

## ADOPTING ORDINANCE

### ADOPTING ORDINANCE CHAPTER 55, LAND USE ORDINANCE 2001-25

An Ordinance of the Township Committee of the Township of Barnegat Repealing Chapter 55A, Land Use East of the Parkway and Chapter 55B, Land Use West of the Parkway Pinelands of the Code of the Township of Barnegat and Adopting and Enacting Chapter 55, Land Use of the Code of the Township of Barnegat, Volume II.

BE IT ORDAINED by the Township Committee of the Township of Barnegat, County of Ocean, New Jersey as follows:

**Section 1.** Chapter 55A - Land Use East of the Parkway and Chapter 55B - Land Use West of the Parkway Pinelands as contained in Volume II, Land Use, are hereby repealed.

**Section 2.** Chapter 55, Land Use, of the Township of Barnegat Volume II, as compiled, printed and published by Coded Systems Corporation is hereby adopted and enacted.

**Section 3.** All land use ordinances which amend Ord. No. 1983-1 up to and including Ord. No. 2000-13, adopted on May 1, 2000, have been included in Chapter 55, Land Use. Any provision or amendment not contained in Chapter 55 Land Use is repealed from and after the effective date of this ordinance.

**Section 4.** The effect of the changes contained in Chapter 55 Land Use was to combine two chapters that together comprised the Land Use Regulations for the Township: Chapter 55A Land Use East of the Parkway and Chapter 55B Land Use West of the Parkway (Pinelands) into one comprehensive chapter which would contain the separate districts and regulations required for each area and to avoid the repetition created by having two separate chapters.

**Section 5.** The repeal provided for in Section 3 of this ordinance shall not affect:

- a. This repeal shall not be construed to revive any ordinance, or part thereof, which has been repealed by a subsequent ordinance, or which has been repealed by this ordinance.

**Section 6.** All additions or amendments to Chapter 55 Land Use, when so designated, shall be deemed to be incorporated in the chapter so that reference to Chapter 55 Land Use of the Code of the Township of Barnegat shall be understood and intended to include such additions and amendments.

**Section 7.** A copy of the Volume II containing Chapter 55, Land Use, in looseleaf form, has been filed in the office of the Township Clerk of the Township of Barnegat and shall remain there for the use and examination of the public until final action is taken on the ordinance, and if this ordinance shall be adopted, such copy shall be certified to by the Clerk of the Township of Barnegat by impressing thereon the seal of the Township of Barnegat, as provided by law, and such certified copy shall remain on file in the office of the Township Clerk of the Township of Barnegat to be made available to persons desiring to examine the same during all time while this chapter is in effect.

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**Section 8.** No person shall insert or delete any pages or make any other changes in any copy of "Chapter 55, Land Use of the Township of Barnegat" for the purpose of misrepresenting the contents of the chapter.

**Section 9.** It shall be the duty of the Township Clerk or someone authorized and directed by the Clerk to keep up-to-date the certified copy of the book containing Chapter 55, Land Use of the "Code of the Township of Barnegat" required to be filed in his/her office for the use of the public.

**Section 10.** The Township Clerk of the Township of Barnegat, pursuant to law, shall cause to be published in the manner required a copy of this adopting ordinance in a newspaper of general circulation in the Township of Barnegat. Sufficient copies shall be maintained in the office of the Township 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 chapter 55, Land Use for inspection by the public shall be deemed, held and considered to be due and legal publication of all provisions of the Chapter 55 for all purposes.

**Section 11.** Copies of Volume II containing "Chapter 55 Land Use" may be purchased from the Township Clerk upon the payment of a fee to be set by resolution of the Township Committee which may also arrange by resolution the procedures for the periodic supplementation thereof.

**Section 12.** Each section of Chapter 55, Land Use and every part of each section is an independent section or part of a section and the holding of any section or part thereof to be unconstitutional, void or ineffective for any cause shall not be deemed to effect the validity or constitutionality of any other sections or parts thereof.

**Section 13.** This ordinance shall take effect immediately upon final passage and publication thereof according to law.

Introduced: May 21, 2001

Adopted: June 18, 2001

Approved:

Attest: