

ORDINANCE NO. 9 – 2022

AN ORDINANCE AMENDING CHAPTER 88, UNIFIED DEVELOPMENT, ARTICLE II, TERMINOLOGY, SECTION 88-6, DEFINITIONS OF THE BOROUGH OF CLAYTON

WHEREAS, the Council of the Borough of Clayton has determined that the Borough's definitions should be revised to better reflect more modern standards and current trends in the commercial industry regarding home occupations.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Borough of Clayton, in the County of Gloucester and State of New Jersey that the governing body does hereby amend Chapter 88, Unified Development, Article II, Terminology, Section 88-6, Definitions by amending the definition of "Home Occupation" as follows:

SECTION 1. Chapter 88, Unified Development, Article II, Terminology, Section 88-6, Definitions, is hereby amended as to the definition of a Home Occupations, to read as follows:

§88-6 Definitions.

Home Occupations

A home occupation is the use of part of a detached single-family dwelling for an occupation permitted under the zoning regulations. Home occupations are permitted conditionally only when they conform to the appropriate specific standards of this chapter. Family day-care homes shall be considered home occupations and accessory uses which are not subject to conditional use approval. The use may be conducted wholly or in part from the residential building, but shall be limited to an accessory use which is incidental to the principal residential use. Such occupations shall be conducted solely by resident occupants of the residential building except that no more than one person not a resident of the building may be employed and provided also that no more than 900 square feet, or the equivalent of half the first-floor area of the building, whichever is smaller, shall be used for such purposes; that the minimum area for the residence shall remain at least as large as that required for residences; that no display of products shall be visible from the street; that no employees are dispatched to work assignments from the home; that no employee vehicles are parked on or around the residential lot while the employees work elsewhere; that there shall be no more than one motor vehicle used in the home occupation and that vehicle shall be parked on site; no motor vehicle used in the home occupation shall be parked elsewhere in the residential zone, that the residential character of the building shall not be changed; that no signs shall be displayed other than the name of the occupation as permitted under the sign regulations; that the occupation shall be conducted entirely within a detached single-family dwelling, but shall not be conducted either in the yard in an accessory building, that no occupational sound shall be audible outside the building; that no machinery or equipment shall be used which will cause interference with radio and television reception in the neighboring residences; and that the use does not reduce the parking or yard requirements of the principal residential use. A person who resides in a home and has an area devoted to a study, office or library shall be permitted as a customary and incidental accessory use, and shall not be considered a home occupation, provided that there are no employees, no clients visiting the site, no signs, no lighting and no deliveries.

SECTION 2. Repealer

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

SECTION 3. Severability:

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

SECTION 4. Effective Date:

This Ordinance shall take effect immediately upon final passage and publication in accordance with law.

BOROUGH OF CLAYTON

ATTEST:



Christine Newcomb, Borough Clerk



Thomas Bianco, Mayor

NOTICE OF INTRODUCTION

ORDINANCE 9-2022

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TAKE NOTE that the foregoing ordinance was introduced at a meeting of the Mayor and Council of the Borough of Clayton held on April 28, 2022 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 6:30 p.m. on May 26, 2022, 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 NO. 9 – 2022

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II, TERMINOLOGY, SECTION 88-6, DEFINITIONS OF THE BOROUGH OF
CLAYTON**

The foregoing Ordinance was finally adopted by the Mayor and Council of the Borough of Clayton on May 26, 2022.

Christine Newcomb
Borough Clerk