land used or to be used by the business at the new site exceeds the total square footage of that utilized by the business at its current site of operations by at least 10%; and the property that the business is relocating to has been the subject of a remedial action plan costing in excess of $250,000 performed pursuant to an administrative consent order entered into pursuant to authority vested in the Commissioner of Environmental Protection under P.L.1970, c.33 (C.13:1D-1 et al.), the "Water Pollution Control Act," P.L.1977, c.74 (C.58:10A-1 et seq.), the "Solid Waste Management Act," P.L.1970, c.39 (C.13:1E-1 et seq.), and the "Spill Compensation and Control Act," P.L.1976, c.141 (C.58:10-23.11 et seq.).□

The term commercial structure relates to office, retail and like uses, but does not include multiple dwelling type (three or more rental units) structures. In the event a structure includes a mix of commercial and multiple dwelling uses, the exemption shall only apply to that component of the structure relating to commercial, as opposed to multiple dwelling use.

181-3. Authorized Exemptions and Abatements

A. For properties located in designated areas of rehabilitation or redevelopment, tax exemptions are available for the assessor's full and true value of "improvements" to existing qualifying commercial and industrial structures as may be granted by the governing body on an individual basis, after review, evaluation and approval of each application by resolution. The application procedure for seeking such an exemption shall be consistent with the procedures outlined in section 476-10. However, the granting of an exemption under this section shall not require the adoption of an ordinance nor a written tax agreement. An "improvement" is defined under N.J.S.A. 40A:21-3n, which definition is fully incorporated herein, and includes the renovation, rehabilitation, repair, and alteration of an existing building that improves the safety and attractiveness of the building but does not include ordinary painting, repairs, and replacement of maintenance items nor the enlargement of the volume of an existing structure by more than 30%.

C. For properties located in designated areas of rehabilitation or redevelopment, tax exemptions are available for the construction of commercial and industrial structures pursuant to the procedures set forth in the Act and in this chapter. The term "construction" is defined under N.J.SA 40A:21-3g, which definition is fully incorporated herein, and includes the construction of a new commercial or industrial building or the enlargement of an existing commercial or industrial building by more than 30%, but shall not mean the conversion of an existing building or structure to another use.

181-4. Application Process.

A. Applicants for tax exemption and abatement shall submit an application, approved by the Director of the Division of Taxation in the Department of Treasury and currently on file with the Township, to the Tax Assessor specifying the following:

1. A general description of a project for which exemption and abatement is sought;

2. A legal description of all real estate necessary for the project;

3. Plans, drawings and other documents as may be required by Township Council to demonstrate the structure and design of the project;

4. A description of the number, classes and type of employees to be employed at the project site within two (2) years of completion of the project (if applicable);

5. A statement of the reasons for seeking tax exemption and abatement on the project, and a description of the benefits to be realized by the applicant if a tax agreement is granted;

6. Estimates of the cost of completing such project;

7. A statement showing (1) the real property taxes currently being assessed at the project site; (2) estimated tax payments that would be made annually by the applicant on the project during the period of the agreement; and (3) estimated tax payments that would be made by the applicant on the project during the first full year following the termination of the tax agreement;

8. A description of any lease agreement between the applicant and proposed users of the project, and a history and description of the applicant's businesses;

9. Such other pertinent information as the Township of Maple Shade may require.

B. Separate applications shall be filed for each building involved in a phased project.

C. A preliminary application is required to be filed with the Township Tax Assessor prior to the issuance of a construction permit for the project. The final application shall be filed with the Township Clerk and Tax Assessor no later than thirty (30) days, including Saturdays and Sundays, following the completion of the improvement or construction. "Completion" means that the subject improvement is substantially ready for the intended use for which it is constructed. Such completion may be evidenced by the issuance of a certificate of occupancy or like document by the Township's building inspectors.

D. The Township Council shall have full discretion to accept, deny or revise the application and shall not be subject to any time limitations to make a determination.

E. No exemption shall be granted or tax agreement entered into pursuant to this chapter for any property for which property taxes are delinquent or remain unpaid, or for which penalties for nonpayment of taxes are due.

181-5. Tax Agreement.

A. If the Township Council grants the exemption for the project, the Council shall adopt an ordinance authorizing a tax agreement for the particular project. The Council shall enter into a written agreement with an applicant for the exemption of local property taxes. The agreement shall provide for the applicant to pay the municipality in lieu of full property taxes an annual amount to be computed in accordance with N.J.S.A. 40A:21-10 utilizing one of the following: (a) the Cost Basis, (b) the Gross Revenue Basis or (c) the Tax Phase-In Basis, as set forth therein.

B. All tax agreements entered into shall be in effect for no more than the five full years next following the date of completion of the project.

C. All projects subject to tax agreement as provided herein shall be subject to all applicable federal, State and local laws and regulations on pollution control, worker safety,

discrimination in employment, housing provision, zoning, planning and building code requirements

D. The Clerk of the Township of Maple Shade is authorized to forward a copy of all executed agreements entered into pursuant to this ordinance to the Director of the Division of Local Government Services in the Department of Community Affairs within thirty (30) days of the date of execution.

181-6 Equalization

The percentage which the payment in lieu of taxes bears to the property taxes which would have been paid had an abatement not been granted for the property under the agreement shall be applied to the valuation of the property to determine the reduced valuation of the property to be included in the valuation of the municipality for determining equalization for county apportionment and school aid during the term of the tax abatement agreement covering the property.

181-7. Cessation or Disposition of Property.

In the event a property owner subject to a tax agreement ceases to operate or disposes of the property or fails to meet the conditions for qualifying for the exemption, the local property taxes due for all the prior years subject to exemption and for the current year shall be payable as if no exemption had been granted. The Township Tax Collector shall notify the property owner within fifteen (15) days of the date of disqualification of the amount of taxes due. In the event the subject property has been transferred to a new owner and it is determined that the new owner will continue to use the property pursuant to the qualifying conditions, and no tax or payment in lieu of tax shall be delinquent, the exemption shall continue and the agreement shall remain in effect.

181-8 Non-payment of Taxes

B. No exemption or abatement shall be granted or tax agreement entered into with respect to any property for which property taxes are delinquent or remain unpaid or for which penalties for non-payment of taxes are due or for which other municipal charges are due.

C. All tax agreements entered into pursuant to this chapter shall be subject to the condition that all taxes and other municipal charges shall be kept current to the extent the same are assessed. In the event that taxes and charges go unpaid for more than six months beyond the date upon which such amounts become due, then the agreement shall terminate and the property

restored to full assessment. This condition shall be binding and effective, notwithstanding the absence of any reference to the same in the tax agreement.

181-9 Changes in Assessment

A. An applicant for tax exemption under this ordinance shall agree, as a condition to receiving the exemption, not to file a tax appeal challenging the assessment granted under this chapter.

B. In the event that the Township implements a revaluation or reassessment during the exemption period for any property, the exemption shall continue to apply but at a valuation level consistent with the revaluation or reassessment.

C. The granting of an exemption for a particular property shall not prejudice the right of the Township to appropriately examine and revise the assessment during the five-year exemption period in the event the base assessment is found to be improperly valued and assessed.

181-10. Termination of Agreement.

At the termination of an agreement for tax exemption or abatement authorized pursuant to this chapter, the project shall be subject to all applicable real property taxes, as provided by state and local law and regulations, provided that nothing herein shall be deemed to prohibit the project or improvement at the termination of the agreement for tax abatement from qualifying and receiving the full benefits of any other tax preference as provided by law.

181-10. Additional Exemption

An additional improvement, conversion or construction completed on a property already granted a previous exemption pursuant to this chapter during the period in which the previous exemption is in effect, shall qualify for an additional exemption under the standards identified in this chapter. The additional improvement, conversion or construction shall be considered as separate for purposes of calculating the exemption, except that the assessed value of any previous improvement, conversion or construction shall be added to the assessed valuation as it was prior to that improvement, conversion or construction for the purpose of determining the

assessed value of the property for which any additional exemption is to be subtracted.

181-11 Application **Fees.**

The following fees are to be paid at the time that an application is submitted for tax exemption and/or exemption and abatement.

The following fees are based on the estimated cost of the improvement:

0 - $50,000 1%

$50,001 - $150,000 1.2%

$150,001 - $300,000 1.4%

$300,001 - $500,000 1.6%

$500,001 and above 1.8%

SECTION II.

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

SECTION III.

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

SECTION IV.

All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

TOWNSHIP OF MAPLE SHADE

Ordinance 2012-12

ORDINANCE AMENDING CHAPTER 194-10
"NO PARKING" ON PINE AVENUE, NORTH

BE IT ORDAINED, by the Township Council of the Township of Maple Shade, in the County of Burlington and State of New Jersey, as follows:

SECTION I.

The Township Council hereby amends Chapter 194-10 "No Parking" of the Township Code to prohibit parking on the following street at all times (to be listed in the appropriate alphabetical order):

Name of Street	Sides	Location
Pine Avenue, North	West	From the Northerly curbline of Broadway, to a point 65 feet northerly thereof.

SECTION II.

This Ordinance shall take effect upon final passage and publication according to law.

SECTION III.

All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION IV.

If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision and the remainder of this Ordinance shall be deemed valid and effective.

FIRST READING

MOTION: Saporito			
SECONDED: Volpe			
COUNCIL MEMBER:	YEA	NAY	ABS.
Saporito	x		
Volpe	x		
Manchello	x		

July 26, 2012

MUNICIPAL CLERK

SECOND READING

MOTION: Volpe			
SECONDED: Fletcher			
COUNCIL MEMBER:	YEA	NAY	ABS.
Fletcher	x		
Volpe	x		
Wells	x		
Manchello	x		

August 23, 2012
November 20, 2012

MAYOR

TOWNSHIP OF MAPLE SHADE

Ordinance 2012-13

AN ORDINANCE AMENDING SECTION 194-28 OF THE TOWNSHIP CODE TO IDENTIFY DESIGNATED BUS STOPS

INTRODUCTION

Per the recommendation of the Township Engineer, the Township Council seeks to amend the list of designated bus stops within the Township.

NOW THEREFORE, BE IT ORDAINED, by the Township Council of the Township of Maple Shade, County of Burlington and State of New Jersey as follows:

SECTION I.

Section 194-28 of the Township Code is hereby amended as follows:

[Deleted Text: Strikethrough
Added Text: Underline]

§ 194-28. Bus stops designated.

The locations described are hereby designated as bus stops. No vehicle other than an omnibus, picking up or discharging passengers, shall be permitted to occupy said locations between the hours indicated.

Name of Street			Hours
A.	Along Main Street (CR 537), westbound, on the northerly side thereof at:		
	(1)	One hundred fifty feet east of the easterly curbline of Boulevard Avenue (North) and extending 105 feet easterly therefrom	All
	(2)	Holly Avenue, North (far side) Beginning at the westerly curbline of Holly Avenue, North and extending 100 feet westerly therefrom	All
	(3)	Stiles Avenue (far side) (CR 609) Beginning at the easterly curbline of Stiles Avenue and extending 100 feet westerly therefrom	All

FIRST READING

MOTION: Volpe			
SECONDED: Saporito			
COUNCIL MEMBER:	YEA	NAY	ABS.
Fletcher	x		
Saporito	x		
Volpe	x		
Wells	x		
Manchello	x		

September 13, 2012

SECOND READING

MOTION: Fletcher			
SECONDED: Wells			
COUNCIL MEMBER:	YEA	NAY	ABS.
Fletcher	x		
Wells	x		
Manchello	x		

October 11, 2012

MUNICIPAL CLERK

MAYOR

TOWNSHIP OF MAPLE SHADE

Ordinance _____

	(4)	Fellowship Road, North (near side) Beginning at the easterly curbline of Fellowship Road, North and extending 105 feet easterly therefrom	All
	(5)	Forklanding Road, North (far side) Beginning at the westerly curbline of Forklanding Road, North and extending 100 feet westerly therefrom	All
	(6)	Coles Avenue, North (far side) Beginning at the westerly curbline of Coles Avenue, North and extending 100 feet westerly therefrom.	All
	(7)	Woodcrest Avenue, West, Beginning opposite the westerly curbline of West Woodcrest Avenue and extending 105 feet westerly therefrom.	All

	Name of Street		Hours
B.	Along Main Street (CR 537), eastbound, on the southerly side thereof at:		
	(1)	Woodcrest Avenue, West (near side) Beginning at the westerly curbline of Woodcrest Avenue, West and extending 105 feet westerly therefrom	All
	(2)	Coles Avenue, South (far side) Beginning at the easterly curbline of Coles Avenue, South and extending 100 feet easterly therefrom	All
	(3)	Forklanding Road, South (far side) Beginning at the easterly curbline of Forklanding Road, South and extending 100 feet easterly therefrom	All
	(4)	Fellowship Road, South (far near side) (CR 610) Beginning at the easterly westerlycurbline of Fellowship Road, South and extending 105 feet easterly westerly therefrom	All
	(5)	Holly Avenue, South (near side) Beginning at the westerly curbline of Holly Avenue, South and extending 105 feet westerly therefrom.	All
	(6)	Boulevard Avenue, South (far side) Beginning at the easterly curbline of Boulevard Avenue, South and extending 100 feet easterly therefrom	All

FIRST READING

MOTION:			
SECONDED:			
COUNCIL MEMBER:	YEA	NAY	ABS.

SECOND READING

MOTION:			
SECONDED:			
COUNCIL MEMBER:	YEA	NAY	ABS.

MUNICIPAL CLERK

MAYOR

TOWNSHIP OF MAPLE SHADE

Ordinance_____

SECTION II.

This Ordinance shall take effect upon final passage and publication according to law.

SECTION III.

All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION IV.

If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision and the remainder of this Ordinance shall be deemed valid and effective.

FIRST READING

MOTION:			
SECONDED:			
COUNCIL MEMBER:	YEA	NAY	ABS.

SECOND READING

MOTION:			
SECONDED:			
COUNCIL MEMBER:	YEA	NAY	ABS.

MUNICIPAL CLERK

MAYOR

TOWNSHIP OF MAPLE SHADE

Ordinance 2012-14

AN ORDINANCE TO AMEND THE "ROUTE 38/73/LENOLA ROAD REDEVELOPMENT AREA" PLAN TO PROVIDE FOR FRANCHISED AUTOMOBILE SALES AND LEASING DEALERSHIPS AS A CONDITIONAL USE

INTRODUCTION

Pursuant to Ordinance 2007-27, after Township Planning Board review and comment, the Township Council adopted a Redevelopment Plan for the Redevelopment Area designated as the "Route 38/73/Lenola Road Redevelopment Area" (the "Plan").

The Plan was amended pursuant to Ordinance 2012-8 to provide for certain automobile-related uses as conditional uses and to establish site and design standards for such uses.

The Township Council now seeks to further amend the Plan to provide an additional automobile-related use, Franchised Automobile Sales and Leasing Dealerships, as a conditional use in the Redevelopment Area.

NOW THEREFORE, BE IT ORDAINED by the Township Council of the Township of Maple Shade as follows:

SECTION I.

The Township Council hereby amends the Redevelopment Plan for the Route 38/73/Lenola Road Redevelopment Area as set forth in attached Exhibit A, subject to the review and approval of the Township Planning Board.

SECTION III.

This Ordinance shall take effect upon final passage and publication according to law.

FIRST READING

MOTION: Wells			
SECONDED: Fletcher			
COUNCIL MEMBER:	YEA	NAY	ABS.
Fletcher	x		
Wells	x		
Manchello	x		

October 11, 2012

SECOND READING

MOTION: Volpe			
SECONDED: Fletcher			
COUNCIL MEMBER:	YEA	NAY	ABS.
Fletcher	x		
Saporito	x		
Volpe	x		
Wells	x		
Manchello	x		

November 8, 2012

MUNICIPAL CLERK

MAYOR

TOWNSHIP OF MAPLE SHADE

Ordinance_____

SECTION IV.

All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION V.

If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision and the remainder of this Ordinance shall be deemed valid and effective.

FIRST READING

MOTION:			
SECONDED:			
COUNCIL MEMBER:	YEA	NAY	ABS.

SECOND READING

MOTION:			
SECONDED:			
COUNCIL MEMBER:	YEA	NAY	ABS.

MUNICIPAL CLERK

MAYOR

EXHIBIT A

MAPLE SHADE TOWNSHIP
ROUTE 38/73/LENOLA ROAD REDEVELOPMENT AREA
REDEVELOPMENT PLAN

SEPTEMBER 2012 AMENDMENTS TO
Section III. Relationship to Zoning, Municipal Master Plan and Area Development Issues

1. Block 189.01 Lots – All Inclusive
2. Block 189.02 Lots – All Inclusive
3. Block 189.03 Lots – All Inclusive
4. Block 189.04 Lots – All Inclusive
5. Block 189.05 Lots – All Inclusive
6. Block 189.06 Lots – All Inclusive
7. Block 193 Lots 6, 16, 17

Prepared for: Township of Maple Shade
Prepared by: Burlington County Bridge Commission

TOWNSHIP OF MAPLE SHADE

Ordinance 2012-15

AN ORDINANCE AMENDING CHAPTER 106 "HOUSING" OF THE TOWNSHIP CODE TO ESTABLISH A CERTIFICATE OF APPROVAL PROGRAM AND TO AMEND HOUSING STANDARDS AND ESTABLISH FEES

INTRODUCTION

In order to preserve public health and safety, the Township Council has determined to establish an inspection program for certain residential properties prior to any transfer or change in occupancy and to amend housing standards.

NOW THEREFORE, BE IT ORDAINED, by the Township Council of the Township of Maple Shade, County of Burlington, State of New Jersey, as follows:

SECTION I.

The following provisions of Chapter 106 of the Township Code are hereby amended as follows:

§106-1 Enforcement

For purposes of enforcement, the Burlington County Health Department is hereby designated as "Housing Inspector" for the Township of Maple Shade. "Housing Official" shall mean the Maple Shade Township Housing Officer, Construction Code Officer, Township Building Inspector, Housing Inspector, Code Enforcement Official, their designated representatives or any other Township officer, agent or employee duly authorized and appointed by the Township Committee to perform the duties set forth in this article.

§106-3 Compliance with Standards Required

All dwelling units shall comply with:

A. The New Jersey State Housing Code as approved by the Departments of Health and Conservation and Economic Development, pursuant to the provisions of Chapter 21, P.L. 1946 (N.J.S.A. 40:49-5.1). Copies of the same have been placed on file in the office of the Township Clerk and are available to all persons desiring to use and examine the same.

FIRST READING

MOTION: Fletcher			
SECONDED: Wells			
COUNCIL MEMBER:	YEA	NAY	ABS.
Fletcher	x		
Wells	x		
Manchello	x		

October 11, 2012

SECOND READING

MOTION: Wells			
SECONDED: Volpe			
COUNCIL MEMBER:	YEA	NAY	ABS.
Fletcher	x		
Saporito		x	
Volpe	x		
Wells	x		
Manchello	x		

November 8, 2012

MUNICIPAL CLERK

MAYOR

B. The 2012 International Property Maintenance subject to the following amendments:

1. Section 101.1 Title, is hereby modified by inserting the name "the Township of Maple Shade."
2. Section 103.5 Fees. All fees shall be provided in Chapter 88 of the Township Code.
3. Section 112.4 Failure to Comply. Any person who shall continue work after having been served with a stop work order, except such work as that person has been directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than one-hundred ($100) dollars or more than one-thousand ($1000) dollars.
4. Section 302.4 Weeds. Shall prohibit weed or plant growth in excess of six (6") inches.
5. Section 304.14, Insect screens, is hereby modified by inserting the months "October" and "May."
6. Section 602.3, Heat supply, is modified by inserting the months "September" and "April."

C. Applicable state statutes and any rules and regulations promulgated thereunder.

D. Any ordinances of the Township of Maple Shade pertaining to health, sanitation, safety, maintenance and use of any structure or dwelling unit.

E. Any other codes, rules and regulations established by the State of New Jersey and/or the Township of Maple Shade.

In the case of any conflict between or among the above standards, the more restrictive standard shall apply.

SECTION II.

The following new provisions are hereby added to Chapter 106 of the Township Code:

§106-13 Certificate of Approval required.

The following shall apply to all single-family residences and all multiple dwellings not subject to the "Hotel and Multiple Dwelling Law" (N.J.S.A. 55:13A-1 et seq.) :

A. Prior to any change in ownership or occupancy of any house, dwelling, apartment unit, boardinghouse unit, rooming house unit or premises, whether by transfer of title, change of renting or leasing tenants or otherwise, which is used, partially used or intended to be used for human occupancy, a certificate of approval shall first have been obtained from the Township Housing Official stating that the building or the specified portion thereof, or particular unit therein comply with the requirements of this chapter and all other ordinances of the Township regulating and governing matters of health, sanitation, maintenance and use of any structure for human occupancy.

B. In the case of a residential rental unit, no certificate of approval shall issued unless the premises is registered as hereinafter provided.

§106-14Notice to housing official; inspection; issuance of certificate of approval.

A. Application shall be made in writing by the owner or the owner's agent or representative to the Township Housing Official prior to the sale, rental, lease or allowance of any person to live in or inhabit as an owner, occupant, tenant or lessee and prior to any transfer of occupancy or possession by lease/rental agreement of any dwelling unit, requesting an inspection of said dwelling unit. The notice shall contain the name and address of the present owner and prospective owner or prospective tenant/lessee (as applicable) of the dwelling unit and, if a notice is given by someone on

behalf of the owner, that person's name and address. The notice shall describe the dwelling unit and shall be accompanied by the required inspection fee. The notice shall be submitted not more than 30 days prior to any change in ownership or occupancy requiring an inspection under this article.

B. Within10workingdaysofreceiptofan application for an inspection, the Township Housing Official shall thereupon cause inspection to be made of the subject dwelling unit to determine if such unit is fit for human habitation and in compliance with the requirements of this article and, upon determining that the requirements of this article have been complied with, issue a certificate of approval.

C. The Township Housing Official shall have such powers as may be necessary to carry out the intent and duties imposed upon him under this article, including but not limited to the following enumerated powers:
(1) Where an owner or person has failed to comply with the notice requirements of this article, to investigate and inspect the dwelling conditions of such property in order to determine if the dwelling is unfit for human habitation.
(2) For the purpose of making inspections incidental to his duties, to enter, examine and survey at all reasonable times all dwelling units and all rooms therein.

§106-15. Notice of violation; correction; re-inspection.
A. If the Township Housing Official finds during the course of such inspection that the subject dwelling unit is not in compliance with this article, said Official shall, within three working days of such finding, notify the applicant, in writing, of such noncompliance, specifically setting forth the violations which require correction. The applicant shall then have 30 days from the date of notification of said noncompliance to correct or abate the violation or violations.
B. Upon correction of the violation or violations, the applicant shall notify the Township Housing Official in writing and shall submit the appropriate re-inspection fee with such notification. The Township Housing Official shall re-inspect the dwelling unit within 10 working days of receipt of such notification and the required re-inspection fee. The procedure shall be followed until all violations have been corrected and shall be completed prior to the sale, rental, lease or allowance of any person to live in or inhabit as an owner, occupant, tenant or lessee any dwelling unit. After completion of this process, a certificate of approval shall be issued by the Township Housing Official.

C. If the Township Housing Official determines that violations pose a clear and serious threat to the health, safety or welfare of the occupant or potential purchaser of the dwelling unit, then said Official shall notify the applicant, in writing, of such violations within three working days thereof, and the applicant shall correct the violations within 10 days of receipt of such notification or prior to the sale, occupancy or change in occupancy of the subject dwelling unit, whichever occurs first.

D. In the event that there is a change of ownership of a dwelling unit, the buyer or purchaser thereof may waive the seller's responsibility and assume the same; provided, however, that such waiver is in writing and states that the buyer is fully aware that (s)he or it is assuming full responsibility for obtaining a certificate of approval pursuant to this article, and further provided that such written waiver is filed with the Township Housing Official.

E. All notices issued by the Township Housing Official shall be served on the applicant either personally or by leaving a copy thereof at his usual place of abode in the presence of a member of the household 14 years of age or older, and (s)he shall be informed of the contents thereof; if said notice cannot be served as provided above, then

the notice may be served upon the applicant by registered or certified mail, return receipt requested, and ordinary mail, to his last known address.

§106-16. Inspection fees.
A. The fees for inspections performed pursuant to this article are as set forth in Chapter 88 of this Code.

B. All inspection fees shall be made payable to the Township of Maple Shade.

§106-17. Hearing upon notice of defect; decision.
A. Any person affected by a notice which has been issued in connection with the enforcement of any provision of this article or any rule or regulation adopted pursuant hereto may request and shall be granted a hearing on the matter before the Township Council, provided that such person shall file, in person or by mail, in the office of the Township Clerk a written petition requesting such hearing within 10 days after the notice was served. Upon receipt of such petition, the Clerk shall set a time and place of hearing within 30 days there from and shall give the petitioner and Township Housing Official five days' written notification thereof. At any hearing held in accordance with this article, the petitioner shall be given an opportunity to be heard and to show cause why such notice should be modified or withdrawn. The Township Council shall have the power to administer oaths and affirmations in any such hearing, and the rules of evidence prevailing in the courts shall not be controlling in such hearing.

B. After the hearing, the Township Council shall sustain, modify or withdraw the notice depending upon its findings as to whether the provisions of this article and the rules and regulations adopted pursuant hereto have been complied with. If the Township Council sustains or modifies such notice, it shall be deemed to be an order. The proceedings at such hearings, including the findings and decision of the Township Council, shall be summarized, reduced to writing and entered as a matter of public record in the office of the Township Clerk. Such record shall also include a copy of every notice or order issued in connection with the matter.

§106-18. Effect of certificate of approval.
A certificate of approval shall remain in effect for as long as the owner or occupant of the dwelling unit for which said certificate has been issued remains unchanged. Notwithstanding the foregoing, nothing in this article shall operate to prevent any other duly authorized official or employee of the Township of Maple Shade or State of New Jersey from properly and legally inspecting any premises for which a certificate of approval has been issued or prevent the same from exercising its power to correct violations of any housing, zoning or building codes or any other applicable laws or ordinances and to prosecute any persons for such violations.

§106-19 Temporary certificate of approval; fee.
A. Upon the inspection of any dwelling unit, the Township Housing Official, in his discretion, may cause to be issued a temporary certificate of approval conditioned upon the applicant's removing any conditions which violate the standards set forth in §106 -3 above within a reasonable period of time not to exceed 30 days from the issuance of said certificate.
B. The fee for a temporary certificate of approval shall be $50 over and above the inspection fee set forth in §106-16, payable to the Township of Maple Shade.
C. Upon correction of the violations by an applicant who has received a temporary certificate of approval, the Township Housing Official shall issue a permanent certificate of approval, provided that the applicant has paid all appropriate fees.

D. No temporary certificate of approval may be issued where the conditions to be abated render the property uninhabitable or pose a threat to the health, safety and welfare of a potential occupant.

§106-20. Failure to inspect.
If the inspection required herein is not made by the Township Housing Official and neither a certificate of approval nor a notice of violation is issued to the applicant within 15 days of the application for said certificate, the applicant may permit the dwelling unit to be occupied, but subject to the right of the Township Housing Official to inspect said dwelling unit and, if a violation is found, to require the applicant to correct said violation within 30 days of receipt of notice thereof.

§106-21. Registration of rental units.
A. Every person who lets to another for occupancy as of the date of the adoption of this article any dwelling unit shall register the unit with the Township's Housing Official, who shall maintain a registry thereof. Registration forms shall be provided by the Township Housing Official and shall include the following information:
(1) The name, address and telephone number of the owner.
(2) The address of the dwelling unit.
(3) The term of existing or anticipated leases.

B. The registration shall not have to be renewed as long as the dwelling unit shall continue to be used by the same owner as a rental dwelling. When the owner shall no longer let the premises to another for occupancy, the owner shall notify the Housing Official of such fact in writing.
C. Upon the sale or conveyance of ownership of any such dwelling unit, the new owner shall, within 10 days after receipt of the deed, notify the Housing Official in writing of the change in ownership.
D. All owners to whom this article applies shall register in accordance with this section within 30 days of the date of the adoption hereof.
E. In the event that the Township has reason to believe that a property owner is not in compliance with this article as a result of the owner's failure to register in accordance with the above provisions, then the Township, through its Township Housing Official or such other delegated agent, employer or servant of the municipality, shall have the right to apply to the Municipal Court Judge for a search warrant to enter upon the premises which is suspected to be in violation of this article in order to ascertain whether or not, in fact, the property is being rented and has not been registered in accordance with this article.

§106-22. Violations and penalties.
Any person who violates any of the provisions of this article shall, upon conviction, be subject to a fine not to exceed $1,000 or a jail term not to exceed 90 days or a term of community service not to exceed 90 days, at the discretion of the court, and each day that a violation shall continue shall be considered and deemed a separate violation of this article.

SECTION III.

The following shall be inserted as new Section 88-4 of the Township Code with all subsequent sections being renumbered.

§88-4 Certificate of Approval

A. Initial inspection fee: $125.00 (fee includes 1 re-inspection)
B. All additional re-inspections: $50.00

SECTION IV

This Ordinance shall take effect upon final passage and publication according to law.

SECTION V.

All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION VI.

If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision and the remainder of this Ordinance shall be deemed valid and effective.

TOWNSHIP OF MAPLE SHADE

Ordinance 2012-16

ORDINANCE AMENDING CHAPTER 205 "ZONING" OF THE TOWNSHIP CODE TO PROVIDE FOR CERTAIN CONDITIONAL USES IN THE ROUTE 38/73/LENOLA ROAD REDEVELOPMENT AREA

INTRODUCTION

The Maple Shade Township Council amended the Redevelopment Plan for Route 38/73/Lenola Road Redevelopment Area by amendments identified as the August 2012 Amendment and October 2012 Amendment, to provide for certain automobile-related uses as conditional uses in the Redevelopment Area. This ordinance amends the Township Zoning Code to incorporate the new conditional uses and design guidelines for the Redevelopment Area.

NOW THEREFORE, BE IT ORDAINED by the Township Council of the Township of Maple Shade, County of Burlington, State of New Jersey as follows:

SECTION I.

ADD New Subsection to 205-33B (4)(a)-(c)to the Township Code as follows:

§205-33B Conditional Uses in The Redevelopment Area

4. Automobile-Related Uses

a. Automobile Filling Stations, which are defined as business establishments whose function is the storage of gasoline, diesel and other automotive fuels, motor oils and other fluids, travel aids and minor automobile accessories for the primary purpose of selling or offering for sale any such items, shall be a conditional use within the designated Route 38/73/Lenola Road Redevelopment Area only.

(1) Accessory Uses

(a) Exterior accessory uses permitted:

(i) Fuel pumps, attendant stations, pump islands and pump island canopies;

(ii) Retail sales of motor oils and other fluids, travel aids and minor automobile accessories stored on pump islands. Display areas are limited to one per pump island and shall not obstruct required vehicle or pedestrian access. Display areas shall not exceed ten (10) square feet at the base and six feet (6') in height;

FIRST READING

MOTION: Saporito			
SECONDED: Wells			
COUNCIL MEMBER:	YEA	NAY	ABS.
Fletcher	x		
Saporito	x		
Volpe	x		
Wells	x		
Manchello	x		

October 25, 2012

SECOND READING

MOTION: Volpe			
SECONDED: Saporito			
COUNCIL MEMBER:	YEA	NAY	ABS.
Fletcher	x		
Saporito	x		
Volpe	x		
Wells	x		
Manchello	x		

November 20, 2012

MUNICIPAL CLERK

MAYOR

(iii) Window cleaning, hand cleaning, pressurized air and water services for vehicles; and
(iv) Propane and kerosene sales for domestic consumption.

(b) Interior accessory uses not to exceed a total Building Coverage of 7% for the principal use and accessory use(s):

(i) Convenience stores offering items for retail sale, such as: prepackaged and perishable foods, beverages and meals; home care and personal care products; licensed lottery sales; periodicals, tobacco products and other tangible goods, primarily for self-service by the consumer for off-site use and consumption;

(ii) Limited service restaurants and snack and non-alcoholic beverage bars, such as fast food restaurants and coffee and tea shops, for off-site consumption; and

(iii) Automated teller banking machines (ATMs).

(c) Expressly prohibited as accessory uses or secondary principal uses:
(i) Drive-thru services of any type;

(ii) Major service and repairs, such as engine, body, frame, painting, welding, tire changes, etc.;

(iii) Minor service and repairs, such as ordinary maintenance; inspections; oil, filter and fluid changes; lubrication and incidental repair;

(iv) Outdoor vending machines, except for pressurized air service;

(v) Taxi service, and vehicle towing, storage and off-site parking;

(vi) Vehicle parts and supplies sales;
(vii) Vehicle sales, rental and leasing; and

(viii) Washing and detailing.

(2) <u>Underground Tanks, Pump Islands, Canopies and Other Fixtures</u>
(a) All gasoline, diesel and other automotive fuels shall be stored underground at least five feet (5') from any street or property line. No gasoline pump shall be erected within twenty feet (20') of any street or property line.

(b) Canopies shall be set back at least ten feet (10') from property lines and after any required public right-of-way improvements.

(c) Individual canopies shall have a maximum area of 6,300square feet; multiple canopies shall be separated by a minimum distance of thirty feet (30').

(d) No more than twenty percent (20%) of the total lot area shall be covered by canopies.

(e) Canopies shall have a maximum bottom height of fourteen feet (14') measured from grade to the underside of the canopy and maximum top height of twenty-two feet (22').

(f) Solar panels installed on flat or slanted canopies may exceed the maximum top canopy height.

(g) Lighting for canopies shall be recessed so that the bottom of the lighting fixture is flush with the underside of the canopy, using a full cutoff flat lense luminaire, and that no glare should be visible from the fixture.

(h) Canopies shall maintain the same architectural character and color palette of the principal structure.

(i) Stormwater runoff from all canopies shall be channeled underground to a stormwater management facility.

(j) All fuel tanks shall be installed underground, except tanks less than 1,100 gallons in size used only for the storage of kerosene, and corralled storage areas for propane gas cylinder exchange operations.

(k) Tank vents measuring ten feet (10') or greater shall be painted black, screened or incorporated into the building architecture.

b. Automobile Service Stations, which are defined as business establishments whose function entails one or more of the following activities: major service and repairs, such as engine, transmissions, body, frame, painting, tire service, welding, etc.; minor service and repairs, such as ordinary maintenance, inspections, oil change / lubrication and incidental repair; and washing and detailing, shall be a conditional use within the designated Route 38/73/Lenola Road Redevelopment Area only.

(1) Accessory Uses

(a) Interior accessory uses permitted:

(i) Retail sales of motor oils and other fluids, travel aids and automobile accessories and parts.

(b) Expressly prohibited accessory uses or secondary principal uses:
(i) Automobile Filling Stations or the permitted exterior or interior accessory uses associated with them, identified above;

(ii) Taxi service, and vehicle towing, storage and off-site parking;

(iii) Vehicle sales, rental and leasing.

(2) Design Standards
(a) No accessory fixtures or appliances, such as for pressurized air, vacuum cleaners, water fountains, etc., shall be installed within the front yard setback. Such fixtures or appliances should be located in the side or rear yard of the principal structure.

(b) No vehicle which is waiting for service, or which has been serviced, shall be parked on site for a period of longer than 72 hours.

(c) No vehicle shall be parked or displayed on the premises for the purpose of offering it or its parts for sale or lease.

(d) No parts or dismantled parts, equipment, tools, service fluids, vehicles, etc. shall be stored outside of an enclosed building or displayed for sale.

(e) Customer and employee parking shall not be utilized for vehicle repair, finishing work or storage of vehicles.

(f) The on-site circulation pattern should include adequate driving space to maneuver vehicles around cars parked for service.

c. Franchised Automobile Sales and Leasing Dealerships, which are defined as business establishments franchised with one or more car or truck manufacturers that sell or lease the manufacturers' new cars, trucks or both, as well as used or pre-owned vehicles, shall be a conditional use within the designated Route 38/73/Lenola Road Redevelopment Area only.

(1) Accessory Uses - A dealership may also include as accessory uses:
(a) Accepting trade-ins;

(b) Reselling used or pre-owned vehicles purchased at auction elsewhere;

(c) Providing vehicle inspections, maintenance and repairs, including body work; and

(d) Offering financing, service contracts and other automotive-related services.

(2) Conditional Use Requirements

(a) In addition to the Business Development (BD) Zoning District bulk requirements, franchised motor vehicle sales and leasing dealerships shall comply with the following bulk requirements:

(i) Minimum Lot Size: 5 acres;

(ii) Maximum Impervious Coverage: 80%; and

(iii) Minimum Parking Setback: 15 feet.

SECTION II.

ADD New Section 205-34 to the Township Codeuse as follows:

205-34 Design Guidelines

These design guidelines shall apply only to the Route 38/73/Lenola Road Redevelopment Area:

a. Site Planning Design Guidelines:

1. Spatial relationships between buildings and other structures should be formal; facades should be parallel to street lines, and exterior building walls should typically be either parallel or at right angles to each other. A lot with multiple buildings should be organized around a feature such as a courtyard, green or quadrangle that encourages pedestrian activity and incidental social interaction among users.

2. Buildings should be located to front toward and relate to public streets, both functionally and visually. Buildings should be placed close to the street and oriented to the public view. Buildings should not be oriented to front toward a parking lot. Buildings should be oriented to address the geometry of the abutting street pattern and should acknowledge prominent design features in the regular street pattern. Over time, this will help create a special design character for the redevelopment area.

3. Developments located at street corners should provide some structural or strong design element to anchor the corner. This can be

accomplished using a built element, such as placing the primary structure or monument sign in the corner, or with strong landscaping features, such as vegetation, ornamental walls or fencing. Buildings on corner lots should be considered significant structures, since they have at least two facades visibly exposed to the street. Such buildings may be designed with additional height and/or building features to emphasize their location.

4. Buildings should be located to allow for adequate fire and emergency access.

5. Drive-thru structures should be located to the side or rear of buildings to maintain pedestrian connections from adjacent businesses.

6. Shared driveway, interconnecting access drives with adjacent properties and cross-access easements should be made available to adjacent uses.

7. Paved sidewalks should be installed at a minimum width of six feet (6') in width along all street frontages.

8. Extensive expanses of pavement should be avoided. The amount of unrelieved pavement area on the site should be limited through the use of landscaping, contrasting colors and banding or pathways of alternate paver material.
9. Exposed stormwater management facilities must provide a landscaped amenity to the site through the use of native trees, shrubs, grasses and forbs. Exposed stormwater management facilities are prohibited within the required front yard setback.

10. Multi-parcel or regional approach to stormwater management is strongly encouraged to maximize development opportunities, while minimizing individual developer infrastructure costs.

b. Building Design Guidelines:

1. Applicants should submit architectural drawings and elevations prepared by a New Jersey-licensed architect, as well as illustrated architectural renderings, including elevations of each façade facing a public right-of-way or on-site pedestrian walkway, as part of any site plan application for the development of new structures or renovation of existing structures. These renderings and any required modifications should become part of any approvals granted.

2. Building size and scale, roof shapes, façade and fenestration rhythms, and façade and fenestration proportions should be designed to avoid long uninterrupted expanses of flat walls or roofs. Long buildings should be visually divided into smaller increments. Building wall offsets measuring a minimum of four inches (4") should be provided at a

maximum spacing of fifty feet (50') along any building wall of seventy-five feet (75') or greater to provide visual interest and variety and to relieve the negative visual effect of a single, long wall. Roofline offsets should be provided along any roof measuring longer than seventy-five feet (75') in length, in order to provide visual interest and variety to the massing of a building and relieve the negative visual effect of a single, long roof.

3. When facades of a building other than the primary façade face public streets, pedestrian walkways and adjacent residential neighborhoods, such facades should include building elements consistent with the primary façade, such as window treatments, design details and materials.

4. Building architecture should be designed to provide an attractive appearance that is compatible with and complimentary to the surrounding area. All architectural details should be related to an overall architectural theme.

5. All buildings and structures on the site should have consistent materials and architectural and design elements to provide a cohesive project site. All accessory buildings, light fixtures, fences, walls, outdoor furniture, site amenities and landscape improvements should be architecturally compatible with the style of the proposed primary building(s). Conflicting materials and architectural and design elements within the site or on a building are strongly discouraged.

6. The use of energy-efficient LEED design is encouraged, including rain gardens, solar panels, low-emission paint, LED use and similar energy-saving designs.

c. Landscape Design Guidelines

1. In addition to all applicable submission checklist requirements, applicants should submit for review a landscape plan prepared by a New Jersey-licensed landscape architect.

2. In order to provide adequate screening for the large expanses of pavement, a minimum of fifteen percent (15%) of the site should be landscaped, concentrated at the perimeter of the site.

3. The site should contain a minimum street frontage landscaping buffer of at least eight feet (8') in width and minimum landscape buffer area adjacent to all other property lines of at least five feet (5') in width. Buffer areas should be landscaped with trees, shrubs and grass or ground cover, including the following specific standards:
   1. All plant materials should be of sufficient size so that the landscaping has an attractive appearance at the time of

installation and a mature appearance within three years of planting.

2. Landscaping should be used to enhance architectural and design elements, break up large paving areas, buffer adjacent land uses and to screen undesirable features from public view.

3. Shade trees along all street frontages should be planted no farther apart on center than the mature diameter of the proposed species.

4. Shrubs planted along all street frontages should be designed and maintained to screen vehicles from view from adjacent roadways to a minimum continuous overall height of thirty inches (30").

d. Heating and Air Conditioning and Other Roof Feature Guidelines:

1. Satellite dishes and other telecommunications receiving devices should be located on building rooftops. All air-conditioning units, HVAC systems, exhaust pipes or stacks, satellite dishes and other telecommunications receiving devices should be screened from view from public property or public rights-of-way and from adjacent properties by using walls, fencing, roof elements, screening devices and/or plantings.

e. Waste Management (Trash, Garbage and Recyclables) Storage and Disposal Guidelines:

1. If not located within the primary structure, exterior storage and waste management and recycling areas should be sited to be least visible from public view.All waste management collection and storage areas for trash, garbage and recyclables should be screened from public view at the ground level using masonry walls with solid self-closing metal doors and perimeter plantings. Masonry wall enclosures no less than six feet (6') in height or one foot above the height of the receptacle, whichever is greater. Masonry enclosures should be finished in a manner compatible with the principal building and should not be located in any required yard area setbacks or site triangles.

2. There should be no waste management pick-ups from a public right-of way. There should be at least one (1) on-site waste management pick-up location provided for each principal building. The site plan should indicate adequate ingress and egress from streets and with adequate space for maneuvering waste management vehicles on site.

f. Outdoor Lighting for Site and Building Illumination Guidelines:

1. Outdoor lighting should be designed, constructed and maintained to be sensitive to light pollution issues, such as not to: shine or glare onto adjacent properties; interfere with or distract motorists' vision, produce unnatural, monochromatic yellowing effects, or produce a "sky glow"

or "day-lighting" effect around and above the site.

When reviewing an applicant's building and site lighting plan, the board should consider the following:

a. Light only those areas that need to be lighted;

b. Minimize site lighting where possible;

c. Consider modeling the site lighting with computer software;

d. Prohibit the use of low-pressure sodium vapor lamps; and

e. Consider automatic timing devices, full cutoff fixtures, low-reflectance surfaces and low-angle spotlights.

2. Outdoor lighting should be designed, constructed and maintained to be sensitive to energy efficiency, environmental sustainability and hazardous waste issues.When reviewing an applicant's building and site lighting plan, the board should consider the following:

   a. Encourage the use of "Energy Star" rated fixtures, such as outdoor-rated compact fluorescent (CFL) and light emitting diode (LED) lights;

   b. Prohibit the use of low-efficiency incandescent lamps; and

   c. Minimize the use of fixtures using heavy metals that are difficult to recycle, such as mercury-vapor lamps.

3. Light fixtures attached to the exterior of a building should be architecturally compatible with the style, materials, colors and details of the building and should comply with the local building codes. The type of light source used on the exterior of buildings, signs, parking areas, pedestrian walkways and other areas of a site, and the light quality produced, should be the same or compatible.

g. Public Safety Guidelines:

1. The site plan and floor plan should incorporate design features, such as the principle of public safety through environmental design. Such features may include, but are not limited to, openness to surveillance and control of the premises, the perimeter, and surrounding properties; reduction of opportunities for congregating and obstructing public ways and neighboring property; illumination of exterior areas; and limiting furnishings and features that encourage loitering and nuisance behavior.

h. Business Identification Sign Guidelines:

1. The purpose of permittedsignage is to identify, and not to advertize, a business. Unless otherwise indicated in Article XIV, Signs, of the Zoning Ordinance, a sign may include only the following information:
   a. The principal name of the business, proprietor, owner, or resident;

   b. A brief description of the principal goods, services, products, or uses offered in trade, which description should not exceed three words;

   c. A logo or trademark by which the on-premises business, proprietor, or owner is identified;

   d. The premises' street number and name;

   e. Any other notice or information required to be provided by law or regulation.

2. All signage should be improved and maintained in compliance with Article XIV, Signs, of the Zoning Ordinance.

3. All signs should, to the greatest extent practicable, incorporate materials, colors and architectural and design elements consistent with the overall design of the principal use and structure.

SECTION III.

This Ordinance shall take effect upon final passage and publication according to law.

SECTION IV.

All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION V.

If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision and the remainder of this Ordinance shall be deemed valid and effective.