

BOROUGH OF CLAYTON
COUNTY OF GLOUCESTER, NEW JERSEY

ORD. NO. 9-2018

AN ORDINANCE ADOPTING A CODIFICATION AND REVISION OF THE ORDINANCES OF THE BOROUGH OF CLAYTON, COUNTY OF GLOUCESTER, STATE OF NEW JERSEY; PROVIDING FOR THE MAINTENANCE OF SAID CODE; REPEALING AND SAVING FROM REPEAL CERTAIN ORDINANCES NOT INCLUDED THEREIN; ESTABLISHING A PENALTY FOR ALTERING OR TAMPERING WITH THE CODE; AND MAKING CERTAIN CHANGES IN PREVIOUSLY ADOPTED ORDINANCES

Be it ordained and enacted by the Mayor and Council of the Borough of Clayton, County of Gloucester, State of New Jersey, as follows:

§ 1-3. Adoption of Code.

Pursuant to N.J.S.A. 40:49-4, the ordinances of the Borough of Clayton of a general and permanent nature adopted by the Mayor and Council of the Borough of Clayton, as revised, codified and consolidated into chapters and sections by General Code, and consisting of Chapters 1 through LastChapter, together with an Appendix, are hereby approved, adopted, ordained and enacted as the "Code of the Borough of Clayton," hereinafter known and referred to as the "Code."

§ 1-4. Code supersedes prior ordinances.

This ordinance and the Code shall supersede all other general and permanent ordinances enacted prior to the enactment of this Code, except such ordinances as are hereinafter expressly saved from repeal or continued in force.

§ 1-5. When effective.

This ordinance shall take effect immediately upon passage and publication according to law.

§ 1-6. Copy of Code on file.

A copy of the Code in loose-leaf form has been filed in the office of the Borough Clerk and shall remain there for use and examination by the public until final action is taken on this ordinance; and, if this ordinance shall be adopted, such copy shall be certified to by the Clerk of the Borough of Clayton by impressing thereon the Seal of the Borough, as provided by law, and such certified copy shall remain on file in the office of the Clerk of the Borough, to be made available to persons desiring to examine the same during all times while said Code is in effect.

§ 1-7. Amendments to Code.

Any and all additions, amendments or supplements to the Code, when passed and adopted in such form as to indicate the intent of the governing body to make them a part thereof, shall be deemed to be incorporated into such Code so that reference to the "Code of the Borough of Clayton" shall be understood and intended to include such additions and amendments. Whenever such additions, amendments or supplements to the Code shall be adopted, they shall thereafter be printed and, as provided hereunder, inserted in the loose-leaf book containing said Code as amendments and supplements thereto.

§ 1-8. Publication; filing.

The Clerk of the Borough of Clayton, pursuant to law, shall cause this Adopting Ordinance to be published, in the manner required, in a newspaper of general circulation in the Borough. Sufficient copies of the Code shall be maintained in the office of the Clerk for inspection by the public at all times during regular office hours. The enactment and publication of this Adopting Ordinance, coupled with availability of copies of the Code for inspection by the public, shall be deemed, held and considered to be due and legal publication of all provisions of the Code for all purposes.

§ 1-9. Code book to be kept up-to-date.

It shall be the duty of the Clerk or someone authorized and directed by the Clerk to keep up-to-date the certified copy of the book containing the Code required to be filed in his or her office for the use of the public. All changes in said Code and all ordinances adopted subsequent to the effective date of this codification which shall be adopted specifically as part of the Code shall, when finally adopted, be included therein by reference until such changes or new ordinances are printed as supplements to said Code book, at which time such supplements shall be inserted therein.

§ 1-10. Sale of Code book.

Copies of the Code, or any chapter or portion of it, may be purchased from the Clerk, or an authorized agent of the Clerk, upon the payment of a fee authorized by the Borough. The Clerk shall also arrange for procedures for the periodic supplementation of the Code.

§ 1-11. Altering or tampering with Code; penalties for violation.

It shall be unlawful for anyone to improperly change or amend, by additions or deletions, any part or portion of the Code or to alter or tamper with such Code in any manner whatsoever which will cause the law of the Borough of Clayton to be misrepresented thereby. Anyone violating this section or any part of this ordinance shall be subject, upon conviction, to one or more of the following: a fine of not more than \$2,000, imprisonment for not more than 90 days or a period of community service not exceeding 90 days, in the discretion of the Judge imposing the same.

§ 1-12. Severability of Code provisions.

Each section of the Code and every part of each section is an independent section or part of a section, and the holding of any section or a part thereof to be unconstitutional, void or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any other sections or parts thereof.

§ 1-13. Severability of ordinance provisions.

Each section of this ordinance is an independent section, and the holding of any section or part thereof to be unconstitutional, void or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any other sections or parts thereof.

§ 1-14. Inconsistent ordinances repealed.

- A. Except as provided in § 1-15, Ordinances saved from repeal, below, all ordinances or parts of ordinances inconsistent with the provisions contained in the Code adopted by this ordinance are hereby repealed; provided, however, that such repeal shall only be to the extent of such inconsistency, and any valid legislation of the Borough of Clayton which is not in conflict with the provisions of the Code shall be deemed to remain in full force and effect.
- B. Repeal of specific ordinances. The Mayor and Council of the Borough of Clayton has determined that the following ordinances are no longer in effect and hereby specifically repeals the following former chapters:
 - (1) Chapter 15, Management Information Systems Officer (Ord. No. 89-4).
 - (2) Chapter 21, Police Department, Article II, Radio Dispatcher (Ord. No. 68-2).
 - (3) Chapter 34, Alcoholic Beverages, Article III, Consumption and Possession in Public (Ord. No. 79-6).
 - (4) Chapter 71, Police Panel Alarm System, Article I, Standards and Regulations (Ord. No. 83-12).
 - (5) Chapter 72, Pool and Billiard Rooms (6-28-1945).
 - (6) Chapter 118, Sewage Disposal Systems, Individual (2-11-1964).
 - (7) Chapter 119, Solid Waste (7-10-1979).
 - (8) Chapter 120, Swimming Pools (9-11-1979).
 - (9) Chapter 121, Individual and Semipublic Water Supplies (7-10-1979).

§ 1-15. Ordinances saved from repeal.

The adoption of this Code and the repeal of ordinances provided for in § 1-14 of this ordinance shall not affect the following ordinances, rights and obligations, which are hereby expressly saved from repeal:

- A. Any ordinance adopted subsequent to July 13, 2017.
- B. Any right or liability established, accrued or incurred under any legislative provision prior to the effective date of this ordinance or any action or proceeding brought for the enforcement of such right or liability.
- C. Any offense or act committed or done before the effective date of this ordinance in violation of any legislative provision or any penalty, punishment or forfeiture which may result therefrom.
- D. Any prosecution, indictment, action, suit or other proceeding pending or any judgment rendered, prior to the effective date of this ordinance, brought pursuant to any legislative provision.
- E. Any franchise, license, right, easement or privilege heretofore granted or conferred.
- F. Any ordinance providing for the laying out, opening, altering, widening, relocating, straightening, establishing of grade, changing of name, improvement, acceptance or vacation of any right-of-way, easement, street, road, highway, park or other public place or any portion thereof.
- G. Any ordinance or resolution appropriating money or transferring funds, promising or guaranteeing the payment of money or authorizing the issuance and delivery of any bond or other instruments or evidence of the Borough's indebtedness.
- H. Ordinances authorizing the purchase, sale, lease or transfer of property or any lawful contract, agreement or obligation.
- I. The levy or imposition of taxes, assessments or charges or the approval of the municipal budget.
- J. The dedication of property or approval of preliminary or final subdivision plats.
- K. All currently effective ordinances pertaining to the rate and manner of payment of salaries and compensation of officers and employees.
- L. Any ordinance adopting or amending the Zoning Map.
- M. Any ordinance relating to or establishing a pension plan or pension fund for municipal employees.

§ 1-16. Changes in previously adopted ordinances.

- A. In compiling and preparing the ordinances for adoption and revision as part of the Code pursuant to N.J.S.A. 40:49-4, certain grammatical changes and other minor changes were

made in one or more of said ordinances. It is the intention of the Mayor and Council that all such changes be adopted as part of the Code as if the ordinances so changed had been previously formally amended to read as such.

B. In addition, the changes, amendments or revisions as set forth in Schedule A attached hereto and made a part hereof are made herewith, to become effective upon the effective date of this ordinance. (Chapter and section number references are to the ordinances as they have been renumbered and appear in the Code.)

C. Nomenclature. The following nomenclature changes are made:

- (1) "Zoning Official" and "Zoning Enforcement Officer" are changed to "Zoning Officer."
- (2) "Code Enforcement Official" is changed to "Code Enforcement Officer."
- (3) "Environmental Committee" is changed to "Environmental Commission."
- (4) "Chairman" and "Chair" are changed to "Chairperson."
- (5) "Construction Code Official" are changed to "Construction Official"
- (6) "Water and Sewer Department," "Water Department" and "Sewer Department" are changed to "Water and Sewer Utility."
- (7) "New Jersey Department of Health and Senior Services" is changed to "New Jersey Department of Health."
- (8) "New Jersey State Highway Department" is changed to "New Jersey State Department of Transportation"
- (9) "Public Works Department Superintendent" and "Superintendent of Public Works" are changed to "Director of Public Works."
- (10) "Soil Conservation Service" or "SCS" are changed to "Natural Resources Conservation Service" or "NRCS."
- (11) "Department of Environmental Protection and Energy" is changed to "Department of Environmental Protection."
- (12) Chapter 41 is amended to change instances of "Fire Protection Subcode Official" to "Fire Subcode Official."
- (13) Chapter 45 is amended to change instances of "Occupancy Permit Administrator" to "Occupancy Administrator."
- (14) Chapter 57 is amended to change instances of "Superintendent of Streets" and "Superintendent" to "Director of Public Works."
- (15) Chapter 59 is amended to change instances of "Bureau of Fire Prevention" and "Bureau of Fire Safety" to "Bureau of Fire Prevention and Safety."
- (16) Chapter 86A is amended to change instances of "Code Enforcement Official" and "Code Enforcement Officer" to "Zoning Officer" and instances of "Land Use Ordinance" to "Chapter 88, Unified Development."
- (17) Chapter 88 is amended to change instances of "Joint Land Use Board," "Combined Planning and Zoning Board," "Combined Planning/Zoning Board," and "Planning/Zoning Board" to "Planning Board."
- (18) Chapter 88 is amended to change instances of "Fire Bureau" to "Bureau of Fire Prevention and Safety."


INTRODUCED:

ADOPTED:

Attest:


Borough Clerk

BOROUGH OF CLAYTON

BY: 
Mayor

PROPOSED CODE ADOPTION ORDINANCE
for the
CODE OF THE BOROUGH OF CLAYTON, NEW JERSEY
March 2018

GENERAL CODE
781 Elmgrove Road
Rochester, New York 14624
(585) 328-1810 or 800 836-8834
FAX (585) 328-8189

Borough of Clayton Code Adoption 2018

Schedule A Specific Revisions at Time of Adoption of Code

Penalties.

The following sections are amended to delete the specific penalty and instead refer to the general penalty in Ch. 1, General Provisions, Article I, General Penalty; Enforcement, § 1-2, Maximum penalty: §§ 31A-23B(1)(a), 36-15, 45-11, 52-4, 53-13, 55-8, 57-14, 60-12, 63-8, 66-17, 66-22, 68-6, 69-17, 74-14, 76-21, 80A-8, 81-7B, 81A-6, 81A-11, 81A-17, 81A-23, 82-6, 86-7A, 87-6A, 91-6, 93-55.

Chapter 1, General Provisions.

Article I, Enforcement; General Penalty.

Section 1-2 is added:

§ 1-2. Maximum penalty.

Where no specific penalty is provided in the Code of the Borough of Clayton or in any other ordinance of the Borough for the violation of any provision thereof, the violation of any such provision shall be punished by one or more of the following: a fine not exceeding \$2,000, imprisonment for a term not exceeding 90 days, or a period of community service not exceeding 90 days. Except as otherwise provided, each day in which an ordinance violation shall exist shall constitute a separate offense.

Chapter 2, Administrator.

Section 2-2A is amended to change N.J.S.A. 40:87-16 to N.J.S.A. 40A:60-5.

Chapter 5, Checks, Returned.

In §§ 5-2 and 5-3, instances of "penalty" are changed to "service charge."

Chapter 6, Code Enforcement Officer.

Section 6-3 is amended to repeal Subsection A(1), Chapter 32, Air Pollution.

Chapter 7, Contracts, Public.

Article I, Professional Services Contracts.

- A. Section 7-1A is amended to change "that municipality" to "the Borough."
- B. Section 7-1A is further amended, in part, as follows: "...with a business entity, except a contract that is awarded pursuant to a fair and open process, if, during the preceding one-year period, that business entity has..."

Chapter 12, Historic Advisory Committee.

- A. Sections 12-2B and 12-7 are amended to delete references to the Zoning Board of Adjustment.
- B. Section 12-6 is amended, in part, as follows: "...but may be reimbursed for reasonable and necessary expenses, subject to appropriations..."

Chapter 13, Housing Authority.

- A. Sections 13-1 and 13-2 are amended to change N.J.S.A. 55:14A-1 et seq. to N.J.S.A. 40A:12A-1 et seq.
- B. Section 13-1 is further amended to change N.J.S.A. 55:14A-4 to N.J.S.A. 40A:12A-17.

Chapter 17, Parks and Recreation Escrow Account.

The latter portion of § 17-1 is amended to read: "...in accordance with the provisions of Chapter 88, Unified Development, of this Code."

Chapter 18, Personnel.

Article I, Personnel Policies and Procedures.

- A. Section 18-1B, Municipal Court, is repealed.
- B. Section 18-1D(15) is amended to change "Liers Clerk" to "Police Records Clerk."

Article II, Defined Contribution Retirement Plan.

Section 18-4 is amended to delete the following positions therefrom: Municipal Court Administrator, Deputy Court Administrator, Municipal Prosecutor and Municipal Court Judge.

Chapter 31, Address Map.

- A. Section 31-3 is amended to delete the phrase referencing the 1998 map.
- B. Section 31-4 is amended as follows:

All residential, commercial, industrial or other buildings existing or to be placed or erected within the Borough of Clayton shall be subject to this chapter, and building owners and/or tenants shall take any and all action necessary to comply with this chapter.

Chapter 34, Alcoholic Beverages.

Article IV, Possession or Consumption by Minors on Private Property.

- A. Sections 34-12 and 34-13A are amended to change N.J.S.A. 40:48-1 to N.J.S.A. 40:48-1.2.

- B. The following section is added:

§ 34-15. Exemption from prosecution.

A. An underage person and one or two other persons acting in concert with the underage person shall be immune from prosecution under this article if:

- (1) One of the underage persons called 9-1-1 and reported that another underage person was in need of medical assistance due to alcohol consumption;
- (2) The underage person who called 9-1-1 and, if applicable, one or two other persons acting in concert with the underage person who called 9-1-1 provided each of their names to the 9-1-1 operator;
- (3) The underage person was the first person to make the 9-1-1 report; and
- (4) The underage person and, if applicable, one or two other persons acting in concert with the underage person who made the 9-1-1 call remained on the scene with the person under the legal age in need of medical assistance until assistance arrived and cooperated with medical assistance and law enforcement personnel on the scene.

B. The underage person who received medical assistance as provided in Subsection A of this section also shall be immune from prosecution under this article.

Chapter 40, Body Art.

- A. Section 40-3A is amended to change "state and/or local county health agency" to "state and/or county health agency."
- B. Section 40-4 is amended, in part, as follows: "...shall upon conviction be punishable by one or more of the following: a fine of not more than..."

Chapter 41, Construction Code, Uniform.

Sections 41-1A and 41-11 are amended to change "Department of Inspections" to "Construction Department."

Chapter 44, Buildings, Numbering of.

- A. Section 44-4 is amended to add Subsection A(1)(g), "Reflective material."
- B. Section 44-6 is amended to change "BOCA Code" to "State Uniform Construction Code."

Chapter 47, Criminal History Background Checks.**Article II, Background Checks for Organizations and Programs Involving Minors.**

- A. In the definition of "nonprofit youth-serving organization" in § 47-8, the reference to Title 14 of the statutes is changed to Title 15 (Corporations and Associations Not for Profit).
- B. In the definition of "State Bureau of Identification" in § 47-8, the reference to N.J.S.A. 52:1-12 is changed to N.J.S.A. 53:1-12.
- C. In § 47-10A(1)(b), the reference to N.J.S.A. 2C:14-1 is changed to N.J.S.A. 2C:24-1 (Offenses Against the Family, Children and Incompetents).
- D. In § 47-10A(1)(d), the reference is changed to read "except Paragraph (4) of Subsection a of N.J.S.A. 2C:35-10."
- E. Section 47-11 is amended to repeal Subsection D, regarding third-party independent agencies.

Chapter 48, Crossing Guards.

Section 48-1 is amended to change the minimum fine to \$150 and the maximum fine to \$300.

Chapter 50, Curfew.

- A. Section 50-4 is amended to add the following as Subsection C: "Errands involving medical emergencies."
- B. Section 50-4.1 is added:
§ 50-4.1. School attendance.
It shall be unlawful for a juvenile of the age of 17 years or younger to be in any public place during the hours when the juvenile is required to be in attendance at either a public or nonpublic school unless the juvenile is accompanied by a parent or guardian or is carrying written permission from the juvenile's educational authority allowing the juvenile to be in a public place.

Chapter 53, Dogs and Cats.**Article I, Regulations.**

- A. Section 53-5 is amended to add Subsection E: "Dogs used as guide dogs or service dogs shall be licensed as other dogs hereinabove provided for, except that the owner or keeper of a guide dog or service dog shall not be required to pay any fee therefor."
- B. Section 53-7 is amended, in part, as follows: "...nor shall such dog be permitted to trespass upon the property of any public place other person in said Borough, without being safety muzzled, and any dog so unmuzzled in violation..."

Chapter 55, Drive-In Restaurants and Shopping Centers.

Section 55-1A is amended so that the definitions therein read as follows:

DRIVE-IN RESTAURANT – Any restaurant where meals, sandwiches, cold drinks, beverages, ice cream or other food is served directly to or is permitted to be consumed by patrons in automobiles, motorcycles or other vehicles parked on the premises.

SHOPPING CENTER – Four or more retail establishments on a single lot using common off-street parking space and arranged as an integral shopping area.

Chapter 56, Drugs.

Article I, Drug-Free School Zones.

Section 56-5C is amended, in part, to read as follows: "...a prosecutor is not precluded from introducing or relying upon any other evidence."

Chapter 57, Excavations.

Section 57-4 is amended to change "Streets and Roads Committee" to "Public Works and Public Buildings Committee."

Chapter 57A, Fees.

Section 57A-1.

- A. Subsections A(4) is amended to read: "Master Plan: letter size, \$0.05 per page; legal size, \$0.07 per page."
- B. Subsection A(6) is amended, in part, to read as follows:
 - (a) Letter size: \$0.05 per page.
 - (b) Legal size: \$0.07 per page.

Chapter 58, Fire Insurance Claims.

This chapter is amended in its entirety to read as follows:

§ 58-1. Statutory authorization; purpose.

Pursuant to the authorization of N.J.S.A. 17:36-8 et seq., there is hereby adopted an ordinance to ensure the payment of taxes, assessments or other municipal liens due and payable on real property in the Borough of Clayton when said property is covered by fire insurance in excess of \$2,500 and is damaged or destroyed by fire and to ensure that, if demolition is required, the costs of demolition have been paid or escrowed.

§ 58-2. Applicability.

This chapter shall apply to any fire insurance policy issued or renewed after the adoption of this chapter and after the filing of this chapter with the State Commissioner of Insurance.

§ 58-3. Conditions for payment.

- A. The payment to a claimant by any fire insurance company authorized to issue fire insurance policies in this state of any claim in excess of \$2,500 for fire damages on any real property located within the Borough of Clayton is hereby prohibited until:
- (1) Such time as all taxes and assessments or charges due and payable appearing on an official certificate of search for Borough liens pursuant to N.J.S.A. 54:5-12 dated subsequent to the fire shall have been paid either by the owner of such real property or by the insurance company pursuant to the provisions of this chapter; or
 - (2) The Borough submits to the insurance company a certified copy of a resolution adopted pursuant to the provisions of § 58-5 of this chapter.
 - (3) In addition, prior to payment, the insured is required to submit an official certificate executed by the Borough of Clayton that demolition is not required or the costs of demolition have been paid.
- B. If the demolition has not yet occurred on the date of receipt by the Borough of a request for execution of the certificate required by this section, the insured shall provide on that certificate an estimate of the anticipated costs of demolition. The insurer on notice to the insured shall then pay the anticipated costs of demolition to the Borough which shall hold the funds in an interest-bearing escrow account until the demolition occurs or the actual costs of demolition are determined and paid.

§ 58-4. Alteration of certificate of search.

The official certificate of search may from time to time be altered by the bonded official responsible for preparing such certificates in order to correct any errors or omissions or to add any Borough liens or related charges due and payable subsequent to the preparation of the official certificate.

§ 58-5. Provisions for payment of delinquent taxes and liens; installment payments.

If it is satisfied that the claim for fire damages is to be used to restore or improve the fire-damaged property, the governing body of the Borough may submit to the insurance company a certified copy of a resolution by which it has entered into an agreement with the owner of any fire-damaged property to accept payment in full of all delinquent taxes, assessments or other municipal liens or charges in installments pursuant to N.J.S.A. 54:19 or for redemption of the tax sale lien by installment payments pursuant to Article 7 of Chapter 5 of Title 54 of the Revised Statutes.

§ 58-6. Payment of delinquent taxes and liens by insurance company.

Unless a resolution is received in accordance with this chapter by an insurance company writing fire policies in the Borough of Clayton, such insurance company is hereby authorized and required, prior to payment of any claims for fire damages in excess of \$2,500 to pay to the Borough of Clayton the amount of the liens appearing in the official certificate, or in any alteration thereof pursuant to this chapter, and such other recorded liens or related charges as may be certified to the insurance company; provided, however, that if an appeal is taken on the amount of the lien or charge, other than an appeal on the assessed valuation of real property pursuant to N.J.S.A. 54:3-21, the insurance company shall withhold 75% of the full amount of the lien or charge being contested, pending termination of all proceedings, at which time such moneys and all interest accruing thereon at a rate paid on interest-bearing accounts in banking institutions or savings and loan associations in the state shall be disbursed in accordance with the final order or judgment of the court.

§ 58-7. Obligation of insurance company for liens not on official certificate.

Except as provided in the case of appeals under this chapter, nothing in this chapter shall be construed to obligate the insurance company for any liens not appearing on the official certificate

or in any certified changes therein submitted to the insurance company by the bonded official.

§ 58-8. Priority of claims.

The Borough's claim made in accordance with the provisions of this chapter shall be paramount to any other claims on the proceeds of the fire insurance policy, except the claim of a holder of a mortgage on the fire-damaged property, where the fire insurance policy at the time of the loss listed the mortgagee as a named insured, in which event the claim of the mortgagee to file process shall be paramount to the municipal lien only to the extent of the amount due and payable to the mortgagee under the mortgage contract.

§ 58-9. Filing required.

Upon its adoption, this chapter and any subsequent amendment thereof shall be filed with the New Jersey State Commissioner of Insurance as required by law.

§ 58-10. Violations and penalties.

Any person violating this chapter shall be punished as set forth in Chapter 1, Article I, General Penalty; Enforcement, § 1-2, Maximum penalty, unless some other penalty is expressly provided by New Jersey Statutes. In the event that such penalty is provided by New Jersey Statutes, then the penalty shall be as provided in said statute.

Chapter 59, Fire Prevention.

Article II, Uniform Fire Safety Code.

Section 59-20.

- A. Subsection E is amended to change "Municipal Court Clerk" to "Municipal Court Administrator" and "Code Enforcement Department" to "Code Enforcement Officer."
- B. Subsection G is amended as follows:

Gates, chains or other approved method may be utilized to prevent unauthorized access to an installation, provided such restrictions will not impede access by fire-fighting apparatus or other emergency vehicles. The Fire Official shall determine whether any changes or deviations from the ~~appropriate~~ approved method may be utilized.
- C. Subsection I(2) is amended as follows:

"The Fire Official, his designee, or a police officer of the Borough of Clayton shall have the authority to remove or have removed such obstructions or vehicles as may violate any ~~section of this code~~ provision of this section, at the expense of the owner of the premises in the case of obstruction or at the expense of the owner of the vehicle."
- D. Subsection J is amended to add: Violation of this section shall be subject to a penalty as set forth in the Uniform Fire Code."

Chapter 59A, Fireworks.

Section 59A-1 is amended so that Subsections A and B thereof read as follows:

- A. *That it shall be lawful for any person to offer for sale, expose for sale, sell, possess or use, or explode any toy pistol, toy cane, toy gun, or other device in which paper or plastic caps containing .25 grain or less of explosive compound per cap are used, providing they are so constructed that the hand cannot come in contact with the cap when in place for use, and toy pistol paper or plastic caps which contain less than .20 grain of explosive mixture per cap; and*
- B. *As further provided in N.J.S.A. 21:3-1 et seq.*

Chapter 60, Garbage and Trash.

Part 1, Collection; Recycling.

- A. Section 60-1 is amended as follows:
It shall be the duty of every owner, tenant, lessee or occupant of every building within the corporate limits of the Borough of Clayton to provide or cause to be provided and to keep on the premises, at all times, suitable ~~metallic~~ or plastic or regulation paper trash bags with twist ties, designed for trash and garbage combined disposal, in watertight, closely covered receptacles for receiving and holding only the garbage and other animal and vegetable refuse that may accumulate or be collected in the premises.
- B. Section 60-2D(2)(a) is amended to delete the phrase "as hereinafter provided" from the first sentence thereof.
- C. Section 60-8B is amended as follows:
~~Material shall be placed at the roadside the evening of the day preceding a scheduled collection day in accordance with § 60-2 for collection adjacent to one another and clearly separated from containers of solid waste. After collection, any containers shall be removed from the curbside by no later than 7:00 p.m. of the day of collection within 10 hours after material has been collected.~~
- D. Section 60-9G is amended to add "shall be placed for collection" at the end thereof.
- E. Section 60-10.2A is amended to change "Joint Land use Board" to "Planning Board."
- F. Section 60-10.4 is amended to delete references to the Property Maintenance Official and the Housing Officer.
- G. Section 60-10.5 is amended to change the maximum fine to \$2,500.
- H. Section 60-12 is amended to add "Except where another penalty is prescribed" to the beginning thereof. Said section is further amended to change the maximum fine to \$2,000.

Part 2, Yard Waste.

Section 60-16A is amended as follows:

"During the months of April, November, and December, leaves may be raked to the curblineline or along the street ~~and is only allowed~~ during the seven days prior to a scheduled and announced collection and shall not be placed closer than 10 feet to any storm drain inlet."

Chapter 62, Graffiti.

- A. In § 62-2, the definition of "knowingly" is amended to change "parental respectability" to "parental responsibility."
- B. Section 62-7.
 - (1) Subsection A is amended to change 20 days to 90 days. Said subsection is further amended to add: *"The Department of Transportation shall be afforded 120 days from the date a notice is sent to remove graffiti from property owned by the Department."*
 - (2) Subsection B is amended to change 30 business days to 90 days.

Chapter 63, Housing Standards.

Section 63-2 and 63-7 are amended to change the references to the New Jersey State Housing Code to delete "(1980 Revision)".

Chapter 64, Handbills and Posters.

Chapter 64 is amended to read as follows:

§ 64-1. Distribution in public places restricted.

No person shall throw or deposit any handbill in or upon any sidewalk, street or other public place within the Township, nor shall any person hand out or distribute or sell any handbill in any public place; provided, however, that it shall not be unlawful on any sidewalk, street or other public place within the Township for any person to hand out or distribute, without charge to the receiver thereof, any handbill to any person willing to accept it.

§ 64-2. Distribution at private premises restricted; exemption.

- A. No person shall throw, deposit or distribute any handbill in or upon private premises which are inhabited except by handing or transmitting any such handbill directly to the owner, occupant or other person then present in or upon such private premises or by placing or depositing the same as to secure or prevent such handbill from being blown or drifted about such premises or sidewalks, streets or other public or private places, except that mailboxes may not be used when so prohibited by federal postal law or regulations. The provisions of this subsection are subject to the prohibition against any such handbill when the premises are posted under the provisions of § 64-5 of this chapter.
- B. The provisions of this section shall not apply to the distribution of mail by the United States, nor to newspapers.

§ 64-3. Depositing at vacant premises prohibited.

No person shall throw or deposit any handbill in or upon any private premises which are

temporarily or continuously uninhabited or vacant.

§ 64-4. Placement on vehicles prohibited.

No person shall throw or deposit any handbill in or upon any vehicle; provided, however, that it shall not be unlawful in any public place for a person to hand out or distribute, without charge to the receiver thereof, a handbill to any occupant of a vehicle who is willing to accept it.

§ 64-5. Distribution prohibited where posted.

No person shall throw, deposit or distribute any handbill upon any private premises if requested by anyone thereon not to do so or if there is placed on such premises in a conspicuous position near the entrance thereof a sign bearing the words "No Trespassing," "No Peddlers or Agents," "No Advertisement" or any similar notice indicating in any manner that the occupants of such premises do not desire to be molested or have their right of privacy disturbed or to have any such handbills left upon such premises.

§ 64-6. Posting on public property restricted.

No person shall post or affix any notice, poster or other paper or device calculated to attract the attention of the public to any lamppost, public utility pole or shade tree or upon any public structure or building, except as may be authorized by the owners thereof or required by law.

§ 64-7. Violations and penalties.

- A. Any person, entity or corporation who or which violates any provision of this chapter shall, upon conviction thereof, be punishable by one or more of the following: imprisonment in the county jail or any place provided by the municipality for the detention of prisoners for a term up to but not exceeding 90 days or by a fine of not less than \$100 and not more than \$2,000 or by a period of community service up to but not exceeding 90 days, or any combination of the above.
- B. Each day that a violation exists, occurs or continues shall constitute a separate offense for the purpose of imposing the penalties referred to above.

Chapter 64A, Handicapped Parking.

Section 64A-2 is amended to read:

Any person parking a motor vehicle in a restricted parking space without a special vehicle identification card shall be liable to a fine of \$250 for the first offense and, for subsequent offenses, a fine of at least \$250 and up to 90 days' community service on such terms and in such form as the court shall deem appropriate, or any combination thereof.

Chapter 64B, Junkyards.

- A. Section 64B-4E and F are amended to delete references to the Zoning Board of Adjustment.
- B. Section 64B-8A is amended to change \$25 to \$50.
- C. Section 64B-9A is amended to change \$25 to \$50.
- D. Section 64B-11 is amended to repeal Subsection K, regarding junkyards in the M Zone.

- E. Section 64B-14B is amended to change "Fire Safety Office" to "Fire Official."

Chapter 65, Hazardous Substances.

Section 65-3 is amended to change "Upon possession" to "Upon assessment."

Chapter 65A, Licenses and Permits.

- A. Section 65A-1 is amended to delete the phrase "or wherein the business or activity."
- B. Section 65A-1 is further amended to delete the latter portion thereof. ("and the applicant, if he is the owner of other property located within the Borough of Clayton, shall pay any delinquent property taxes or assessments assessed on said other property located within the Borough of Clayton.")

Chapter 67, Massage Establishments.

This chapter is amended to read as follows:

§ 67-1. Findings.

It is declared that the operation of massage establishments, as defined in this chapter, is a business affecting the public health, safety and welfare of the Borough and its residents. In order to ensure the protection of that public health, safety and welfare, the Borough of Clayton finds that it must license and regulate such facilities in a manner authorized by and consistent with state statute.

§ 67-2. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

ADVERTISEMENT — Any attempt, directly or indirectly, by publication, dissemination, or circulation in print or electronic media, which directly or indirectly induces or attempts to induce any person or entity to purchase or enter into an agreement to purchase services related thereto from a massage establishment or massage therapist.

ELECTRONIC MEDIA — Radio, television and Internet.

EMPLOYEE — Any person other than a massage therapist who renders any service in connection with the operation of a massage business and receives compensation from the operator of the massage establishment or its patrons.

LICENSEE — The operator of a massage establishment.

MASSAGE — Any systems of activity of structured touch which include, but are not limited to, holding, applying pressure, positioning and mobilizing soft tissue of the body by manual technique and use of visual kinesthetic, auditory and palpating skills to assess the body for purposes of applying therapeutic massage, bodywork or somatic principles. Such application may include, but is not limited to, the use of therapies such as heliotherapy or hydrotherapy, the use of moist hot and cold external applications, external application of herbal or topical preparations not classified as prescription drugs, explaining and describing myofascial movement, self-care and stress management as it relates to massage, bodywork and somatic therapies. Massage, bodywork and somatic therapy practices are designed to affect the energetic system of the body for the purpose of promoting and maintaining the health and well-being of the client. Massage, bodywork and

somatic therapies do not include the diagnosis or treatment of illness, disease, impairment or disability.

MESSAGE ESTABLISHMENT — Any establishment where any person, firm, association or corporation engages in, carries on or permits to be engaged in or carried on any of the activities mentioned in the definition of "massage" for compensation of any kind.

MESSAGE THERAPIST — An individual who has taken courses in massage therapy and has received a diploma or certificate of completion in the area of massage therapy from an educational institution offering degrees and/or certification in massage therapy and who holds a valid certification or license issued by the New Jersey Board of Massage and Bodywork Therapy.

PATRON — Any person who receives a massage under such circumstances that it is reasonably expected that he or she will pay money or give other consideration therefor.

PERSON — Any individual, firm, association, corporation or combination of individuals of whatever form or character.

PRINT MEDIA — Newspapers, magazines, periodicals, professional journals, telephone directories, circulars, handbills, flyers, billboards, signs, business cards, match covers and other similar items, documents or comparable publications, the content of which is disseminated by means of the printed work.

SEXUAL OR GENITAL AREA — Genitals, anus or perineum of any person or the breast or vulva of a female.

§ 67-3. Licensing of massage establishments; fees.

- A. No massage establishment shall operate or provide massage services within the municipality without obtaining a license from the Clerk of the Borough of Clayton. The license is specific to massage establishments and is independent from any certificate of occupancy or approval for the use of any premises as a massage establishment.
- B. Any person seeking to obtain a license to operate a massage establishment within the municipality must provide the following:
 - (1) A complete application, as provided by the Clerk of the Borough of Clayton, accompanied by an application fee in the amount of \$25.
 - (2) The names, addresses, dates of birth and social security numbers for each person having an ownership interest in the massage establishment.
 - (3) The names, addresses, dates of birth and social security numbers for each massage therapist who will provide massage services for the massage establishment.
 - (4) A copy of a valid certification or license issued by the New Jersey Board of Massage and Bodywork Therapy for each massage therapist who will provide massage services for the massage establishment.
 - (5) A copy of a driver's license, passport or other government-issued photograph identification for each person having an ownership interest in the massage establishment. The copy shall be in color and of such quality so that the owner is readily identifiable from the photograph.
 - (6) A copy of a driver's license, passport or other government-issued photograph identification for each massage therapist providing massage services for the massage establishment. The copy shall be in color and of such quality so that the massage therapist is readily identifiable from the photograph.
 - (7) A current photograph and fingerprinting from the Clayton Police Department for each person having an ownership interest in the massage establishment, together

with a check made payable to the New Jersey State Bureau of Investigation to cover the cost of a criminal background investigation on each person having an ownership interest in the massage establishment. This shall be a one-time requirement, unless there is a change in ownership interest.

- (8) Satisfactory proof of business liability insurance.
 - (9) Satisfactory proof that all applicable building, zoning, health and fire code requirements have been met and inspection certificates issued.
- C. Every massage establishment license issued pursuant to this chapter shall expire at the end of the calendar year, unless sooner suspended or revoked, and shall be renewed upon compliance with the licensure requirements above, except that the renewal fee shall be \$500 annually. Licensees shall submit an application for renewal no later than October 31 of the year prior to that requested on the application. Those failing to submit a timely renewal application shall be required to reapply as and be subject to the conditions and fees of an initial applicant. Every such establishment existing as of the date this chapter becomes effective shall, within 60 days of adoption, comply with all of the requirements of this chapter, except that the fee to be paid shall be \$500.
- D. Not more than one license shall issue for every 10,000 residents of the municipality, as determined by the most recent census. Upon adoption of this chapter, licenses shall first issue to any existing establishment operating in the municipality based upon the date a certificate of occupancy was issued.

§ 67-4. Investigation.

- A. When the application is properly completed and signed by the applicant, the original, duplicate and applicable fees shall be filed with the Borough Clerk. The Clerk shall refer the duplicate to the Chief of Police, who shall make or cause to be made an investigation and criminal background check of each person having an ownership interest in the massage establishment and of each massage therapist providing massage services for the massage establishment.
- B. Upon completion of the criminal background investigation, the Chief of Police shall endorse the application, noting approval or disapproval, and forward the application to the Borough Clerk with supporting information. Disapproval by the Chief of Police shall be based on information disclosed by the investigation and criminal background check that indicates the issuance of the license would not be in the best interest of the public.
- C. Upon approval by the Chief of Police, the Borough Clerk shall forward the application to the applicable Borough departments to verify that all building, zoning, health and fire code requirements have been met.
- D. If the Chief of Police approves the application and the Borough Clerk has determined that the remaining requirements are satisfied, the Borough Clerk shall cause said license to be issued.
- E. The massage establishment shall immediately notify the Borough Clerk of any change in ownership interest or any change in massage therapists performing massage services at the massage establishment. The information set forth in § 320-3 above shall be provided for each new owner or massage therapist. The Borough Clerk shall forward the information to the Chief of Police for investigation and criminal background check. The cost of the criminal background check shall be paid for by the applicant in advance. No massage establishment shall permit a massage therapist to perform massage services at the massage establishment until the information set forth in § 320-3 is provided to the Borough Clerk.

§ 67-5. Display of licenses.

- A. Every massage establishment shall display in a conspicuous place so as to be readily seen by persons entering the premises a valid massage establishment license issued by the municipality and a license or certificate for each massage therapist employed at the establishment.
- B. Every massage establishment shall maintain on file for inspection a valid certification or license issued by the New Jersey Board of Massage and Bodywork Therapy for each massage therapist providing massage services at the premises. The file shall also contain a copy of a driver's license, passport or other government-issued photograph identification for each massage therapist providing massage services at the premises. The copy shall be in color and of such quality so that the massage therapist is readily identifiable from the photograph.

§ 67-6. Operating requirements.

- A. Price rates for all services offered by the massage establishment shall be prominently posted in the reception area. No services shall be offered or provided by the massage establishment or massage therapist unless specifically posted in accordance herewith.
- B. All employees, including persons performing a massage, shall wear nontransparent outer garments, covering the sexual and genital areas.
- C. The sexual and genital areas of patrons must be covered by towels or cloths or undergarments when in the presence of an employee or massage therapist.
- D. No employee or patron shall touch or fondle, or offer to touch or fondle, in any manner the sexual or genital area of any person.
- E. Hours of operation shall be limited to 7:00 a.m. to 10:00 p.m. or as otherwise established by any reviewing board considering an application for zoning approval. While hours of operation may be more restrictive, they shall not be more expansive than that permitted herein.
- F. Every massage establishment and massage therapist shall comply with the infection control precautions currently set forth at N.J.A.C. 13:37-16.8 and as may be amended from time to time.
- G. Every massage establishment and massage therapist shall comply with the sexual misconduct provisions currently set forth at N.J.A.C. 13:37-16.12 and as may be amended from time to time.
- H. Every massage establishment and massage therapist shall comply with the recordkeeping requirements currently set forth at N.J.A.C. 13:37-16.14 and as may be amended from time to time.

§ 67-7. Advertising and solicitation practices.

- A. No person shall advertise or offer to provide massage-related services for compensation within the Borough of Clayton unless licensed as a massage establishment pursuant to this chapter.
- B. All advertisements for massage services to be provided within the Borough of Clayton shall include the massage establishment's name, address and telephone number.

§ 67-8. Change of location; fee.

Once a license has been issued, any change in the location of the massage establishment premises shall be on notice and approval of the Borough Clerk. A change-of-location fee in the amount of \$250 shall be paid to the Borough.

§ 67-9. Responsibility of owners and license holders.

It shall be the responsibility of the owners of the massage establishment and the holder of the license for the massage establishment to ensure that all persons and massage therapists comply with the provisions of this chapter.

§ 67-10. Inspections.

The Borough Police Department, Board of Health, Fire Marshal, Construction Officer, Zoning Officer and Code Enforcement Officer may make inspections of any and all parts of the massage establishment to ensure compliance with the provisions of this chapter, the Borough Code, and laws and administrative codes of the State of New Jersey on no less than an annual basis and shall be permitted to perform spot inspections without need of obtaining any approval of the operator of the business or an administrative search warrant.

§ 67-11. Revocation of license.

- A. The Borough Clerk may revoke the license of a massage establishment for any of the following reasons:
- (1) The massage establishment violates or fails to comply with any provisions of this chapter, the Borough Code, or laws and administrative codes of the State of New Jersey.
 - (2) Any person or massage therapist employed by the massage establishment violates or fails to comply with any provisions of this chapter, the Borough Code or laws and administrative codes of the State of New Jersey.
 - (3) Anyone with an ownership interest in the massage establishment is convicted of a criminal or quasi-criminal offense related to the massage establishment business or any sex-related offense.
 - (4) Any person or massage therapist employed by the massage establishment is convicted of a criminal or quasi-criminal offense related to the massage establishment business or any sex-related offense.
 - (5) The massage establishment is engaged in the practice of massage under a false or assumed name or is using the name of a licensed massage therapist not associated with the massage establishment.
 - (6) The massage establishment employs or permits any person without a valid certification or license from the New Jersey Board of Massage and Bodywork Therapy to provide massage services for the massage establishment.
- B. The Borough Clerk shall cause a notice of license revocation to be issued to the licensee, at the licensee's most recent address on file, that the license has been revoked. Within 10 days of the delivery of said notice, the applicant may appeal to the Borough Council to reinstate the license. The filing of such notice shall not stay any revocation of the license for the premises. The Borough Council shall hold a hearing within 90 days of receipt of a notice of appeal. Once the ten-day appeal period has passed, or if upon appeal to the Borough Council the license revocation is upheld, the massage establishment or individual will be barred from providing massage services within the Borough for a period of five years.

§ 67-12. License renewal.

- A. The annual renewal fee of \$250 and application for a massage establishment shall be submitted to the Borough Clerk by October 31 of the current year.
- B. From the date of original issuance, each licensee shall be subject to periodic criminal background investigations by the Police Department.

§ 67-13. Exemptions.

- A. The requirements of this chapter shall have no application and effect upon any physician, surgeon, chiropractor, osteopath, nurse, nurse practitioner, physicians' assistant, or physical therapist duly licensed to practice such professions in this state.
- B. The requirements of this chapter shall not apply to any school certified to teach massage by the New Jersey Department of Education.
- C. All existing establishments operating at the time of adoption of this chapter shall have 60 days from such date to make application for the license called for hereunder.

Chapter 68, Parks and Recreation Areas.**Article II, Skateboard Park.**

Section 68-15 is amended to change \$1,000 to \$2,000.

Article IV, Dog Park Rules and Regulations.

Section 68-22 is added:

§ 68-22. Violations and penalties.

Any person violating any of the provisions of this article or any rule or regulation promulgated pursuant hereto shall, upon conviction, be subject the penalty provided in Chapter 1, General Provisions, Article I, Enforcement; General Penalty, § 1-2, Maximum penalty.

Article V, Use of Parks, Fields and Recreation Facilities.

- A. Section 68-27B(6) is amended to change "authority functions" to "authorized functions."
- B. Section 68-28B(33) is amended to delete the second sentence thereof. ("This can only occur under extraneous circumstances.")

Chapter 68A, Peace and Good Order.

- A. Section 68A-2.
 - (1) Subsection B(2), regarding loitering on private property, is repealed.
 - (2) Subsection E(3) is amended to read: "Any person violating any of the provisions of this section shall, upon conviction, be punished as provided in § 68A-14 of this chapter."
- B. Former § 68A-8, Littering public and private property, is repealed.
- C. Section 68A-14 is amended to change the maximum fine to \$2,000.

Chapter 69, Peddling and Soliciting.**Article I, General Regulations.**

- A. Section 69-5A(1) is amended to change “permit” to “license.”
- B. Sections 69-6 and 69-7 are amended to change instances of “the Department of Licensing and Inspections” to “Borough Clerk.”
- C. Sections 69-6I and 69-7A(8) are amended to delete the first instance of “whether or not” in each subsection.
- D. Section 69-7A(6) is amended to change “sales person” to “sales period.”
- E. Section 69-9.
 - (1) Subsection A is amended as follows:

Any applicant for a peddler, hawker, vendor, solicitor, canvasser and seasonal sales vendor license shall be required to pay a an application fee of \$25, with the exception of exempt organizations, (which shall include the refundable fee of \$10 for the badge) to the Borough Clerk to cover the cost of processing the application and investigation of the facts stated therein for a license, as well as each individual ~~for a license, as well as each individual~~ to be registered and employed by the organization (profit or nonprofit) and/or business.

- (2) In Subsection B, the following are the updated fee amounts for the subsections listed:
 - (1) \$20
 - (2) \$100
 - (3) \$750
 - (4) \$250
 - F. Section 69-13 is amended to change “permit or license” to “license.”
- Article II, Charitable Solicitations on Roadways.**
- A. Section 69-20H is amended to delete “(a)” from the statutory reference.
 - B. Section 69-27 is amended to change the maximum fine to \$2,000. Said section is further amended to delete the last sentence thereof

Chapter 71, Police Panel Alarm System.**Article II, False Alarms.**

Section 71-15 is amended to add the following definition thereto:

AUDIBLE ALARM – A device that emits an audible signal from the premises that it is designed to protect.

Chapter 74, Property Maintenance.

Article I, General Regulations.

Former § 74-6, Subsection F, regarding storage of a vehicle, is repealed.

Article II, Abandoned and Vacant Property.

Section 74-27A is amended as follows:

Any person who shall violate the provisions of this article shall be cited and ~~fin~~
punishable by one or more of the following: imprisonment in the county jail or in
any place provided by the Borough for the detention of prisoners for any term not
exceeding 90 days, or by a fine not less than \$500 ~~or \$100~~ nor exceeding \$1,250,
or by a period of community service not exceeding 90 days.

Chapter 76, Rental Procedures.

- A. Section 76-3 is amended, in part, as follows:
"Any lease which has been executed prior to the adoption of this chapter shall not
be affected, ~~by~~ but the rental unit ~~but~~ must nevertheless be registered, inspected
and licensed in accordance with this chapter."
- B. Section 76-5D is amended to read: "If any fee is not paid within 30 days of its due
date, a late fee equal to the cost of the registration fee will be assessed."
- C. Section 76-7B(3) is amended to delete "in the manner hereinafter provided" from
the end thereof.
- D. Section 76-20A(3) is amended to change the reference to the Noise Ordinance to
§ 68A-11.
- E. Section 76-22 is amended to change "Board of Health" to "Borough Council."

Chapter 78, Sewers.

Section 78-3C is amended to delete the statutory reference at the end thereof.

Chapter 81, Storage, Outdoor.

Section 81-5 is amended to change N.J.S.A. 40:47-20 to N.J.S.A. 40A:14-157.

Chapter 81A, Storm Sewer System.

Article I, Prohibited Disposal of Materials.

Section 81A-4 is amended to add the following lead-in sentence thereto:

"Section 81A-3 shall not apply to the following:"

Chapter 85, Taxation.**Article III, Tax Exemptions and Abatements for Commercial and Industrial Structures.**

- A. Section 85-15B is amended to change "total *amount* gross rental" to "total *annual* gross rental."
- B. Section 85-16B is amended to change "four full tax years" to "five full tax years."

Chapter 86, Tobacco Sales.

Section 86-2A and B is amended to change instances of 18 years to 19 years.

Chapter 86A, Towing and Storage Service.

- A. Section 86A-1.
 - (1) The definition of "cleanup and removal costs" is added:

CLEANUP AND REMOVAL COSTS – All costs incurred by the Borough or its agents in the removal or attempted removal of hazardous substances and disposal thereof, or costs for the taking of reasonable measures to prevent or mitigate damage, whether actual or threatened, to the public health, safety or welfare.
 - (2) The definition of "heavy-duty tow" is amended to delete the last sentence thereof.
- B. Section 86A-3E is amended to delete the reference to the Zoning Board.
- C. Section 86A-8 is amended to change the fee to \$250.
- D. Section 86A-15F is amended as follows:

"The Clayton Borough Police Department, responsible for enforcement of this chapter, shall establish a procedure to process complaints received by the Police Department regarding any licensed towing operator, including, without limitation, charging of fees in excess of those permitted hereunder, or damage to vehicles, and failure to notify a vehicle owner of the location of the motor vehicle towed."
- E. Section 86A-16B is amended to change "Health Department" and "County Environmental Health Department" to "County Department of Health and Human Services."
- F. Section 86A-17 is added:

§ 86A-17. Violations and penalties.
Any person violating any of the provisions of this chapter or any rule or regulation promulgated pursuant hereto shall, upon conviction, be subject the

penalty provided in Chapter 1, General Provisions, Article I, Enforcement;
General Penalty, § 1-2, Maximum penalty.

Chapter 87, Trees.

Sections 87-3A(2) and 87-3B(5)(h) are amended to delete references to the Zoning Board of Adjustment and Zoning Board, respectively.

Chapter 88, Unified Development.

- A. Section 88-6.
- (1) The definition of "community residence for the developmentally disabled" is amended to change "Division of Mental Health and Hospitals of the New Jersey Department of Human Services" to the "Division of Mental Health and Addiction Services."
 - (2) The definition of "mentally ill person" is amended to change the statutory reference to N.J.S.A. 30:4-27.2.
- B. Section 88-29C(2)(f) is amended as follows: "The minimum tangent length between reverse curves for local nonresidential streets shall be 50 feet with local collector streets requiring a minimum ~~center line radius~~ tangent length between reverse curves of 100 feet."
- C. Section 88-29N(1)(b) is amended to change "Historical Committee" to "Historic Advisory Committee."
- D. Section 88-40.1B(1) is amended as follows: "In no event shall the placement of the solar panels result in a larger total height, including building and panels, than what is permitted in the zoning district in which they are located for the principal building."
- E. Section 88-46A(5) and B(2) is amended to change "Construction Officer" to "Construction Official."
- F. Section 88-67.
- (1) Subsection A is amended to change "Each Board" to "The Board" and Subsection F is amended to change "the applicable Board" to "the Board."
 - (2) Subsection E is amended to change N.J.S.A. 2A:11-15 to N.J.S.A. 2B:7-4.
- G. Sections 88-77E(1), 88-79D, and 88-85A(1) are amended to change references to the Map Filing Law, N.J.S.A. 46:23-9.9 et seq., to N.J.S.A. 46:26B-1 et seq.
- H. Section 88-78H(1)(d) is amended as follows: "~~The submission of~~ Preliminary and final application forms and the required application and escrow fees for a preliminary approval are submitted."

- I. Section 88-85F(1) is amended to change "Director of Finance" to "Chief Financial Officer."
- J. Section 88-85K is amended as follows:
~~Occupancy permits~~ Certificates of occupancy will be issued only when the installation of any curbs, all utilities, all functioning water supply and sewage treatment facilities, all necessary storm drainage to ensure proper drainage of the lot and surrounding land, rough grading of lots, base course for the driveway, shade trees (weather and seasonal conditions permitting) and base course for the streets are installed to serve the lot and structure for which the ~~permit~~ certificate is requested.
- K. The definition of "environmentally critical area" in § 88-101 is amended, in part, as follows: "habitat that is identified using the Department of Environmental Protection's Landscape Project as approved by the Department of Environmental Protection's Endangered and Nongame Species Program."

Chapter 89, Vehicles and Traffic.

- A. Section 89-4 is amended to read:
§ 89-4. Parking prohibited on streets of a certain width.
No person shall park a vehicle at any time upon any of the public thoroughfares or public streets or parts thereof described in Schedule II (§ 89-24) attached to and made a part of this chapter.
- B. Sections 89-19.4 and 89-19.11C are amended to change "persons who have been issued the handicapped parking permits by the Division of Motor Vehicles" to "persons who have been issued person with a disability identification cards by the New Jersey Motor Vehicle Commission."
- C. Section 89-19.23 is amended to change "Little Ease Park" to "persons who have been issued person with a disability identification cards by the New Jersey Motor Vehicle Commission."

Chapter 90, Vehicles for Hire.

This chapter is amended to read as follows:

§ 90-1. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

BOROUGH — The Borough of Clayton, County of Gloucester, and State of New Jersey.

DRIVER — Any person who drives a taxicab within this Borough.

OPERATION — The operation of a taxicab, which shall require a taxicab owner's license and a taxicab driver's license, shall consist of transporting in such taxicab at least one but not more than five persons, exclusive of the driver, for hire on any of the streets in this Borough and accepting a passenger to be transported for hire within this Borough or from a point within this Borough to a

point outside of the Borough limits. The operation of a taxicab as above described by one other than the owner shall be deemed operation by the owner thereof as well as by the person actually driving same. The transportation of any person other than owner or driver in a taxicab is hereinafter defined shall be prima facie evidence of operation.

OWNER — Any person in whose name title to any taxicab is registered with the New Jersey Division of Motor Vehicles or who appears in such record to be the conditional vendee or license thereof.

SENIOR CITIZEN — Any person 62 years of age or older.

STREET — Includes any street, avenue, park, parkway, local, county, state, or federal highway or other public roadway located within the Borough, whether or not the same is an improved road.

TAXICAB — Any automobile capable of carrying up to five passengers, exclusive of the driver, and which may commonly be referred to as a "taxi" or "cab," duly licensed by the Borough and engaged in the business of carrying passengers for hire, which is held out, announced or advertised to operate or run or which is operated and run over any of the streets within the Borough of Clayton and which accepts passengers for transportation from points and places within the Borough to points and places within or without the same Borough; provided, however, that nothing herein contained shall include autobuses or buses on designated routes, public deliveries or jitneys or such public conveyances as are by law exclusively subject to state and/or federal regulation.

§ 90-2. Licenses.

There are hereby established two classes of taxicab licenses to be known "taxicab owner's license" and "taxicab driver's license."

- A. Taxicab owner's license. A taxicab owner's license shall entitle a taxicab therein described to pick up passengers within the Borough and otherwise to be lawfully operated anywhere within the Borough by a driver duly licensed hereunder and by the New Jersey Division of Motor Vehicles until said license either expires or is surrendered, suspended, or revoked.
- B. Taxicab driver's license. A taxicab driver's license shall entitle the person named therein to operate within this Borough any taxicab duly licensed hereunder and by the New Jersey Division of Motor Vehicles until said license either expires or is surrendered, suspended, or revoked.

§ 90-3. Applications for licenses.

- A. All applications for taxicab owner's licenses shall be written in duplicate and shall contain the full name and address of the owner, the vehicle identification number (VIN), type, color, year, and make of the taxicab, the state registration number, number of doors on said vehicle, the number of persons the vehicle can carry as passengers and questions pursuant to the rights and privileges granted to the Borough under § 90-7 of this chapter. All applications shall be filed with the Municipal Clerk who shall, prior to the issuance of said license, receive proof from the applicant that the applicant is at least 18 years of age. If the applicant is a corporation, such corporation must be organized and existing under the laws of the State of New Jersey and must present proof thereof or, if organized and existing under the laws of another state, must be officially able to do business in the State of New Jersey and must supply the name and address of the New Jersey registered agent for said corporation.
- B. All applications for taxicab driver's licenses shall be written in duplicate and shall contain the full name and address of the applicant, their New Jersey driver's license number and questions pursuant to the rights and privileges granted to the Borough under § 90-7 of this chapter. Furthermore, each applicant for a taxicab driver's license shall, in addition, to the requirements of any law of the State of New Jersey, establish to the satisfaction of the

Borough Council or its designee, that such applicant has been regularly licensed by the New Jersey Division of Motor Vehicles and that the applicant is at least 18 years of age. Each applicant for a taxicab driver's license shall, at their own expense, submit a certificate from a licensed physician of the State of New Jersey certifying that the applicant has been examined within the preceding 30 days and that the applicant has no infirmity of the body or mind, or visual impairment or deficiency which might render the applicant unfit for the safe operation of a taxicab. Said physician's certificate shall be presented at the time of the initial application and at the time of alternate renewals thereafter. Each applicant must furnish at the time of application two recent photographs of the applicant, at least one being not less than 1 1/4 inches in height and one inch in length. One photograph is to be filed with the application and one is to be attached to an identification card which is to be displayed in the interior of the taxicab driven by the applicant. No person shall drive any taxicab in the Borough who has not obtained a license to drive same as provided for in this chapter

- C. Any change of residence of the holder of a taxicab owner's and/or driver's license shall be reported to the Municipal Clerk within five business days of the date of the change.
- D. All applications for a taxicab owner's and/or driver's license shall be filed with the Municipal Clerk who shall submit the said applications, upon completion of the investigation, to the Borough Council.

§ 90-4. Investigation of applicant.

Each applicant for a taxicab driver's license and/or taxicab owner's license shall be required to pay the Borough, with the application, whatever sum of money is charged by the State of New Jersey to process a name check for any criminal record plus any local charges. No application for a taxicab driver's license or taxicab owner's license shall be approved until such time as the applicant has executed a form of consent and release as to permit the Borough of Clayton Police Department to conduct such an investigation as may be required in order to determine that the applicant substantially complies with the meaning, intent, and purpose of this chapter.

§ 90-5. Insurance requirements.

- A. Each application for a taxicab owner's license shall be accompanied by a policy of insurance, with the premium paid thereon, written by an insurance company duly licensed to transact business under the insurance laws of the State of New Jersey, which shall be submitted to the Municipal Clerk and the Borough Attorney for approval as to form and sufficiency. A certificate of insurance must be submitted to the Municipal Clerk prior to a license being approved.
- B. Such policy shall be conditioned for payment of a sum required to satisfy all claims for damage by reason of bodily injury to or the death of all persons or property damage as follows:
 - (1) Up to six passenger vehicles: not less than \$300,000 combined single limit.
- C. Such policy shall provide coverage for every driver of each vehicle listed in the policy and the acceptance of said policy by the Borough of Clayton and the issuance of the license by the Borough shall constitute an agreement by and between the applicant and the Borough that the applicant holds and saves harmless the Borough from any and all claims from damages arising out of personal injury and/or property damage made by third parties as a result of the issuance of said license and the operation of a taxicab.
- D. In the event that such policy is canceled for any reason, a notice of such action must be delivered to the Glassboro Municipal Clerk 20 days prior to the effective date of cancellation by the insurance company providing coverage to the taxi operator.

§ 90-6. Power of attorney.

No taxicab owner's or driver's license shall be issued until the applicant therefor shall have delivered to the Municipal Clerk, concurrently with the filing of the application and insurance policy referred to herein, a power of attorney executed by said applicant wherein and whereby the applicant shall appoint the Municipal Clerk for the Borough as his or her, true and lawful attorney for the purpose of acknowledging service of any process out of court of competent jurisdiction to be served against the insured by virtue of the indemnity granted under the insurance policy filed.

§ 90-7. Revocation, suspension or refusal to renew license.

The Borough Council or its designees may, in its discretion, refuse to issue or renew or may, after notice and hearing, revoke or suspend any license issued under the provisions of this chapter if the applicant:

- A. Has been convicted of any crime, disorderly persons offense or petty disorderly persons offense in this state or in any other state or territory;
- B. Has been convicted of a violation under Title 39, Motor Vehicles and Traffic regulations of the Revised Statutes of New Jersey;
- C. Violates any provisions of this chapter;
- D. Has any judgment unsatisfied of record arising out of an automobile accident;
- E. Has made false answers on the application for such license or any renewal thereof;
- F. Has failed or fails to render reasonably prompt, safe and adequate taxi service;
- G. Has not complied fully with all requirements of this chapter for such class of licensure;
- H. If the licensee or applicant has in any degree contributed to any injury to person or damage to property arising out of negligent operation of a motor vehicle;
- I. As to any taxicab owner's license if the motor vehicle licensed or to be licensed is dangerous to the safety or health of the occupants, and others by reason of unsafe or unsanitary conditions;
- J. If the policy of insurance required herein has once lapsed or such coverage is not maintained at all times;
- K. If a taxicab, at any time, carries more passengers than the same is authorized to carry by terms of this chapter.

§ 90-8. Federally approved child-care seat required.

- A. No taxicab license shall be issued to or renewed for any taxicab unless and until proof shall have been given to the Municipal Clerk or his or her designee that such taxicab has adequately provided for the safety of children under the age of five years who are passengers in a taxicab operated by them. In the case of taxicabs, such proof shall consist of a posted notice in all taxicabs, conspicuous to the drivers, setting forth that, prior to the operation of the taxicab, children 18 months of age or younger who are passengers in a taxicab shall be placed in federally approved child-restraint seat, and children over the age of 18 months but under the age of 12 years must be placed in a lap and/or lap and shoulder harness seat belts in the rear seat of the taxicab. A taxicab must at all times keep and maintain in the vehicle a federally approved car seat which shall, at all times, be available for use by drivers of the taxicabs.
- B. Every person operating a taxicab, whether owner and/or driver, who is transporting a child under the age of five years on roadways, streets or highways of the Borough shall be responsible for the protection of the child by properly using a child-restraint system that

complies with the federal vehicle safety standards.

- C. No driver shall operate a taxicab in which a child of 12 years of younger is a passenger unless:
- (1) A child 18 months of age or younger shall be placed in a car seat located in the rear seat.
 - (2) A child over 18 months of age but less than 12 years of age shall be placed in a lap belt or a lap belt and shoulder harness in the rear seat.

§ 90-9. Fares.

- A. No taxicab shall be operated in the Borough unless and until there is predominantly displayed in the interior thereof, within full view and access of any passengers therein and on the exterior of the vehicle, a complete list of fares, charges, or tariff rates so displayed which shall be those to be charged to any passengers so transported and no other fares, charges or tariff rates will be utilized. A schedule of said fares, rates, and tariffs, prior to use, shall be filed in an acceptable form with the Municipal Clerk. No rate change shall take effect unless and until same shall be filed with the Municipal Clerk at least 10 days prior to the proposed effective date of the change.
- B. No taxicab shall at any time carry more than five passengers. Every driver of such taxicab shall have the right to demand payment of legal fare in advance and may refuse employment unless so prepaid; but no driver of such vehicle shall otherwise refuse or neglect to convey any orderly person or persons upon request anywhere in the Borough unless previously engaged or unable to do so. No driver of any such taxicab shall carry any other person than the person passenger employing him or her, without the consent of the first passenger.
- C. Every holder of an owner's license shall require the driver of the taxicab to keep a daily record identified by the cab number of the taxicab used and the license number of the taxicab driver, which record shall include the time and place when and where a passenger was accepted as well as the time and place of discharge. These records shall be kept for at least one year and shall be open at all times for inspection by any duly authorized law enforcement officer.
- D. Senior citizens, as defined in § 90-1, who are residents of the Borough of Clayton, shall receive a discount of 20% from any posted taxicab fare, and said reduced rate shall be prominently posted in the interior of the taxicab.
- E. All taxicabs so licensed in this Borough are required to have installed therein a standard taxicab meter attached to the odometer. This meter shall prominently display the fare to the passenger and shall be calibrated annually at the expense of the taxicab owner. A certificate of calibration shall be submitted to, and approved by, the Municipal Clerk. Said calibration shall be submitted to, and approved by, the Municipal Clerk. Said calibration certificate shall be presented at the time of the initial application and at the time of alternate renewals thereafter.

§ 90-10. Taxicab identification; driver identification.

- A. There shall be affixed in every taxicab, in such a manner that the same can be conveniently read by any person in the taxicab, a card of at least three inches in height by at least five inches in length containing the name of the taxicab owner, the taxicab owner's license number of the vehicle, the year of issuance and the number of passengers that can be lawfully transported in such taxicab.
- B. Each driver shall be required to carry and display in the taxicab he or she is operating an identification card at least three inches in height by at least five inches in length which

contains a photograph of the driver, the name of the driver and his or her taxicab driver's license number.

- C. Every taxicab so licensed shall have painted on the outside of the taxicab, on both sides thereof, the word "Taxi," "Cab" or "Taxicab" in letters at least four inches in height as well as the name under which the owner is operating the said vehicle; or, in the alternative, shall have on the top of each taxicab a sign at least 12 inches in width by six inches in height made of plastic on which there shall be painted the word "taxi" and the name of the company in black letters. The sign shall be illuminated by a white bulb when the taxicab is in service.
- D. Every taxicab so licensed shall have a decal or other form of identification placed on the exterior thereof in a format, location and size to be prescribed by the Borough which clearly identifies that vehicle is duly licensed by the Borough of Clayton. At the time of the licensing of the taxicab, the owner shall present the taxicab to the Chief of Police of the Borough of Clayton or to such officer of the Glassboro Police Department that the Chief shall designate, and such officer shall place the decals on the taxicab.

§ 90-11. Receiving and discharging passengers.

Drivers of taxicabs shall not receive or discharge passengers in the roadways, but shall pull up to the right-hand sidewalk as near as possible or, in the absence of a sidewalk to the extreme right-hand side of the road and there receive or discharge passengers, except on one-way streets where passengers may be received or discharged on either the right- or left-hand sidewalk or side of the roadway in the absence of a sidewalk.

§ 90-12. Taxicab maintenance.

The owner and operator of each taxicab operating in the Borough shall keep the taxicab in good running order so that it makes a presentable appearance and affords comfortable and safe rides to passengers and remains free from mechanical defects which would affect the safety of the passengers. The owner of each taxicab shall have each taxicab presented to the Chief of Police or other designated police officer prior to the issuance or renewal of the taxicab owner's license and thereafter upon the request of the Chief of Police or other police officer so that it may be inspected to determine whether it complies with the provisions of this chapter.

§ 90-13. Passenger transportation.

No owner or driver of any taxicab shall induce any person to employ him or her by knowingly misinforming or misleading any such person as to time and place of departure of any airplane or other regularly scheduled mode of transportation or as to the location of any hotel, motel, public place or private residence within this Borough, nor shall any such owner or driver deceive any person or make false representations to any person or convey any passenger to any other place or over any street other than to which the passenger may have instructed the driver to go. Every owner and driver shall be responsible to see to it that all passengers are carried in a safe manner and by using a reasonable and direct route from point of origin to point of destination. No taxicab shall, at any time, carry more than the vehicle is designed to or is licensed for, but in no event shall any one taxicab carry more than five passengers, excluding the driver.

§ 90-14. License fees.

- A. The annual taxicab owner's license shall be \$100 per year per taxicab. The license shall be effective for a period commencing July 1 of the current calendar year to June 30 of the following calendar year. This license is nontransferable.
- B. There shall be a transfer fee of \$15 for the issuance of a taxicab owner's license for a vehicle replacing that originally licensed. This fee shall be for the administrative cost involved in processing the vehicle. This license is nontransferable.

- C. The annual taxicab driver's license shall be \$50 per year. The license shall be effective for a period commencing July 1 of the current calendar year to June 30 of the following calendar year. This license is nontransferable.

§ 90-15. Rules governing taxicab owners and drivers.

- A. Every operator of a taxicab, immediately after the discharge of a passenger, must search that taxicab for any property lost or left therein, and any such property found, unless sooner claimed or delivered to the owner, must be reported, in writing by the operator or owner of the taxicab, to the Municipal Clerk with the particulars and description of the property within 12 hours after finding thereof.
- B. Official notice will be taken of any misconduct, deceit, fraud, subterfuge or actions of the driver which are against the best interest of the public, even though not specifically mentioned in the rules. Any violation of these rules may result in the suspension or revocation of license.
- C. Holders of taxicab owners and/or driver's license prior to the effective date of this chapter shall have 30 days from the effective date hereof to comply with the requirements set forth herein before any penalty may be imposed for violations hereof:
- D. The license of any taxicab owner or driver who does not comply with the requirements of this section as set forth herein shall be subjected to penalties provided for in § 90-19.
- E. The requirements of this section shall be strictly applied to any applicant for licensure or renewal of any license after the effective date and grace period provided for by this section.
- F. No taxicab shall be operated within the Borough of Clayton unless both the taxicab and the operator hold valid licenses as described herein.

§ 90-16. Number of taxicab owner's and driver's licenses.

- A. The number of taxicab owner's licenses that may be issued in any one year shall be limited to two and the number of taxicabs allowed per taxicab owner's license shall be two.
- B. The number of owner's licenses that may be issued in any one year to the same owner, corporation, partnership or any other business entity shall be limited to one.
- C. There shall be a limit of two taxicab driver's licenses issued.

§ 90-17. Dormant taxicab owner's and driver's licenses.

- A. A taxicab owner's and/or driver's license which is not operational for a period of 12 consecutive months shall automatically revert to the Borough without notice or hearing.
- B. Any taxicab owner's license which reverts back to the Borough in accordance with this section may thereafter be issued by the Borough to any qualified person.

§ 90-18. Penalties for unlicensed drivers.

In the event that a taxicab is being operated by a party who does not have a taxicab driver's license, as defined in this chapter, both the driver and the owner of the taxicab shall be subject to the penalty provisions set forth in § 90-19 of this chapter.

§ 90-19. Violations and penalties.

- A. Every person or persons, firm or corporation found guilty in a municipal court of competent jurisdiction of violating any of the provisions of Chapter 90 shall be:
- (1) Fined not less than \$100 or more than \$500; and/or
 - (2) Imprisoned for a period not to exceed 30 days; and/or

- (3) Required to complete community service for not less than five days nor more than 30 days; and/or
- (4) Have his or her owner's and or driver's license suspended for a period not to exceed 60 days; and/or
- (5) Have a recommendation of a revocation for his or her owner's and/or driver's license forwarded to the Borough Council.

B. Each succeeding day of a violation shall be construed as a new violation.

§ 90-20. Exclusions from licensing requirements.

No taxicab owner's license or taxicab driver's license shall be required for the following:

- A. Transporting a passenger(s) pursuant to the definitions section of this chapter from a point outside of the Borough limits to a point inside the Borough limits wherein the passenger(s) is/are discharged.
- B. Transporting a passenger(s) pursuant to the definitions section of this chapter from a point outside the Borough limits to a point inside the Borough limits wherein the passenger(s) is/are discharged and the taxicab waits for the passengers to reboard for a return trip to another location if the passengers agree to allow the taxicab driver to continue to run the taxicab meter during all stops within the Borough.
- C. Transporting a passenger(s) pursuant to the definitions section of this chapter from a point outside of the Borough limits to a point inside the Borough limits wherein the passenger(s) has/have agreed to a flat fee for all services rendered by the taxicab driver before entering the Borough limits.

§ 90-21. Exemption.

Nothing in this chapter shall be construed to exempt any person, firm, or corporation owning or operating a taxicab from complying with the laws relating to the ownership, regulation and operation of automobiles in the State of New Jersey.

Chapter 93, Water.

- A. Section 93-2 is amended, in part, as follows:
"He shall have power to issue requisitions for purchase of materials and supplies in accordance with instructions from the Borough Council."
- B. Section 93-3D is amended to change "State Board of Public Utility Commissioners" to "State Board of Public Utilities."
- C. Section 93-8G is amended to change "a fee of \$1" to "a fee as provided in § 93-38."
- D. Section 93-19: "~~The customer shall pay a charge of \$10 for changing a meter because of damage in any way due to the negligence of the customer~~ the cost of a new meter due to damage or theft."
- E. Section 93-24 is amended to delete the charge of \$10 for a meter test and instead state that the charge shall be the actual cost of removal and testing, payable up front.

- F. Section 93-40A, second sentence, is amended to read: "Charges for the use of water for building construction shall be as provided for bulk sales."
- G. Section 93-42 is amended to read: "The rate for bulk sales of metered water shall be in accordance with Form H (\$6 per 1,000 gallons)."
- H. Section 93-44 is amended to delete the phrase "prior to any Department office."
- I. Section 93-53B(1) is amended to change the filing fee to \$100.

Chapter 97, Youth Sports.

Article I, Code of Conduct.

- A. Sections 97-5 and 97-9 are amended to change "youth sporting event" to "youth sports event."
- B. In § 97-9, the last sentence is missing wording is amended as follows: "Such authority shall include the authorization to direct any person or persons involved in any incident in violation of this article or the applicable sports team's Code of Conduct to immediately remove themselves or be removed from the premises."

Article II, Code of Conduct Committee.

In § 97-11, the definition of "youth sports team" is amended to read: "Any sports organization pursuant to a nonprofit or similar charter which is affiliated with or receives monetary or other support or service from the Borough of Clayton or regularly utilizes any facilities owned, operated or maintained by the Borough, which sports organization participates in sporting competitions involving minors."

Chapter 102, Food and Beverage Vending Machines.

Section 102-7 is amended to read: "Any person who violates any provision of or order promulgated under this chapter or code established herein shall, upon conviction thereof, be liable to a penalty of not less than \$5 nor more than \$500 for each violation. Each day a particular violation continues shall constitute a separate offense."

Chapter 114, Retail Food-Handling Establishments.

Section 114-9 is amended to read: "Any person who violates any provision of or order promulgated under this chapter or code established herein shall, upon conviction thereof, be liable to a penalty of not less than \$2 nor more than \$500 for each offense. Each day a particular violation continues shall constitute a separate offense."

BOROUGH OF CLAYTON

NOTICE OF INTRODUCTION

ORDINANCE # 9-2018

AN ORDINANCE ADOPTING A CODIFICATION AND REVISION OF THE ORDINANCES OF THE BOROUGH OF CLAYTON, COUNTY OF GLOUCESTER, STATE OF NEW JERSEY; PROVIDING FOR THE MAINTENANCE OF SAID CODE; REPEALING AND SAVING FROM REPEAL CERTAIN ORDINANCES NOT INCLUDED THEREIN; ESTABLISHING A PENALTY FOR ALTERING OR TAMPERING WITH THE CODE; AND MAKING CERTAIN CHANGES IN PREVIOUSLY ADOPTED ORDINANCES

TAKE NOTE that the foregoing ordinance was introduced at a meeting of the Mayor and Council of the Borough of Clayton held on April 12, 2018 and was then read for the first time. The said ordinance will be further considered for final passage by the Mayor and Council at the Municipal Building, 125 N. Delsea Drive, Clayton, New Jersey, at a meeting beginning 7:30 p.m. on May 10, 2018, at which time and place, or any time and place to which such meeting be adjourned, all persons interested will be given an opportunity to be heard concerning such ordinance.

BY ORDER of the Mayor and Council of the Borough of Clayton.

Christine Newcomb
Borough Clerk

NOTICE OF ADOPTION

ORDINANCE # 9-2018

AN ORDINANCE ADOPTING A CODIFICATION AND REVISION OF THE ORDINANCES OF THE BOROUGH OF CLAYTON, COUNTY OF GLOUCESTER, STATE OF NEW JERSEY; PROVIDING FOR THE MAINTENANCE OF SAID CODE; REPEALING AND SAVING FROM REPEAL CERTAIN ORDINANCES NOT INCLUDED THEREIN; ESTABLISHING A PENALTY FOR ALTERING OR TAMPERING WITH THE CODE; AND MAKING CERTAIN CHANGES IN PREVIOUSLY ADOPTED ORDINANCES

The foregoing Ordinance was finally adopted by the Mayor and Council of the Borough of Clayton on May 10, 2018.

Christine Newcomb
Borough Clerk