

**TOWNSHIP OF ANDOVER  
COUNTY OF SUSSEX, STATE OF NEW JERSEY**

**ORDINANCE #2025-10**

**AN ORDINANCE OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX, STATE OF NEW JERSEY AMENDING CHAPTER 190 "ZONING," ARTICLE II "WORD USAGE AND DEFINITIONS" OF THE TOWNSHIP CODE, QUALIFYING THE TREATMENT OF ACCESSORY USES OR STRUCTURES**

**WHEREAS**, it has come to the attention of the Township Committee of the Township of Andover that certain accessory uses and structures are being treated as principal structures, for purposes of property line setbacks, in contradiction of the intent of the Township's zoning code; and

**WHEREAS**, the Township Committee wishes to clarify that certain of these accessory uses and structures are not to be considered as part of a property's principal structure for purposes of property line setbacks; and

**WHEREAS**, the Township Engineer has proposed that the existing definition of 'Accessory Use or Structure' in Chapter 190, Article II of the Township zoning code be narrowly amended in order to clarify that certain accessory uses and structures are not to be considered as part of a property's principal structure for purposes of property line setbacks.

**NOW THEREFORE BE IT ORDAINED THAT** by the Township Committee of the Township of Andover, County of Sussex, State of New Jersey, that:

**SECTION 1.** Chapter 190-4 of the Township Municipal Code is hereby amended, retaining all definitions as currently included in said Chapter, except that the definition of 'Accessory Use or Structure' shall be revised as follows:

**ACCESSORY USE OR STRUCTURE**

Accessory uses or structures are features commonly required for safe, healthy and comfortable human habitation of a principal building. These **may** include such things as drinking water wells and septic system components, garbage can enclosures, oil tanks, propane tanks, air-conditioning units, and standby generators (including fuel tanks) in the side or rear yard. Such accessory uses or structures serving a principal building or structure are permitted to encroach into required setbacks, provided that no encroachment is more than half the total distance of the required setback from the property line.

**SECTION 2.** Severability. If any article, 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 and they shall remain in full force and effect.

**SECTION 3.** Repealer. All existing ordinances or parts of existing ordinances which are inconsistent with the terms of this Ordinance are to the extent of such inconsistency repealed.

**SECTION 4.** Effect. This Ordinance shall take effect immediately upon final passage, approval and publication as required by law.

**SECTION 5.** Availability. A copy of this Ordinance shall be available for public inspection at the offices of the Township

## NOTICE OF PENDING ORDINANCE

PUBLIC NOTICE is hereby given that the foregoing Ordinance was introduced and passed at first reading at a Regular Meeting of the Township Committee of the Township of Andover held on May 15, 2025. A public hearing regarding same will be held at a hybrid meeting scheduled for June 19, 2025, beginning at 7:00PM, to be held both in person and virtually via Zoom, which details for accessing the meeting are as follows:

Join Zoom Meeting

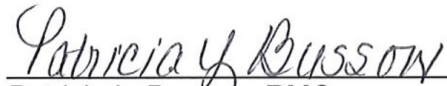
<https://us02web.zoom.us/j/87254161139?pwd=clpxquJenStqV2UdGflzG1fTO4q9kD.1>

Webinar ID: 872 5416 1139

Passcode: 275014

Phone: +1 305 224 1968

All persons interested both for and against said ordinance shall be given an opportunity to be heard concerning same.



Patricia L. Bussow, RMC  
Administrator/Municipal Clerk

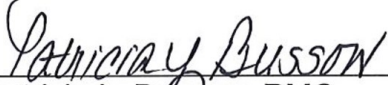
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**NOTICE OF FINAL ADOPTION**

PUBLIC NOTICE is hereby given that the foregoing Ordinance was adopted at a public hearing held at a Hybrid Meeting of the Township Committee of the Township of Andover on June 19, 2025. Said Hybrid Meeting was held virtually via Zoom and in person at the Municipal Building, 134 Newton Sparta Road, Newton, NJ 07860, at which time all persons were given the opportunity to be heard concerning same. This Ordinance shall take effect immediately upon publication, as required by law.

  
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Patricia L. Bussow, RMC  
Administrator/Municipal Clerk