

ORDINANCE TO ADOPT GLOUCESTER CITY
DEVELOPMENT ORDINANCE (ZONING AND LAND
USE ORDINANCE) PURSUANT TO THE CITY'S
MASTER PLAN AND TO REPEAL THE EXISTING
ZONING ORDINANCE AND LAND USE ORDINANCE

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WHEREAS, the City of Gloucester City through its Planning Board and Common Council, has conducted a thorough review of the City's Development Regulations and has adopted a Master Plan pursuant to New Jersey Statutes which examines the use and development of all lands in the City in a manner which will promote the public health, safety, morals and general welfare of the citizens of the City; and

WHEREAS, the proposed Zoning Ordinance is substantially consistent with the land use plan element and the housing plan element of the Master Plan according to N.J.S.A. 40:55D-62(a).

NOW, THEREFORE, BE IT ORDAINED BY the Mayor and Common Council of the City of Gloucester City, New Jersey, as follows:

1. The Zoning Ordinance and Land Use Ordinance in effect previous to the adoption of the attached Gloucester City Development Ordinance is hereby repealed in its entirety.

2. The Gloucester City Development Ordinance attached hereto is hereby adopted to be the City's Zoning and Land Use Ordinance in replacement of any existing zoning and land use ordinances, with the following amendments to be incorporated within the attached Development Ordinance:

A. Article I, Section 6, subpart J entitled "Appeal to the City Council" is hereby deleted and replaced with the following: "Appeal to the Superior Court of New Jersey".

All appeals of any final decision of the Board of Adjustment or the Planning Board on any class of application for development shall be made to the Superior Court of New Jersey according to law.

B. Article II, Section 2 of the attached Development Ordinance shall be amended and the Zoning Map shall be amended by expansion of the Business Industrial (BI) District to include the area bounded by Fourth Street, Walnut Street, Charles Street, Grove Street, Stinsman Avenue and Water Street.

C. Article IV, Section I, of the attached Development Ordinance entitled "Schedule of District Regulations" shall be amended to add to the list of permitted principal uses in Business Industrial District the following: "Port Planned Industrial Developments (See note 11)".

D. Article VI, Note 11 to the Standards for the Port Planned Industrial District of the attached Development Ordinance shall be amended by revision of the minimum size of a PPID (Section 4.a.1.) from 50 acres to 25 acres.

E. Article X of the attached Development Ordinance shall be deleted in its entirety and replaced in its entirety with the following:

ARTICLE X VIOLATIONS, PENALTIES AND REMEDIES

A. VIOLATORS. Failure to secure a special exception or variance previous to the erection, construction, extension or addition to a building or failure to secure an occupancy permit shall be a violation of this Ordinance.

B. NOTICE OF VIOLATION. When written notice of a violation has been served by the Building Inspector upon the owner, lessee, agent, architect, contractor or builder, such violation shall be discontinued immediately.

C. FINES AND PENALTIES.

1. Minor Violations. Any person or persons, firm or corporation who shall violate this Ordinance or any of its provisions regarding the activities listed below shall be issued a summons by the Enforcement Officer and penalized by the applicable fine. Each day in which the violations remains uncured after the issuance of the initial summons shall constitute a separate violation of this Ordinance. If the violation remains uncured for a period of more than 30 days, it shall be classified as a major violation, retroactive to the date of the initial summons, subject to the provisions of Section 2.

Applicable Minor Violations

Construction of an accessory structure less than 200 square feet without a permit:	\$ 50.00
Illegal Change of Use	\$100.00
Illegal Use	\$ 50.00
Illegal Sight Triangle	\$ 50.00
Illegal Storage	\$ 50.00
Prohibited Uses	\$ 50.00
Illegal Fence Height	\$ 25.00
No Permit Issued for Fence	\$ 25.00
Performance Standards (Lt. Ind)	\$100.00
Performance Standards (P&C)	\$100.00
Illegal Signs	\$100.00
Buffer Strips	\$100.00

2. Major Violations. Except as specified above, any person, or persons, firm or corporation who shall violate this Ordinance or any of its provisions shall, upon conviction, be punished either by imprisonment in the County Jail for a term not exceeding ninety (90) days or by a fine not exceeding one thousand (\$1,000.00) dollars or both in the discretion of the Court. Each day in which the violation remains uncured after written notice from the Zoning Officer shall constitute a separate violation of this Ordinance.

THEREFORE, BE IT FURTHER ORDAINED, that the Zoning Ordinance adopted herein being in excess of six typed pages of ordinary print is proposed to be enacted without publication in full pursuant to the provisions of N.J.S.A. 40:49-2.1.

THEREFORE, BE IT FURTHER ORDAINED, that at least three copies of the Zoning Ordinance are on file in the office of the City Clerk for public examination and acquisition. Copies are available for inspection or acquisition during regular weekday working hours and arrangements have been made for the publication of the Zoning Ordinance in pamphlet or other similar form which will be available for purchase from the City Clerk.

THEREFORE, BE IT FURTHER ORDAINED, the City Clerk is hereby directed to give notice at least ten days prior to the hearing of the adoption of the Zoning Ordinance to the County Planning Board, and to others entitled pursuant to the provisions of N.J.S.A. 40:55D-15. Upon adoption of the Zoning Ordinance, after public hearing thereon, the Municipal Clerk is further directed to publish notice of the passage thereof and to file a copy of this ordinance as finally adopted with the County Planning Board as required by N.J.S.A. 40:55D-16 and with the Municipal Tax Assessor.

BE IT FURTHER ORDAINED that all prior Ordinances inconsistent with this Ordinance are repealed only to the extent that they are inconsistent with this Ordinance.

ROBERT T. GORMAN, MAYOR

MARY A. MORAN, CITY CLERK

PUBLIC MEETING

NOTICE is hereby given that the foregoing ORDINANCE was introduced and passed at a meeting of the Common Council of the City of Gloucester City, County of Camden, New Jersey, held on the 5th day of Dec, 1996 and will be considered for final passage after a public hearing at a meeting of the Common Council of the City of Gloucester City to be held on the 2nd day of Jan, 1997

Mary A Moran
Mary A. Moran, RMC, City Clerk
City of Gloucester City

I hereby certify that the foregoing ORDINANCE was approved for final adoption by Mayor and Common Council of the City of Gloucester City, County of Camden, State of New Jersey at a regular meeting held on the _____ day of _____, 199..

Mary A Moran
Mary A. Moran, RMC, City Clerk
City of Gloucester City