

ORDINANCE NO. 15-26

AN ORDINANCE OF THE TOWNSHIP OF DENVILLE, COUNTY OF MORRIS AND STATE OF NEW JERSEY, TO AMEND CHAPTER 600, LAND USE, TO PROHIBIT CERTAIN USES THROUGH THE MUNICIPALITY

BE IT ORDAINED by the Municipal Council of the Township of Denville, in the County of Morris and State of New Jersey, as follows:

SECTION 1. Chapter 600, Land Use, Part 4, Zoning, Article XXV, Zone Regulations, § 600-154, Dangerous Conditions, of the Township Code is hereby renamed:

Dangerous, Noxious, Waste Intensive, Heavy Industrial, Salvage or Extraction Uses

SECTION 2. Chapter 600, Land Use, Part 4, Zoning, Article XXV, Zone Regulations, § 600-154, Dangerous, Noxious, Waste Intensive, Heavy Industrial, Salvage or Extraction Uses, of the Township Code is hereby amended and supplemented by the addition of the following:

No permit shall be granted for a structure or use if the design or construction of the same involves or is likely to involve exceptional risk of traffic congestion, public safety or hazard. No lighting of any kind shall be permitted which interferes with or is likely to involve a risk of traffic safety. No building, structure or land shall be used for any of the following purposes in any zone within the Township of Denville :

A. Noxious or Offensive Uses

- Slaughterhouses and meat-packing facilities
- Tanneries, leather treatment or dye houses
- Animal by-product processing plants
- Rendering plants
- Fat rendering, grease-recovery, or rancid fat processing

B. Hazardous Production or Manufacturing

- Petroleum refineries, fuel storage or gasoline distribution terminals
- Explosives manufacture, storage or demolition (including fireworks, gunpowder, ammunition)
- Fertilizer or acid-chemical production
- Cement works, concrete batching, asphalt or chemical manufacturing
- Battery recycling, lithium-ion battery storage, or hazardous waste processing

C. Waste or Pollutant-Intensive Uses

- Solid and liquid waste transfer or composting facilities
- Medical, sewage, or sludge incinerators or processors
- Medical waste disposal or treatment facilities

D. Heavy Industrial Operations

- Foundries, blast furnaces or boiler works
- Chemical plant operations including acetylene, ammonia, chlorine, creosote
- Distillation of petroleum, coal tar, rubber or bone
- Extraction and processing of radioactive materials

E. Junk, Salvage, and Outdoor Storage

- Automotive salvage yards, wrecking and recycling yards
- Outdoor storage of junk, scrap, or disassembled vehicles

F. Extraction, Mining, Resource Operations

- Sand, gravel or mineral mining, quarrying, topsoil removal
- Oil, natural gas, or fracking operations
- Unregulated pipelines not approved by the New Jersey Board of Public Utilities

SECTION 3. Chapter 600, Land Use, Part 4, Zoning, Article XII, Definitions and Word Usage § 600-4(B) **Definitions** of the Township Code is hereby amended and supplemented by the addition of the following, placed in alphabetical order:

ANIMAL BY-PRODUCT PROCESSING

An establishment in which non-meat animal parts, residues, or by-products (including, but not limited to, bones, blood, fat, hides, hooves, feathers, offal, or similar materials) are received, stored, handled, or processed into secondary products such as meals, fertilizers, pet foods, industrial inputs, or similar commodities. This use includes operations involving cooking, drying, rendering, pressing, or chemical treatment of such materials.

ASPHALT PLANT

A facility where asphalt or bituminous materials are manufactured, blended, or processed for paving or roofing purposes, including associated storage silos, conveyors, and mixing equipment, whether for on-site or off-site distribution.

BATTERY RECYCLING OR HIGH-ENERGY BATTERY STORAGE

A facility principally engaged in the receipt, disassembly, processing, charging, storage, or conditioning of batteries, including lithium-ion or other high-energy chemistries, for reuse, recycling, or disposal; or the storage of such batteries or battery systems in aggregate quantities that constitute a fire or hazardous materials risk under applicable fire codes.

CEMENT MANUFACTURING

An industrial operation that calcines, mills, blends, or otherwise processes limestone, clay, shale, or similar raw materials to produce clinker, cement, or cementitious products, including, but not limited to, kiln operations, finish milling, and associated material handling. For the purposes of this definition, a ready-mix concrete batching plant shall be considered a form of cement or concrete manufacturing.

CHEMICAL PLANT

A facility primarily engaged in the large-scale production, synthesis, blending, or refinement of chemical substances or compounds, including acids, bases, solvents, resins, plastics, fertilizers, or similar materials, and including bulk storage tanks and reaction vessels associated therewith.

EXPLOSIVES MANUFACTURING OR STORAGE

Any facility at which explosives, explosive materials, blasting agents, fireworks, gunpowder, propellants, or similar regulated energetic materials are produced, assembled, packaged, tested, or stored in quantities subject to federal or state explosives regulations.

FERTILIZER MANUFACTURING

A plant where chemical, mineral, or organic fertilizers are produced, synthesized, blended, granulated, or packaged, including operations involving ammonia, nitrates, phosphates, potash, or similar reactive compounds.

FOUNDRY OR BLAST FURNACE

An industrial facility engaged in melting, casting, or refining ferrous or non-ferrous metals using cupolas, electric arc, induction, or blast furnaces, including mold-making, shakeout, and sand handling operations.

GUNPOWDER OR AMMUNITION PRODUCTION

A manufacturing facility where gunpowder, propellants, primers, cartridges, shells, or ammunition components are produced, assembled, or loaded, including ballistic testing and storage ancillary to such production.

HAZARDOUS WASTE PROCESSING OR DISPOSAL

A facility where hazardous waste, as defined by applicable federal or state law, is treated, processed, stored, incinerated, land-filled, or otherwise managed as a principal use. Household hazardous waste collection conducted by or on behalf of a public agency on a temporary basis shall not, by itself, constitute this use.

JUNKYARD OR AUTOMOTIVE SALVAGE YARD

Any lot or facility used for the open-air storage, dismantling, processing, or sale of two or more inoperable, unregistered, discarded, or salvaged motor vehicles, or of scrap metal, machinery, appliances, or similar materials, whether or not parts are sold for reuse.

LANDFILL (SOLID WASTE)

A site used for the permanent disposal of solid waste on or in the land by burial or land placement, whether publicly or privately operated, including associated liners, leachate collection, gas collection, and cover systems.

MEDICAL WASTE INCINERATOR OR PROCESSOR

A facility at which regulated medical waste is received, stored, autoclaved, incinerated, sterilized, or otherwise treated for disposal or reuse, as a principal use.

MINING OR QUARRYING

The extraction, removal, or processing of minerals, ore, stone, gravel, sand, clay, soil, or other natural deposits from the earth, including blasting, crushing, washing, screening, stockpiling, or similar operations, but excluding excavation incidental to an approved development or utility work.

OIL OR GAS DRILLING; HYDRAULIC FRACTURING

The exploration for, drilling, or production of petroleum or natural gas resources, including hydraulic fracturing, injection wells, or associated processing or storage, whether or not such operations are subject to state or federal permits.

PETROLEUM REFINERY OR TERMINAL

A plant or terminal where crude petroleum, natural gas liquids, or similar feedstocks are refined, fractionated, or processed into fuels, lubricants, or petrochemical derivatives; or where petroleum products are received, stored in bulk, and redistributed as a principal use.

PIPELINE (NON-UTILITY; UNREGULATED)

A pipeline or related facility used for the transmission of petroleum, gas, chemicals, or similar substances that is not operated by a public utility regulated by the New Jersey Board of Public Utilities and does not distribute services to end users.

RENDERING PLANT

A facility where animal carcasses or animal by-products are cooked, pressed, or otherwise processed to recover fats, oils, proteins, or other derivatives for commercial use, typically involving high-temperature or pressure processes and associated odor control systems.

READY-MIX CONCRETE OR CONCRETE BATCHING PLANT

A facility where cement, aggregates, water, and admixtures are proportioned and mixed to produce concrete for delivery off-site, including associated storage, conveyors, and truck washout areas.

SALVAGE, SCRAP, OR METAL RECYCLING FACILITY (HEAVY)

A facility primarily engaged in the bulk receipt, storage, sorting, shredding, baling, torch-cutting, crushing, or compaction of metals or mixed scrap for wholesale distribution, typically conducted outdoors or in large industrial structures.

SLAUGHTERHOUSE

A facility where live animals are received and humanely killed and processed for meat, including operations such as bleeding, evisceration, skinning, cutting, chilling, packaging, and the handling or storage of carcasses and animal waste. A retail butcher shop without on-site slaughter shall not be deemed a slaughterhouse.

SOLID OR LIQUID WASTE TRANSFER STATION

A facility where municipal solid waste, construction and demolition debris, or liquid waste is received for temporary holding, consolidation, or sorting prior to transport to an off-site processing or disposal location, whether publicly or privately operated.

TANNERY OR LEATHER FINISHING

A facility where animal hides or skins are received and subjected to curing, tanning, pickling, dyeing, finishing, or similar chemical or mechanical processes to produce leather or leather products, including associated drying, buffing, and chemical storage.

WASTE-TO-ENERGY INCINERATOR

A facility where solid waste is combusted to generate electricity, steam, or heat as a principal use, including related waste handling, emissions control, and ash management systems.

SECTION 4. To the extent that any provisions found in section 600 are found to be inconsistent with this Ordinance, the provisions of this Ordinance shall govern.

SECTION 5. The Municipal Clerk is hereby directed to give notice at least ten days prior to hearing on the adoption of this Ordinance to the County Planning Board and to all other persons entitled thereto pursuant to N.J.S.A. 40:55D-15 and N.J.S.A. 40:55D-62 (if required). Upon the adoption of this Ordinance after public hearing thereon, the Clerk is further directed to publish notice of the passage thereof and to file a copy of the Ordinance as finally adopted with the Morris County Planning Board as required by N.J.S.A. 40:55D-16. The Clerk shall also forthwith transmit a copy of this Ordinance after final passage to the Township Tax Assessor as required by N.J.S.A. 40:49-2.1.

SECTION 6. All ordinances of the Township of Denville, which are inconsistent with the provisions of this Ordinance, are hereby repealed to the extent of such inconsistency.

SECTION 7. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

SECTION 8. This Ordinance shall take effect immediately upon final passage, approval, and publication as required by law.

BY ORDER OF THE MUNICIPAL COUNCIL
OF THE TOWNSHIP OF DENVILLE

ATTEST:

APPROVED:

MATTHEW N. BANSCH
MUNICIPAL CLERK

MAYOR THOMAS W. ANDES
TOWNSHIP OF DENVILLE

I hereby certify the foregoing to be a true copy of an ordinance adopted by the Municipal Council of the Township of Denville at its meeting held on June 9, 2026

Matthew N. Bansch, Municipal Clerk