

**Township of Edgewater Park  
Ordinance No. 1-2005**

***Calendar Year 2005  
Ordinance To Exceed The Municipal Budget  
Appropriation Limits  
And To Establish A Cap Bank  
(N.J.S.A. 40a: 4-45.14)***

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

**WHEREAS**, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

**WHEREAS**, the Township Committee of the Township of Edgewater Park in the County of Burlington finds it advisable and necessary to increase its CY 2005 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

**WHEREAS**, the Township Committee of the Township of Edgewater Park hereby determines that a 3.5% increase in the budget for said year, amounting to \$ 113,544.83 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

**WHEREAS** the Township Committee of the Township of Edgewater Park hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW THEREFORE BE IT ORDAINED**, by the Township Committee of the Township of Edgewater Park in the County of Burlington a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2005 budget year, the final appropriations of the Township of Edgewater Park shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$ 113,544.83NM and that the CY 2005 municipal budget for the Township of Edgewater Park be approved and adopted in accordance with this ordinance; and,

**BE IT FURTHER ORDAINED**, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

**TOWNSHIP OF EDGEWATER PARK  
ORDINANCE NO. 3-2005**

*AN ORDINANCE OF THE TOWNSHIP OF EDGEWATER PARK,  
COUNTY OF BURLINGTON, STATE OF NEW JERSEY, AMENDING  
ORDINANCE NO. 16-2000, ORDINANCE NO. 18-2002, ORDINANCE  
NO. 19-2002, AND ORDINANCE NO. 6-2004, WHICH AUTHORIZED THE  
COLLECTION OF DEVELOPMENT  
FEES PURSUANT TO THE REGULATIONS OF THE NEW JERSEY  
COUNCIL ON AFFORDABLE HOUSING*

**WHEREAS**, Ordinance 16-2000 was previously adopted by Township Committee: An Ordinance of the Township of Edgewater Park, County of Burlington, State of New Jersey, amending Section 2. Chapter 16.02 of the Municipal Code which authorizes the collection of development fees pursuant to the regulations of the New Jersey Council on Affordable Housing:

**WHEREAS**, Township Committee subsequently adopted Ordinance 18-2002: An ordinance of the Township of Edgewater Park, County of Burlington, State of New Jersey, amending Ordinance No. 16-2000 which authorizes the collection of development fees pursuant to the regulations of the New Jersey Council on Affordable Housing;

**WHEREAS**, the Township Committee subsequently adopted Ordinance No. 19-2002: An Ordinance of the Township of Edgewater Park, County of Burlington, State of New Jersey, Establishing a Plan to Spend Development Fees Collected Pursuant to Ordinance No. 16-2000, as Amended;

**WHEREAS**, the Township Committee subsequently adopted Ordinance No. 6-2004: An Ordinance of the Township of Edgewater Park, County of Burlington, State of New Jersey which authorizes the collection of development fees pursuant to the regulations of the New Jersey Council on Affordable Housing, as Amended;

**WHEREAS**, said Ordinance No. 16-2000 provides on page two (2), Residential Development Fees, at Section D, item #1., that “Development fees for residential development shall be one-half of one percent (0.005) of the equalized assessed value of the development.”

**WHEREAS**, said Ordinance No. 16-2000 provides on page two (2), Nonresidential Development Fees, at Section E, item #1., that “Development fees shall be one percent of the equalized assessed value for nonresidential development.”

**WHEREAS**, Township Committee wishes to amend said Ordinance;

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Edgewater Park, County of Burlington, and State of New Jersey, as follows:

**I. SECTION D. RESIDENTIAL DEVELOPMENT FEES**

1. Development fees for residential development shall be one percent (0.01) of the equalized assessed value of the development.

**II. SECTION E. NONRESIDENTIAL DEVELOPMENT FEES**

1. Development fees shall be two percent (0.02) of the equalized value for nonresidential development.
2. Fees exceeding those permitted in this section may be collected where there is an agreement with the developer that offers a financial incentive for paying higher fees. Such agreements may include, but are not limited to, a tax abatement, increased commercial/industrial square footage, increased commercial/industrial coverage and/or increased commercial/industrial impervious coverage in return for an increased fee. The fee negotiated must bear a reasonable relationship to the additional commercial/industrial consideration to be received. All agreements are subject to approval by the Court or COAH.
3. Fees collected from non-residential developments constructed in redevelopment areas officially designated by Edgewater Park Township Committee may be subject to reduction where there is an agreement with the developer. The range in fees collected is between one percent (0.01) and two percent (0.02) of the final assessed value of the development. The intent of providing a range is to create a financial incentive for encouraging development or redevelopment to occur in redevelopment areas. It shall not be construed that the fee shall be automatically reduced between one percent (0.01) and two percent (0.02); the reduction shall be made only after the Township Committee has reviewed the need to reduce the fee accordingly and agrees to do so as part of a developer's agreement to facilitate development or redevelopment in a redevelopment area. All agreements are subject to approval by the Court or COAH.

**III.** All of the other provisions of Ordinance Numbers 16-2000, 18-2002, 19-2002, and 6-2004 shall remain in full force and effect.



**TOWNSHIP OF EDGEWATER PARK  
ORDINANCE NO. 4-2005**

*An Ordinance Of The Township Of Edgewater Park,  
County Of Burlington, State Of New Jersey, Amending  
Chapter 8.24 Of The Code Of The Township Of Edgewater Park  
Entitled "Garbage Collection and Disposal"*

**WHEREAS**, the Township Committee of the Township of Edgewater Park has determined that there is a need to clarify the proper procedures for storage of waste and garbage between municipal pick-up days; and

**WHEREAS**, the Township Committee of the Township of Edgewater Park has also determined that the proper storage of waste receptacles between pick-ups will enhance the attractiveness and liveability of our community, and

**WHEREAS**, the Township Committee of the Township of Edgewater Park has determined that the time for placement of the receptacles for pick-up should also be addressed,

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Edgewater Park, County of Burlington, and State of New Jersey, that the Township Code of the Township of Edgewater Park be and is hereby amended as follows:

**SECTION ONE:** 8.24.030 is Hereby Repealed And Replaced With The Following:

**Preparation of Waste for Collection.**

All garbage, ashes, rubbish or trash shall be thoroughly drained of all water and placed in proper receptacles. Where rubbish is too bulky to be placed in a proper receptacle, it must be disassembled, broken or cut up as much as practicable and placed on the curb as prescribed in section 8.24.040. All rubbish shall be securely tied, where applicable, and shall be of such size that the longest dimension thereof, shall not exceed three (3) feet and the total weight thereof shall not exceed sixty (60) pounds. No apartment house, apartment complex, commercial or industrial facility shall permit or allow garbage, ashes, rubbish or trash to accumulate or remain on the premises for a period longer than the interval between collections, but all such facilities must provide for collection and removal at least twice each week. (Prior code § 7:3-4)

Items not to be collected: The Collector shall not collect leaves, tree stumps, tires, and auto parts. Nor shall the Collector collect newspapers, glass, aluminum, corrugated cardboard, and other items picked up by the Burlington County Recycling Program as prescribed in Section 8.52

**SECTION TWO:** 8.24.040 is Hereby Repealed And Replaced With The Following:

### **Placement and Removal of Receptacles.**

When not set at the curb for pick up, all refuse receptacles shall be kept to the rear of the front building set back line or the front of existing structures on a lot (whichever is closer to the street). In addition, receptacles shall be stored in proper containers as set forth in section 8.24.030, above, and shall be protected from vermin, animals, or other conditions that may cause the contents of the receptacle to be spilled or scattered. The occupant shall keep receptacles clean and in a condition for safe handling.

Receptacles, properly covered and secured, shall be placed at the curb or street edge of the property for pick-up. No more than six receptacles or bundles may be placed on the street line for collection in any one day, nor shall any receptacle or bundle weigh more than 60 pounds. Receptacles shall not be placed for collection earlier than 6 p.m. of the day preceding the nearest collection day. Receptacles shall be removed from the street to their storage location not later than 9 p.m. on the day of collection.

**SECTION THREE:** All ordinances and provisions thereof inconsistent with the Provisions of this Ordinance shall be and are hereby repealed to the extent of such inconsistency.

**SECTION FOUR:** If any section, paragraph, subdivision, clause or provisions of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision and the remainder of this ordinance shall be deemed valid and effective.

**TOWNSHIP OF EDGEWATER PARK**  
**ORDINANCE NO. 5-2005**

*An Ordinance Of The Township Of Edgewater Park,  
County Of Burlington, State Of New Jersey,  
Formulating a Yard Waste Collection Program by  
Creating Chapter 8.72 Entitled "Yard Waste Collection Program"*

**WHEREAS**, the Township Committee of the Township of Edgewater Park is desirous of establishing a yard waste collection and disposal program, so as to protect public health, safety and welfare, and to prescribe penalties for failure to comply.

**SECTION I: Definitions**

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

- a. Containerized – means the placement of the yard waste in a trash can, bucket, bag or other vessel, such as to prevent the yard waste from spilling or blowing out into the street and coming into contact with stormwater.
- b. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- c. Street – means any street, avenue, boulevard, road, parkway, viaduct, drive, or other way, which is an existing State, county, or municipal roadway, and includes the land between the street lines, whether improved or unimproved, and may comprise pavement, shoulders, gutters, curbs, sidewalks, perking area, and other areas within the street lines.
- d. Yard Waste – means leaves and grass clippings.

**SECTION II: Yard Waste Collection**

Sweeping, raking, blowing or otherwise placing yards waste that is not containerized at the curb or along the street is only allowed during the seven (7) days prior to a scheduled and announced collection, and shall not be placed closer than 10 feet from any storm drain inlet. Placement of such yard waste at the curb or along the street at any other time or in any other manner is a violation of this ordinance. If such placement of yard waste occurs, the party responsible for placement of the yard waste must remove the yard waste from the street or said party shall be deemed in violation of this ordinance.

**SECTION III: Enforcement**

The provisions of this ordinance shall be enforced by the Edgewater Park Police and the Property Maintenance Department of the Township of Edgewater Park.

**SECTION IV: Violations and Penalties**

- A. Any person(s) who is found to be in violation of the provisions of this ordinance shall upon conviction thereof in a proceeding before a court of competent jurisdiction be subject to the following fines:
  - 1. Residential yard waste collection violation: A fine of not less than twenty-five dollars (\$25.00) and not more than one

- thousand dollars (\$1,000.00);
2. Commercial or institutional violation: A fine of not less than five hundred dollars (\$500.00) and not more than one thousand dollars (\$1,000.00).
- B. Each continuing day of violation of this chapter shall constitute a separate offense.

**SECTION V: Severability**

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be 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 VI: Effective Date**

This Ordinance shall be in force and effect from and after its adoption and any publications as may be required by law.

Linda M. Dougherty, R.M.C.,  
Municipal Clerk/Administrator

Adoption May 25, 2005

**TOWNSHIP OF EDGEWATER PARK  
ORDINANCE NO. 6 -2005**

*An Ordinance Of The Township Of Edgewater Park,  
County Of Burlington, State Of New Jersey  
Regulating Litter Control  
Creating Chapter 8.76 Entitled “Regulating Litter Control”*

**SECTION ONE. Purpose:**

An ordinance to establish requirements to control littering in the Township of Edgewater Park, so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

**SECTION TWO: Definitions**

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used are in the singular number include the singular number, and words in the singular number include the plural number. The word “shall” is always mandatory and not merely directory.

- a. Litter - any used or unconsumed substance or waste material which has been discarded, whether made of aluminum, glass, plastic, rubber, paper, or other natural or synthetic material, or any combination thereof, including, but not limited to, any bottle, jar or can, or any top, cap or detachable tab of any bottle, jar or can, any unlighted cigarette, cigar, match or any flaming or glowing material or any garbage, trash, refuse, debris, rubbish, grass clippings or other lawn or garden waste, newspaper, magazines, glass, metal, plastic or paper containers or other packaging or construction material, but does not include the waste of the primary processes of mining or other extraction processes, logging, sawmilling, farming or manufacturing.
- b. Litter Receptacle – a container suitable for the depositing of litter.
- c. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

**SECTION THREE. Prohibited acts and regulated activities:**

1. It shall be unlawful for any person to throw, drop, discard or otherwise place litter of any nature upon public or private property other than in a litter receptacle, or have done so, to allow such litter to remain.
2. Whenever any liter is thrown or discarded or allowed to fall from vehicle or boat in violation of this ordinance, the operator or owner, or both, of the motor vehicle or boat shall also be deemed to have violated this ordinance.

**SECTION FOUR. Enforcement:**

This ordinance shall be enforced by the Police Department and the Property Maintenance Department of the Township of Edgewater Park.

**SECTION FIVE. Violations and Penalties:**

- A. Any person(s) who is found to be in violation of the provisions of this ordinance shall upon conviction thereof in a proceeding before a court of competent jurisdiction be subject to the following fines:
  - 1. A fine of not less than twenty-five dollars (\$25.00) and not more than one thousand dollars (\$1,000.00);
- B. Each continuing violation of this chapter shall constitute a separate offense.

**SECTION SIX. 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 SEVEN. Effective date:**

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

**TOWNSHIP OF EDGEWATER PARK  
ORDINANCE NO. 7-2005**

*An Ordinance Of The Township Of Edgewater Park,  
County Of Burlington, State Of New Jersey,  
Formulating a Pet Waste Disposal Program  
Creating Chapter 8.80 Entitled “Pet Waste Disposal Program”*

**WHEREAS**, the Township Committee of the Township of Edgewater Park is desirous of establishing requirements for the proper disposal of pet solid waste, so as to protect public health, safety and welfare, and to prescribe penalties for failure to comply.

**SECTION I: Definitions**

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word “shall” is always mandatory and not merely directory.

- a. Immediate – shall mean that the pet solid waste is removed at once, without delay.
- b. Owner/Keeper– any person who shall possess, maintain house or harbor any pet or otherwise have custody of any pet, whether or not the owner of such pet.
- c. Person– any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- d. Pet – a domesticated animal (other than a disability assistance animal) kept for amusement or companionship
- e. Pet solid waste – waste matter expelled from the bowels of the pet; excrement
- f. Proper Disposal - placement in a designed waste receptacle, or other suitable container, and discarded in a refuse container which is regularly emptied by the municipality or some other refuse collector; or disposal into a system designed to convey domestic sewage treatment and disposal.

**SECTION II: Requirement for disposal**

All pet owners and keepers are required to immediately and properly dispose of their pet’s solid waste deposited on any property, public or private, not owned or possessed by that person.

**SECTION III: Exemptions**

All pet owners or keeper who requires the use of a disability assistance animal shall be exempt from the provisions of this section while such animal is being used for that purpose.

**SECTION IV: Enforcement**

The provisions of this Article shall be enforced by the Police Department and the Local Board of Health of the Township of Edgewater Park.

## **SECTION V: Violations and Penalty**

- A. Any person(s) who is found to be in violation of the provisions of this ordinance shall upon conviction thereof in a proceeding before a court of competent jurisdiction be subject to the following fines:
  - 1. A fine of not less than twenty-five dollars (\$25.00) and not more than one thousand dollars (\$1,000.00);
- B. Each continuing violation of this chapter shall constitute a separate offense.

## **SECTION VI: Severability**

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be 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 VII: Effective Date**

This Ordinance shall be in force and effect from and after its adoption and any publications as may be required by law.



**TOWNSHIP OF EGDEWATER PARK  
ORDINANCE NO. 8-2005**

**AN ORDINANCE OF THE TOWNSHIP OF EDGEWATER PARK  
AMENDING CHAPTER 16 OF THE  
ZONING CODE ORDINANCE OF THE  
TOWNSHIP OF EDGEWATER PARK TO FACILITATE THE PROVISION  
OF AFFORDABLE HOUSING IN THE THIRD HOUSING  
CYCLE IN CONNECTION WITH RESIDENTIAL  
AND NONRESIDENTIAL GROWTH AND DEVELOPMENT**

**WHEREAS**, the New Jersey Supreme Court and New Jersey Legislature have recognized and mandated in So. Burl. Co. NAACP v. Mount Laurel, 92 N.J. 158 (1983) (“Mount Laurel II”) and the Fair Housing Act, N.J.S.A. 52:27D-301, et seq. (“FHA”) that every municipality in New Jersey has an affirmative obligation to facilitate the prompt provision of affordable housing; and

**WHEREAS**, the New Jersey Council on Affordable Housing (“COAH”) is the state administrative agency created pursuant to the FHA vested with primary jurisdiction for the administration of affordable housing obligations in accordance with sound regional planning considerations in New Jersey; and

**WHEREAS**, COAH’s third cycle Substantive Rules [N.J.A.C. 94-1, et seq.] seek to implement a “growth share” approach to affordable housing production which the Township of Edgewater Park feels is fair, equitable and reasonable because it requires affordable housing to be produced in conjunction with normal growth and market forces thereby (a) evenly distributing housing production, and (b) avoiding the concentration and segregation of affordable units and low and moderate income households to isolated locations within communities; and

**WHEREAS**, the Township of Edgewater Park desires to implement the “growth share” policies promulgated and adopted by COAH in its third cycle Substantive Rules, effective on December 20, 2004, in an effort to foster the production of affordable

housing opportunities for the Mount Laurel beneficiaries through the third housing cycle which extends from 2000 to 2014, pursuant to *NJAC* 5:94 et seq. and 5:95 et seq.

**NOW THEREFORE, BE IT ORDAINED AND ESTABLISHED** by the Township Committee of the Township of Edgewater Park, County of Burlington and State of New Jersey that Chapter 16 of the Zoning Code Ordinance of the Township of Edgewater Park be and are hereby amended **to add chapter 16.128** as follows:

**SECTION 1.** – Legislative Intent.

The legislative intent set forth in the above preambles and recitals are hereby adopted and incorporated by reference herein as if set forth herein at length.

**SECTION 2.** – The following new Section, Chapter 16.128 is hereby added to the Edgewater Park Township Zoning Code Ordinance:

**Chapter 16.128:** Uniform Affordable Housing Productions Based Upon “Growth Share”.

A. Residential Development.

(1). Except as otherwise provided below, any residential development in any zoning district in the Township proposing five (5) or more lots or units shall set-aside 11.1 percent (11.1%) of said units (rounded to the next higher number if 0.5 or greater) for affordable housing as said term is defined under the FHA and COAH’s Rules.

(2). Residential development in any zoning district in the Township proposing four (4) or less lots or units shall pay an Affordable Housing Development Fee pursuant to the Township’s Development Fee Ordinance 16-2000 and as subsequently amended by Ordinance 18-2002, Ordinance 19-2002 Ordinance 6-2004 and Ordinance No. 3-2005

B. Nonresidential Development.

(1). Except as otherwise provided below, any non-residential development application submitted to the Planning Board or Board of Adjustment that is required to produce at least one affordable unit

(rounded to the next number if 0.5 or greater) pursuant to COAH's regulations found in Appendix E, *NJAC 5:94-1 et seq.*, shall be required to provide such affordable housing. The calculation of the number of jobs and employment opportunities shall be in accordance with Appendix E to *N.J.A.C. 5:94-1, et seq.* entitled "UCC Use Groups for Projecting and Implementing Nonresidential Components of Growth Share".

C. The applicant may choose to satisfy its affordable housing production obligation(s) through the mechanisms permitted in COAH's rules, including, with Edgewater Park Township's advanced written permission (a) on-site housing production in connection with residential projects, (b) off-site housing production in the Township in connection with residential or non-residential development, (c) the purchase of an existing market-rate home at another location in the community and its conversion to an affordable price-restricted home in accordance with COAH's criteria, regulations and policies, (d) participation in gut rehabilitation and/or buy-down/write-down, buy-down/rent-down programs; and/or (e) any other compliance mechanism pursuant to COAH's rules per *NJAC 5:94-et seq.* Evidence of a compliance mechanism shall be produced to the Planning or Zoning Board at the time of application filing and shall be a condition of all "completeness" determinations. Thereafter, the satisfaction of the affordable housing compliance mechanism shall be an automatic condition of all approvals that must be satisfied in accordance with COAH's phasing requirements per *NJAC 5:94 et seq.*

D. Low and Moderate Income Split and Compliance with COAH's Rules. The affordable unit(s) to be produced pursuant to Paragraphs A, B and C (above) shall be available to a low income individual or household should only one affordable unit be required. Thereafter, each of the units shall be split evenly between low and moderate income individuals and

households except in the event of an odd number in which event the unit shall be a low income unit. All affordable units shall strictly comply with COAH's rules and policies including, but not limited to, phasing, bedroom distribution, controls on affordability, range of affordability, affirmative marketing, income qualification, etc. It shall be the developer's responsibility, at its cost and expense, to arrange for the New Jersey Housing Affordability Service ("HAS") or other administering agency approved by COAH and the Township to ensure full COAH compliance and file such certifications, reports and/or monitoring forms as may be required by COAH or the Court to verify COAH compliance of each affordable unit.

E. Exemption. All growth share affordable units produced by virtue of this Ordinance shall be exempt from the payment of Affordable Housing Department Fees.

**SECTION 3.** – Severability.

If any paragraph, section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court or administrative agency of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining paragraphs or sections hereof.

**SECTION 4.** – Inconsistency.

All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

**SECTION 5.** – Effective Date.

The Ordinance shall take effect upon final passage and publication according to law and filing with the County Planning Board in accordance with *NJSA* 40:55D-16.



**TOWNSHIP OF EDGEWATER PARK  
ORDINANCE NO. 9- 2005**

**AN ORDINANCE OF THE TOWNSHIP OF EDGEWATER  
PARK AMENDING CHAPTER 8.52 OF THE TOWNSHIP CODE, ENTITLED  
'RECYCLING PROGRAM' FOR THE COLLECTION OF DESIGNATED  
RECYCLABLES AND MODIFYING FOR VIOLATIONS THEREOF**

WHEREAS, the New Jersey Solid Waste Management Act ("SWMA"), 13:1E-1 et seq., as amended by P.L. 1987, c.102, requires each municipality within the State of New Jersey to adopt an ordinance or ordinances governing separation and collection of certain recyclable materials; and

WHEREAS, the Burlington County District Solid Waste Management Recycling Plan ("County Plan"), as adopted by the Burlington County Board of Chosen Freeholders ("County"), and approved by the New Jersey Department of Environmental Protection ("DEP") pursuant to SWMA, also requires that each municipality within the County adopt an ordinance governing separation and collection of recyclable materials designated by the County Plan or the County Office of Waste Management ("OWM"); and

WHEREAS, pursuant to the County Plan, OWM has prepared and distributed a model ordinance in a form substantially similar to this Ordinance, and is requesting certain revisions or amendments to the Township's current ordinance;

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Edgewater Park, County of Burlington, and State of New Jersey, that Chapter 8.52 Recycling Program of the Township Ordinance be amended as follows:

**Section 8.52.030, Definitions**, is hereby amended to replace and/or add the following:

"Cans" shall mean **empty food, beverage and aerosol** containers comprised of aluminum, tin, steel or a combination thereof, which formerly contained only non-hazardous substances or such other substances as have been approved for recycling by OWM.

"Designated recyclable materials" shall mean those recyclable materials to be source separated in the Township, **including but not limited to, antifreeze, cellular telephones, construction and demolition debris consisting of asphalt, concrete, and untreated wood waste, electronic waste, metal, glass, lead acid batteries, fluorescent light bulbs and ballasts, leaves, motor oil, paper, plastic bottles, paperboard packaging, corrugated and other**

**cardboard, newspaper, magazines, or high-grade office paper, rechargeable batteries, toner and printer cartridges and tires.”**

**“Disposition” or “disposition of designated recyclable materials” means the transportation, placement, refuse, sale, donation, transfer or temporary storage for a period not exceeding six months, or for a period of time as mandated by law, of designated recyclable materials for all possible uses except for disposal as solid waste;**

**“Electronic Waste” shall mean computer hard drives, monitors, keyboards, modems, printers, fax machines, VCR’s and Cell Phones;**

**“Multifamily dwelling” means any building or structure or complex of buildings or structures in which five or more dwelling units are rented or leased or offered for rental or lease for residential purposes except hotels, motels or other guest houses serving transient or seasonal guests as those terms are defined under subsection ( i) of section 3 of the “Hotel and Multiple Dwelling Law,” P.L. 1967, c. 76©.55: 13A-1 et seq.).**

**“Municipal Drop-Off” shall mean any facility designed and operated solely for the receiving and storing of source-separated, non-putrescible metal, glass, paper, plastic containers and cardboard.**

**“Paper” shall mean all newspaper, fine paper, bond paper, office paper, magazines, paperback books, school paper, catalogs, computer paper, telephone books and similar cellulosic material **whether shredded or whole**, but excluding wax paper, plastic or foil-coated paper, thermal fax paper, carbon paper, **NCR paper**, blueprint paper, food contaminated paper, soiled paper and cardboard.**

**“Plastic bottles” shall mean **all bottles** that are labeled as made from polyethylene teraphthalate (PET) **and coded as #1** and high density polyethylene teraphthalate (HDPE) **and coded as #2**. Specifically excluded are bottles that formerly contained hazardous materials, including, but not limited to, **paint**, motor oil, antifreeze & pesticides.**

#### **Section 8.52.040, Establishment of curbside program.**

A. Paragraph A is hereby amended and replaced as follows:

A. There is hereby established a program (“curbside program”) for the separate collection of paper, cardboard, glass, cans and plastic from all non-physically disabled residents of the Township. **Designated recyclables for this curbside program established pursuant to this section shall consist of the following materials: paper, cardboard, glass, cans, plastic**

**bottles and other recyclable materials, as designated by the Township at any time, thirty (30) days after designation and publication of notice in a newspaper of general circulation. Said curbside program shall not apply to any multifamily complex of twenty (20) or more units, condominium complex of twenty (20) or more units or mobile home park of twenty (20) or more units, or to any commercial or institutional establishment, unless approved by OWM.**

B. Paragraph B is hereby amended and replaced as follows:

B. Collections of recyclable materials pursuant to this section shall be in accordance with a schedule of recycling collection areas and dates to be publicly advertised by the township **or** county.

C. Paragraph C is hereby amended and replaced as follows:

C. All residents of the Township within the area serviced by the curbside program established pursuant to this section shall source-separate all designated recyclables and place them at the side of the road fronting their residence in the manner designated by Section 8.52.050, and on the date specified for collection by the schedule published by the Township **or** county.

**Section 8.52.050, Regulations applicable to source separation and collection of designated recyclables for the curbside program.**

A. Paragraph A is hereby amended and replaced as follows:

A. **Cardboard and Paper** shall be placed in paper bags or tied in bundles not exceeding thirty-five (35) pounds in weight nor exceeding one (1) foot in thickness.

D. Paragraph D is hereby amended and replaced as follows:

D. Glass **containers**, cans and plastic bottles shall be rinsed free of contaminants.

E. Paragraph E, is hereby amended and replaced as follows:

E. **Cans, glass containers and plastic bottles** shall be placed in a **recycling** container, to be provided by the Township. Plastic and/or paper garbage bags shall not be utilized as containers for **cans, glass containers, and plastic bottles**.

F. Paragraph F is hereby amended and replaced as follows:

F. No material shall be placed at the roadside earlier than the evening of the day preceding a scheduled collection day. Material must be placed at the roadside by **6:00 A.M.** on the scheduled collection day.

**Section 8.52.060, Establishment of public dropoff program**, is hereby amended to replace and/or add the following:

A. There is established a program (“public dropoff program”) for the source separation and delivery to a recycling dropoff of paper, cardboard, glass, cans and plastic bottles from all residents located in the Township, with the exception of **multifamily** complexes, condominium complexes and mobile home parks.

**Section 8.52.070, Establishment of dropoff program for apartment complexes, condominium complexes, and mobile home parks**, shall be amended and the language replaced as follows: **Establishment of dropoff program for Multifamily Complexes, Condominium Complexes and Mobile Home Parks.**

A. Paragraph A is hereby amended and replaced as follows:

A. There is hereby established a program (“Private Dropoff Program”) for the source separation and delivery of **designated recyclable materials** to a recycling dropoff(s) **including** paper, cardboard, glass, cans and plastic bottles from all residents of **multifamily** complexes, condominium complexes, and mobile home parks **comprised of twenty (20) or more units** within the Township.

B. Paragraph B is hereby amended and replaced as follows:

B. The owner **or** manager of every **multifamily** complex, condominium complex and mobile home park within the Township shall purchase **recycling containers, construct** and maintain, in a neat and sanitary condition, recycling dropoff(s), to receive all designated recyclables generated by residents of the complex or mobile home park **pursuant to the guidelines of OWM**. In cases where a condominium association exists, the condominium association shall be responsible **for purchase of recycling containers and construction and maintenance in a neat**

**and sanitary condition of the recycling dropoff(s) pursuant to the guidelines of OWM.**

- C. Paragraph C is hereby amended and replaced with the following:
  - C. The owner **or** manager of every multifamily complex, condominium complex and mobile home park **who elects not to participate in the Burlington County Regional Recycling Program** shall arrange for the collection **and** recycling of all designated recyclables from said dropoff(s) **at their expense.**
- D. Paragraph D, line 3, word 'apartment,' is hereby replaced with the word **"multifamily."**
- E. Paragraph E, subparagraph number 5, line 2, word "all" is hereby replaced with the word **"any"**.

**Section 8.52.090, Mandatory commercial, industrial and institutional source-separation program.**

- A. Paragraph A, The words "60 days" shall be replaced with **"30 days"**.
- B. Paragraphs B(4) and B(6) are hereby amended and replaced with the following:
  - 4. **Anti-freeze, batteries (lead acid and rechargeable), paper, construction and demolition waste, fluorescent light bulbs and ballasts, electronic waste, glass, plastic bottles and cans including those generated at convenience stores; and leaves, motor oil, paper, toner and printer cartridges.**
  - 6. The words "60 days" shall be replaced with **"30 days"**.
- C. **Collection Procedure**, line 6, words "highest management individual," shall be replaced with the words : **"individual(s) responsible for the provision of solid waste or recycling services including the provision or maintenance of litter receptacles located on the property..."**
- E. **Documentation.** Paragraph one, the words "Each aforesaid generator," shall be replaced with **"The management individual(s) responsible for the provision of recycling services as herein defined..."**

Paragraph three, the words “issued by receptor,” shall be replaced with the words, “**issued by the recycling service provider or end market...**” End of last sentence paragraph 3, add the language, “**for a period not to exceed five (5) years.**”

**Section 8.52.170, Enforcement.** Paragraph B is hereby amended as follows:

- B. Line 3, after the word, “department,” the following should be added, “**and the Office of Waste Management are appointed...**” At line 5, after the words, “enforcement of,” the following language should be added, “**all recycling requirements of this Ordinance.**”
- D. Paragraph D is amended by adding the language, “**or the Office of Waste Management,**” at the end of paragraph 1, after the words, “Burlington County Health Department.”

**Section 8.52.180, Injunctions–Concurrent remedies.** Paragraph B is hereby amended as follows:

- B. Line 6, after the word, “provided,” the following language shall be inserted, “**by law or equity.**”

All of the other provisions of this Ordinance, shall remain in full force and effect.

This Ordinance shall take effect immediately upon final approval and publication of notice of same by the Township, in accordance with the law.

**TOWNSHIP OF EDGEWATER PARK**  
**Ordinance No. 10-2005**

*AN ORDINANCE OF THE TOWNSHIP OF EDGEWATER PARK PROVIDING  
FOR AND DETERMINING THE RATES OF COMPENSATION FOR  
EMPLOYEES FOR THE YEAR 2005*

BE IT ORDAINED AND ENACTED by the Township Committee of the Township of Edgewater Park, County of Burlington, State of New Jersey, as follows:

Section 2:2-1. The annual rates of compensation of officers and employees whose compensation shall be payable bi-weekly shall be as follows:

POSITION	SALARY RANGE
Administrator	\$25,000 - \$30,000
Municipal Clerk	\$46,500 - \$60,000
Deputy Township Clerk	\$24,000 - \$38,500
Second Deputy Township Clerk	\$ 1,000 - \$ 1,100
Recycling Coordinator	\$ 4,200 - \$5,500
Principal Clerk Typist	\$32,800 - \$39,500
Senior Clerk Typist	\$30,600 – \$45,000
Clerk Typist	\$20,700 – \$34,500
Part-time Clerk Typist	\$7.00 - \$10.00 (per hour)
Registrar-Vital Statistics	\$900 - \$1,300
Deputy Registrar-Vital Statistics	\$500 - \$800
Police Records Clerk	\$20,700 - \$34,500
Senior Police Records Clerk	\$30,600 - \$36,900
Principal Police Records Clerk	\$32,877 - \$39,300
Secretary, Board of Health	\$ 750 - \$ 1,100

Chief Financial Officer	\$16,000 – \$22,000
Tax Collector	\$36,700 – \$40,500
Tax Assessor	\$8,000 - \$17,500
Recreation Coordinator	\$12,000 - \$18,500
Municipal Court Judge	\$12,000 – \$21,000
Court Administrator	\$31,800 – \$47,600
Deputy Court Administrator	\$20,700 – \$34,500
Court Recorder	\$50 - \$65 per session
Court Aide	\$45 - \$65 per session
Construction Official (Over Base Hours)	\$7,500 - \$12,000 \$20 - \$25 per hour
Building Inspector & Sub Code Official (Over Base Hours)	\$7,500 - \$12,000 \$20 - \$25 per hour
Property Maintenance/Rental Licensing Insp.	\$18,000 - \$31,000
Property Maintenance	\$12 - \$15 per hour
Zoning Officer	\$15 - \$18 per hour
Plumbing Inspector	\$20 -\$28 per hour
Electrical Inspector	\$20 -\$28 per hour
Fire Sub Code Official	\$20 -\$28 per hour
Streets Superintendent	\$48,000 - \$65,000
Streets Repairer/Laborer	\$32,600 - \$53,000
Part-time Public Works Grounds Keeper/Driver/Snow Plow Operator	\$10 - \$15 (Per Hour)

Public Safety Director/ Chief Law Enforcement Officer	\$50,000 - \$85,500
Lieutenant	\$55,803 - \$74,100
Sergeant	\$53,199 - \$70,800.
Police Officer	\$35,000 - \$65,000
Special Police Officer	\$10 - \$15 (Per Hour)
Crossing Guards Substitute	\$14.33 – \$15.20 per post
Classified/Unclassified	\$ 22.62 – \$25.49 per post

SECTION 2:2-2. The annual rates of compensation of officers and employees whose compensation shall be paid quarterly shall be as follows:

Township Mayor	\$ 3,700 - \$4,500
Township Committee	\$2,950 - \$3,500
Police Matron (includes all call-outs)	\$ 5,500
Court Administrator/Deputy Court Administrator (includes all call-outs)	\$7,000

SECTION 2:2-3. The annual rates of compensation of officers and employees whose compensation shall be payable annually shall be as follows:

Member, Board of Health	\$50
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SECTION 2:2-4. The compensation of officers and employees whose compensation shall be payable upon completion of said duty and approval by respective Chairperson:

Secretary, Planning Board	\$ 150 (per meeting)
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For each special meeting called by the Chairman for a developer, said developer is responsible for the reimbursement of the meeting fee.

SECTION 2:2-5. The rates of compensation of employees whose compensation falls within a variable range shall be fixed by resolution from time to time.

SECTION 2:2-6. Longevity payments shall be in accordance with respective contracts.

SECTION 2:2-7. The rates of compensation for professionals appointed by Township Committee at its reorganization meeting are as follows:

- Solicitor - \$250 per meeting (support services based on fee schedule)
- Engineer - \$125 per meeting (support services based on fee schedule)
- Auditor - \$65 - \$135 per hour (support services based on fee schedule)
- Prosecutor - \$8,154 - \$11,000 (Annual)
- Public Defender - \$2,400 - \$3,600 (Annual)

SECTION 2:2-8. This ordinance shall take effect immediately upon its final passage and publication according to law, but the terms of compensation provided herein shall be effective as of January 1, 2005, and shall apply only to those persons in employment at the date of adoption of this ordinance. This ordinance is intended to repeal all prior ordinances dealing with salaries in the Township of Edgewater Park in their entirety.

**TOWNSHIP OF EDGEWATER PARK  
ORDINANCE NO. 11-2005**

*An Ordinance of the Township of Edgewater Park Amending Ordinance No. 17-2001, Adopted June 27, 2001; Section 2:32 of The Township of Edgewater Park Code Entitled “ Police Department.”*

**WHEREAS**, Section 2.32 et. seq. provides for the Structure and Administration of the Police Department; and

**WHEREAS**, the Township Committee wishes to amend said code;

**NOW THEREFORE, BE IT ORDAINED**, by the Township Committee of the TOWNSHIP OF EDGEWATER PARK, in the County of Burlington, the State of New Jersey, that:

**SECTION ONE** Chapter 2:32.020 is hereby amended by adding the following provision:

(A) Designation of Positions

There is hereby established the position of Captain (1), Lieutenant (2), Sergeant (3), and Patrolman (9).

(B) The language presently existing in said Section shall remain, and be designated as subsection (a).

**SECTION TWO. Implementation**

This Ordinance shall be effective upon passage and publication according to law.

**SECTION THREE.** All other provisions of Section 2.32 are ratified and affirmed. All ordinances or part of ordinances inconsistent herewith are repealed to the extent of their inconsistency.

**TOWNSHIP OF EDGEWATER PARK  
ORDINANCE NO. 12-2005**

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**AN ORDINANCE AMENDING ORDINANCE NO. 16-2000 IN  
ORDER TO REQUIRE DEVELOPERS OF RESIDENTIAL AND  
NON-RESIDENTIAL DEVELOPMENT IN SPECIFIC AREAS  
IDENTIFIED BY THE TOWNSHIP AS REDEVELOPMENT  
AREAS TO PAY DEVELOPMENT FEES PURSUANT TO  
REGULATIONS ESTABLISHED BY THE NEW JERSEY  
COUNCIL ON AFFORDABLE HOUSING**

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**WHEREAS,** THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF EDGEWATER PARK (the “Township”) believes that in response to newly adopted regulations set forth by the Council on Affordable Housing which require the provision of affordable housing within the Township based upon a “Growth Share” formula, that it is in the best interest of the Township to revise Township ordinances which require the payment of development fees by certain developers.

**NOW, THEREFORE, BE IT ORDAINED AND ESTABLISHED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF EDGEWATER PARK, COUNTY OF BURLINGTON AND STATE OF NEW JERSEY AS FOLLOWS:**

1. **Section F** entitled “Eligible Exactions, Ineligible, and Exemptions” of Chapter 16.02 of the Edgewater Park Township Municipal Code shall be amended and revised to read as follows:

**SECTION F. ELIGIBLE EXACTIONS, INELIGIBLE, AND EXEMPTIONS**

1. Inclusionary developments shall be exempt from paying development fees.
2. Developers that expand an existing nonresidential structure shall pay a development fee as required in other sections of this ordinance. The development fee shall be calculated based on the increase in the equalized assessed value of the improved structure.

3. Improvements and expansions to existing residential structures shall be exempt from paying a development fee.
4. Developers that have received preliminary or final approval prior to the effective date of this ordinance shall be exempt from paying a development fee unless the developer seeks a substantial change in the approval.
5. Developers of churches, synagogues, houses of worship public non-profit uses or hospitals or governmental facilities and buildings shall be exempt from paying a development fee.

2. If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of Ordinance 16-2000 as amended shall remain in full force effect.

**TOWNSHIP OF EDGEWATER PARK  
ORDINANCE NO. 14-2005**

*An Ordinance Of The Township Of Edgewater Park,  
County Of Burlington, State Of New Jersey, Prohibiting Illicit Connections to the  
Municipal Separate Storm Sewer System(s). Creating Chapter 8.84 Entitled “Illicit  
Connection to the Municipal Separate Storm Sewer System(s)”*

**WHEREAS**, the Township Committee of the Township of Edgewater Park is desirous of establishing requirements prohibiting illicit connections to the municipal separate storm sewer system(s).

**SECTION I. Purpose:**

An ordinance to prohibit illicit connections to the municipal separate storm sewer system(s) operated by the **Township of Edgewater Park**, so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

**SECTION II. Definitions:**

For the purpose of this ordinance, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word “shall” is always mandatory and not merely directory. The definitions below are the same as or based on corresponding definitions in the New Jersey Pollutant Discharge Elimination System (NJPDES) rules at N.J.A.C. 7:14A-1.2.

- a. Domestic sewage - waste and wastewater from humans or household operations.
- b. Illicit connection – any physical or non-physical connection that discharges domestic sewage, non-contact cooling water, process wastewater, or other industrial waste (other than stormwater) to the municipal separate storm sewer system operated by the Township of Edgewater Park, unless that discharge is authorized under a NJPDES permit other than the Tier A Municipal Stormwater General Permit (NJPDES Permit Number NJ0141852). Non-physical connections may include, but are not limited to, leaks, flows, or overflows into the municipal

separate storm sewer system.

c. Industrial waste - non-domestic waste, including, but not limited to, those pollutants regulated under Section 307(a), (b), or (c) of the Federal Clean Water Act (33 .S.C. §1317(a), (b), or (c)).

d. Municipal separate storm sewer system (MS4)– a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) that is owned or operated by Township of Edgewater Park or other public body, and is designed and used for collecting and conveying stormwater.

e. NJPDES permit – a permit issued by the New Jersey Department of Environmental Protection to implement the New Jersey Pollutant Discharge Elimination System (NJPDES) rules at N.J.A.C. 7:14A

f. Non-contact cooling water - water used to reduce temperature for the purpose of cooling. Such waters do not come into direct contact with any raw material, intermediate product (other than heat) or finished product. Non-contact cooling water may however contain algaecides, or biocides to control fouling of equipment such as heat exchangers, and/or corrosion inhibitors.

g. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

h. Process wastewater - any water which, during manufacturing or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, byproduct, or waste product. Process wastewater includes, but is not limited to, leachate and cooling water other than non-contact cooling water.

i. Stormwater – water resulting from precipitation (including rain and snow) that runs off the land’s surface, is transmitted to the subsurface, is captured by separate storm sewers or other sewerage or drainage facilities, or is conveyed by snow removal equipment.

### **SECTION III. Prohibited Conduct:**

No person shall discharge or cause to be discharged through an illicit connection to the municipal separate storm sewer system operated by the **Township of Edgewater Park** any domestic sewage, non-contact cooling water, process wastewater, or other industrial waste (other than stormwater).

#### **SECTION IV. Enforcement:**

This ordinance shall be enforced by the Police Department, Public officer, Property Maintenance Inspector, Local Board of Health Property Maintenance Department and/or other Municipal Officials of Township of Edgewater Park.

#### **SECTION V. Penalties:**

- A. Any person(s) who is found to be in violation of the provisions of this ordinance shall upon conviction thereof in a proceeding before a court of competent jurisdiction be subject to the following fines:
  - 1. Residential violation: A fine of not less than twenty-five dollars (\$25.00) and not more than one thousand dollars (\$1,000.00);
  - 2. Commercial or institutional violation: A fine of not less than five hundred dollars (\$500.00) and not more than one thousand dollars (\$1,000.00);
- B. Each continuing violation of this chapter shall constitute a separate offense.

#### **SECTION VI. 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 VII. Effective date:**

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

**TOWNSHIP OF EDGEWATER PARK**  
**ORDINANCE NO. 15-2005**

*An Ordinance Of The Township Of Edgewater Park, County Of Burlington,  
State Of New Jersey, Prohibiting Improper Disposal of Waste into the Municipal  
Separate Storm Sewer System(s). Creating Chapter 8.88 Entitled  
“Improper Disposal of Waste to the Municipal Separate Storm Sewer System(s)”*

**WHEREAS**, the Township Committee of the Township of Edgewater Park is desirous of establishing requirements prohibiting Improper Disposal of Waste into the municipal separate storm sewer system(s).

**SECTION I. Purpose:**

An ordinance to prohibit the spilling, dumping, or disposal of materials other than stormwater to the municipal separate storm sewer system (MS4) operated by the **Township of Edgewater Park**, so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

**SECTION II. Definitions:**

For the purpose of this ordinance, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word “shall” is always mandatory and not merely directory.

- a. Municipal separate storm sewer system (MS4)– a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) that is owned or operated by Township of Edgewater Park or other public body, and is designed and used for collecting and conveying stormwater.
- b. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- c. Stormwater – water resulting from precipitation (including rain and snow) that runs off the land’s surface, is transmitted to the subsurface, is captured by

separate storm sewers or other sewerage or drainage facilities, or is conveyed by snow removal equipment.

### **SECTION III. Prohibited Conduct:**

The spilling, dumping, or disposal of materials other than stormwater to the municipal separate storm sewer system operated by **Township of Edgewater Park** is prohibited.

The spilling, dumping, or disposal of materials other than stormwater in such a manner as to cause the discharge of pollutants to the municipal separate storm sewer system is also prohibited.

### **SECTION IV. Exceptions to Prohibition:**

- a. Water line flushing and discharges from potable water sources
- b. Uncontaminated ground water (e.g., infiltration, crawl space or basement sump pumps, foundation or footing drains, rising ground waters)
- c. Air conditioning condensate (excluding contact and non-contact cooling water)
- d. Irrigation water (including landscape and lawn watering runoff)
- e. Flows from springs, riparian habitats and wetlands, water reservoir discharges and diverted stream flows
- f. Residential car washing water, and residential swimming pool discharges
- g. Sidewalk, driveway and street wash water
- h. Flows from fire fighting activities
- i. Flows from rinsing of the following equipment with clean water:
  - Beach maintenance equipment immediately following their use for their intended purposes; and
  - Equipment used in the application of salt and de-icing materials immediately following salt and de-icing material applications. Prior to rinsing with clean water, all residual salt and de-icing materials must be removed from equipment and vehicles to the maximum extent practicable using dry cleaning methods (e.g., shoveling and sweeping). Recovered materials are to be returned to storage for reuse or properly discarded.

Rinsing of equipment, as noted in the above situation is limited to exterior,

undercarriage, and exposed parts and does not apply to engines or other enclosed machinery.

### **SECTION V. Enforcement:**

This ordinance shall be enforced by the Police Department, Public officer, Property Maintenance Inspector, Local Board of Health Property Maintenance Department and/or other Municipal Officials of Township of Edgewater Park.

### **SECTION VI. Penalties:**

- A. Any person(s) who is found to be in violation of the provisions of this ordinance shall upon conviction thereof in a proceeding before a court of competent jurisdiction be subject to the following fines:
  - 1. Residential violation: A fine of not less than twenty-five dollars (\$25.00) and not more than one thousand dollars (\$1,000.00);
  - 2. Commercial or institutional violation: A fine of not less than five hundred dollars (\$500.00) and not more than one thousand dollars (\$1,000.00);
- B. Each continuing violation of this chapter shall constitute a separate offense.

### **SECTION VII. 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 VIII. Effective date:**

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

**TOWNSHIP OF EDGEWATER PARK  
ORDINANCE NO. 16-2005**

**AN ORDINANCE OF THE TOWNSHIP OF EDGEWATER  
PARK, COUNTY OF BURLINGTON, STATE OF NEW  
JERSEY, AMENDING CHAPTER 10.28 OF THE  
TOWNSHIP CODE, ENTITLED  
“PARKING RESTRICTIONS FOR SPECIFIC STREETS”**

**BE IT ORDAINED**, by the Township Committee of the TOWNSHIP OF EDGEWATER PARK, in the County of Burlington, and State of New Jersey, as follows:

**SECTION ONE. Addendum**

This Ordinance shall amend Chapter 10.28 of the Township Code, by deleting the language in Section A, of Chapter 10.28.020 titled “Parking restrictions designated – Penalty for violation,” specified as “Cherrix Avenue” and adding the language in Section A, of Chapter 10.28.020, titled “Parking restrictions designated – Penalty for violation,” specified as “Cherrix Avenue”, as follows:

Name of Street:	Side	Location
Cherrix Avenue	West	From the southern curb line of East Franklin south to Washington Avenue

**SECTION TWO: Severability**

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be 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 THREE. Implementation**

This Ordinance shall be effective upon passage and publication according to law.

**TOWNSHIP OF EDGEWATER PARK  
ORDINANCE NO. 17-2005**

*AN ORDINANCE OF THE TOWNSHIP OF EDGEWATER PARK,  
COUNTY OF BURLINGTON, STATE OF NEW JERSEY,  
AMENDING ORDINANCE NO. 6-1997,  
WHICH AUTHORIZED THE ESTABLISHING A CURFEW, REGULATING THE TIME  
A MINOR MAY BE ON PUBLIC STREETS OR PUBLIC PLACES*

**WHEREAS**, Ordinance 6-1997 was previously adopted by Township Committee: An Ordinance of the Township of Edgewater Park, County of Burlington, State of New Jersey, regulating minors, making it unlawful for any child under the age of 18 to ride on a bicycle, in a motor car, run through wander or stroll the streets, roads, avenues or other public places in the Township of Edgewater Park after the hour of 10pm; and

**WHEREAS**, Township Committee wishes to temporarily amend said Ordinance;

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Edgewater Park, County of Burlington, and State of New Jersey, as follows:

- I.** The Time Of 'Curfew' for the particular day of each calendar year hereafter designated as the day before Halloween and the day of Halloween (ie: October 30<sup>th</sup> and 31<sup>st</sup>) shall be amended to 9pm.
- II.** Regulate minors, making it unlawful for any child under the age of 18 to ride on a bicycle, in a motor car, run through wander or stroll the streets, roads, avenues or other public places in the Township of Edgewater Park after the hour of 9pm on the above days only; and
- III.** All of the other provisions of Ordinance Number 6-1997 shall remain in full force and effect.

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**TOWNSHIP OF EDGEWATER PARK  
ORDINANCE NO.: 18-2005**

**AN ORDINANCE OF THE CODE OF THE  
TOWNSHIP OF EDGEWATER PARK, COUNTY OF  
BURLINGTON, STATE OF NEW JERSEY, ADDING CHAPTER  
9.21 TO THE TOWNSHIP CODE, TO ESTABLISH  
SEX OFFENDER RESIDENCY AND OTHER LIMITATIONS**

WHEREAS, in recent years, several children in the State of New Jersey, and other states of the United States, have fallen victim to and become prey of repeat convicted sex offenders; and

WHEREAS, experts in the field of psychology have concluded that there is no cure for sex offenders, and by imposing restrictions on the proximity of sex offenders to schools and other facilities where children are regularly present reduces the temptation of offenders for recidivism; and

WHEREAS, the Township Committee of the Township of Edgewater Park believes it to be in the best interest of the Township residents to adopt an Ordinance to limit the locations where convicted sex offenders are permitted to reside in the Township, in order to protect the health, safety and welfare of minors in the Township of Edgewater Park; and

WHEREAS, the Township Committee is also concerned about its ability to protect minors from sex offenders, if it does not impose residency limitations on convicted sex offenders given the several transient living facilities within the Township, where State, County, public and private agencies place transitional individuals as residents for short periods of time; and

WHEREAS, the Township Committee also wishes to protect minors from convicted sex offenders at Township parks and other locations frequented by minors; and

WHEREAS, the New Jersey State Legislature has not enacted laws which concern or touch upon the limitations of convicted sex offenders from residing or living near areas where children regularly meet or congregate; and

WHEREAS, the Township is permitted to enact ordinances to prohibit loitering in streets, parks or public places pursuant to N.J.S.A.40:48-1(7), and to protect the public safety, health and welfare of its residents pursuant to N.J. S.A.40:48-2.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Edgewater Park, County of Burlington, and State of New Jersey, as follows:

Article I. New Chapter.

A new Chapter is hereby added to the Township Code, entitled "Convicted Sex Offender Residency"

§9.21.010 Definitions.

For the purposes of this Chapter, the following words shall be defined as follows:

"Convicted Sex Offender" means a person who has been convicted of a criminal offense against a minor, or an aggravated offense, sexually violent offense, or other relevant offenses that involved a

minor, as set forth in N.J.S.A.2C:7-2.

“Residence” means the place where a convicted sex offender sleeps, which may include more than one location, and may be mobile or transitory.

#### §9.21.020 Residency Limitations

A. No convicted sex offender shall be permitted to live or establish residence within two thousand five hundred (2,500) feet of the property comprising of a public or nonpublic elementary or secondary school, church, or other place of worship, public or nonpublic cemetery, a child care facility, bus stop, or a park or playground, in the Township.

B. A convicted sex offender who resides within two thousand five hundred (2,500) feet of a property comprising of a public or nonpublic elementary or secondary school, church, or other place of worship, public or nonpublic cemetery, a child care facility, bus stop, park or playground commits a municipal code offense.

#### §9.21.030 Application and Notice.

A. The Residency Limitations set forth in §9.21 shall not apply to any convicted sex offender who has established residence prior to enactment of this Chapter.

B. A convicted sex offender who establishes residence within two thousand five hundred (2,500) feet from a public or nonpublic elementary or secondary school, church, or other place of worship, public or nonpublic cemetery, a child care facility, bus stop, park or playground after the enactment of this Chapter shall have sixty (60) days from receipt of a written notice from the Township to move from the residence. Failure to move shall be a violation of this Chapter.

#### §9.21.040 Facilitating Residency of a Convicted Sex Offender

Any individual, partnership, agency, corporation or non-profit organization that permits, allows, suffers, or otherwise facilitates a convicted sex offender to reside in or on a property within two thousand five hundred (2,500) feet from a public or nonpublic elementary or secondary school, church, or other place of worship, public or nonpublic cemetery, a child care facility, bus stop, park or playground shall be liable under this Chapter.

#### §9.21.050 Prohibitions of Person in Parks Frequented by Children

A. No convicted sex offender shall be present in or on any Township park or park property which has been designated by the Township Committee as a park frequented by children.

B. No convicted sex offender is permitted to knowingly loiter on a public way within three hundred (300) feet from a public or nonpublic elementary or secondary school, church, or other place of worship, public or nonpublic cemetery, a child care facility, bus stop, park, or playground, church, or other place of worship.

C. If a police officer reasonably believes that a convicted sex offender is in a Township park in violation of this Chapter, the officer shall require the convicted sex offender to provide his/her name, address and telephone number. If it is established that the convicted sex offender is on the New Jersey Sex Offender Registry list, the officer shall notify the convicted sex offender that he/she is in violation of this Chapter.

§9.21.060 Violations and Penalties.

A. Any convicted sex offender found guilty of violating any provision of this Chapter, except as set forth below, shall be subject to a fine not to exceed one thousand two hundred fifty dollars (\$1,250.00); imprisonment of a term not to exceed ninety (90) days, and/or a period of community service not to exceed ninety (90) days.

B. Any individual, corporation, agency, partnership, or organization convicted of violating Chapter §9.21.040 shall be subject to a fine not to exceed five hundred dollars (\$500.00) for each violation.

C. Any convicted sex offender convicted of violating Chapter §9.21.050 shall be subject to a fine not to exceed five hundred dollars (\$500.00) for each violation, and/or imprisonment for a term not to exceed thirty (30) days.

Article II. Repealer, Severability and Effective Date.

- A. Repealer. Any and all Ordinances inconsistent with the terms of this Ordinance are hereby repealed to the extent of any such inconsistencies.
- B. Severability. In the event that any clause, section, paragraph or sentence of this Ordinance is deemed to be invalid or unenforceable for any reason, then the Township Committee hereby declares its intent that the balance of the Ordinance not affected by said invalidity shall remain in full force and effect to the extent that it allows the Township to meet the goals of the Ordinance.
- C. Effective Date. This Ordinance shall take effect upon proper passage in accordance with the law.

TOWNSHIP OF EDGEWATER PARK

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Richard M. Tucker, Mayor

Attest:

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Linda M. Dougherty, RMC,  
Municipal Clerk/Administrator

NOTICE

The foregoing ordinance was introduced by the Edgewater Park Township Committee at its meeting held on November 1, 2005. This ordinance will be consider for adoption of final reading and public hearing to be held on November 22, 2005 at 7:00 PM, or shortly thereafter, and place to which such meeting may be adjourned, in the Municipal Building, 400 Delanco Road, Edgewater Park, New Jersey. At which time and place all persons

interested will be given an opportunity to be heard concerning said Ordinance. During the week prior to and up to and including the date of such meeting, copies of said ordinance will be made available at the Clerk's office to the members of the general public who shall request the same.

**TOWNSHIP OF EDGEWATER PARK  
ORDINANCE NO. 20-2005**

**AN ORDINANCE OF THE TOWNSHIP OF EDGEWATER  
PARK AUTHORIZING CONVEYANCE OF CERTAIN REAL  
PROPERTY DESIGNATED AS BLOCK 906, LOT 17, BY  
THE TOWNSHIP OF EDGEWATER PARK**

BE IT ORDAINED by the Township Committee of the TOWNSHIP OF EDGEWATER PARK, County of Burlington, and State of New Jersey, as follows:

**SECTION 1. DECLARATION AND ACCEPTANCE**

A. The Township Committee of the TOWNSHIP OF EDGEWATER PARK hereby declares that certain real property set forth on the Edgewater Park Tax Map, known as Block 906, Lot 17 (which real property is more particularly described, or shall be described, in a certain Quit Claim Deed from the Township of Edgewater Park, a body politic of the State of New Jersey, to MELISSA JANE FAZIO, a copy of which Deed is on file, or shall be on file, in the office of the Township Clerk, and available for inspection during normal business hours), is about to be conveyed to MELISSA JANE FAZIO in fee, for use by the purchase thereof for the sum of ONE DOLLAR (\$1.00), and further declares that the conveyance thereof would be beneficial to the Township, as said property is of no use to the Township, and has no access to a street. Said property is more particularly described as a landlocked 50' x 50' parcel, located adjacent to the property of Grantee at 202 Hendrickson Avenue, in the Township of Edgewater Park, County of Burlington, and State of New Jersey. The Township makes no warranties whatsoever regarding said property, and assumes no responsibility for environmental conditions, known or unknown regarding said property.

B. The Township Committee of the TOWNSHIP OF EDGEWATER PARK therefore agrees to the conveyance of the said real property or interest therein to MELISSA JANE FAZIO, all contiguous owners having expressed no interest in same, pursuant to N.J.S.A.40A:12-13.

**SECTION 2. AUTHORIZING CONVEYANCE**

The Township Committee of the TOWNSHIP OF EDGEWATER PARK hereby authorizes the conveyance of the said real property for the sum of ONE DOLLAR (\$1.00), in accordance with the Public Lands and Buildings Law, N.J.S.A.40A:12-1, et sequentia, and further approves the form of the deed of conveyance, which Deed shall be recorded in the Office of the Burlington County Clerk, and, thereafter shall be kept on file in the Office of the Township Clerk, available for inspection during normal business hours.

**SECTION 3. EFFECTIVE DATE**

This Ordinance shall take effect after the second reading and publication as required by law.

**TOWNSHIP OF EDGEWATER PARK  
ORDINANCE NO. 21-2005**

*Amending Chapter 2.16 Governing Fire Official and Fire Inspector,  
Chapter 8.16 Governing Uniform Fire Safety Act Enforcement, and  
Chapter 8.20 Governing Miscellaneous Fire Protection Regulations of the Township Code*

**NOW, THEREFORE, BE IT ORDAINED BY** The Township Committee Of The Township Of Edgewater Park, In The County Of Burlington, New Jersey As Follows:

Section 1. Chapter 2.16, governing the Fire Official and Fire Inspector is hereby amended as follows:

2.16.010. Fire Official.

B. Qualifications. To qualify for the appointment of fire official an individual shall:

1. Be a member of a volunteer, paid or part-time fire department within the State of New Jersey;
2. Have graduated from Basic Fire School in the State of New Jersey or equivalent to New Jersey standards;
3. Be a high school graduate or equivalent;
4. Be a certified Fire Official or Fire Inspector by the Division of Fire Safety, New Jersey State Department of Community Affairs;
5. Hold no other position within the construction code official's office within the same municipality.

C. Powers and Duties. The fire official shall:

1. Enforce the most recent version of the Edgewater Park Township Fire Prevention Code and the New Jersey Uniform Fire Code, and take all necessary action to enforce these provisions and have the violations corrected;

2.16.020. Fire Inspector.

B. Qualifications. To qualify for the appointment of Fire Inspector as an individual shall have achieved the qualifications set forth in Section 2.16.010(B.1), (B.3), and (B.6).

Section 2. Chapter 8.16, governing Uniform Fire Safety Act Enforcement, is hereby amended as follows:

8.16.010. Local Enforcement

Pursuant to NJAC 5:70-1, et seq., the New Jersey Uniform Fire Code, most recent update, shall be locally enforced within the Township.

8/16.030. Duties.

The local enforcement agency shall enforce the New Jersey Uniform Fire Code and the codes and regulations adopted under it in all buildings, structures and premises within the established boundaries of the fire district, other than owner-occupied one- and two-family dwellings, provided, that property owned or leased by the state of New Jersey or any of its agencies or authorities shall not be subject to the provisions of this chapter but shall be inspected exclusively by the New Jersey Department of Community Affairs. The local enforcement agency shall faithfully comply with the requirements of the New Jersey Uniform Fire Code.

8.16.40. Life Hazard Uses.

The local enforcement agency shall inspect life hazard uses within the Township required by the New Jersey Uniform Fire Code in accordance with the schedule set forth in the New Jersey Uniform Fire Code, and the inspections shall be carried out by a certified Fire Official or Fire Inspector.

8.16.90. Disclaimer.

Nothing in this chapter shall be construed as in any way derogating from or limiting the right of any person under Title 11A of the Revised Statutes and its accompanying regulations at NJAC 4A:1-1, et seq. (Civil Service).

8.16.100. Board of Appeals.

Pursuant to NJAC 5:70-1, et seq., any person aggrieved by any order of the local enforcement official shall have the right to appeal to the construction board of appeals of Burlington County.

8.16.120. Permit and inspection fees.

The permit fees shall be as follows:

Type 1	\$42.00
Type 2	\$166.00
Type 3	\$331.00
Type 4	\$497.00
Type 5	Reserved

All other businesses in the non-life hazard use shall be charged an annual fee based upon the square footage (“SF”) of the buildings according to the SF rate schedule, as follows:

**INSPECTION FEES:**

Life Hazard Fee’s (LHU) – per Uniform Fire Code

Non-Life Hazard Fee’s –

1. Under 500	Square feet	\$42.00
2. 501 –800	“ “	\$54.00
3. 801 – 1500	“ “	\$60.00
4. 1501 – 2000	“ “	\$66.00

5.	2001 – 5000	“	“	\$90.00
6.	5001 – 8000	“	“	\$120.00
7.	8001 – 11,999	“	“	\$150.00
8.	12,000 – 14,000	“	“	\$180.00
9.	14,001 or more	“	“	\$240.00

Church Sites = \$25.00 flat fee  
 Apartment complexes = \$35.00 per building  
 Storage Facilities = \$50.00 Flat

Section 3. Chapter 8.20, governing Miscellaneous Fire Protection Regulations is hereby amended as follows:

8.16.20. Fire Lanes Designated.

Fire Lanes shall be designated as set forth in this chapter pursuant to NJSA 40:14-53 as amended on all plans and specifications for the construction or remodeling of any public or quasi-public structure where deemed necessary by the Township fire marshal/Fire Official.

The owner of any property on which there is presently located a public or quasi-public structure which has no fire lanes or on which the fire lanes presently existing are deemed inadequate by the fire marshal/Fire Official shall be required, upon ten days’ notice, to provide, locate and designate, appropriate lanes in accordance with the provisions of this chapter.

8.20.030. Design of Fire Lanes.

Each fire lane shall be constructed to a minimum width of eighteen (18) feet, twelve (12) feet of which shall be paved, graveled or constructed of an appropriate stable base. Construction of the fire lane can be combined with a pedestrian path if appropriately located and constructed. All fire lanes shall be visually designated either by their form or by the material used in their construction. When determining the type of construction, which is appropriate for the fire lane, consideration shall be given to the aesthetics of the site. Fire lanes must be able to support a vehicle with Gross Weight (“GVW”) of 80,000 pounds and any designed turning radius must be able to handle a 54’ long fire truck.

8.20.040. Location of Fire Lanes.

Fire Lanes shall be located as to serve the entire building from the building site so as to provide the most direct means of access for all emergency vehicles: to be sufficiently close to the building to provide the means to provide protection for the structure while being far enough removed so as to provide safety for the emergency vehicle using the fire lane in the vent of collapse of the building. However, the ultimate authority with respect to the determination for the location of the fire lane shall lie with the fire marshal/Fire Officials of the township. The fire marshal/Fire Official shall make the aforesaid determination after reviewing recommendations of both the township engineer and township planner.

8.20.050. No Parking Designations to be Posted on Fire Lanes.

Fire lane shall be appropriately posted with signs indicating the words “NO PARKING FIRE LANE” in red letters on a white background, with a red line bordering the perimeter of the sign, said sign to be twelve (12) inches by eighteen (18) inches, made of metal with rust-resistant reflectorized coating, posted at the ends of each fire lane, and at one hundred (100) foot intervals therein. Fire lanes shall also be designated by covering the face and top of the curb of the prohibited area with a solid yellow color of paint. The above criteria for the painting of fire lanes is to be considered a minimum, and additional painting may be placed on the site consisting of crosshatches, solid yellow areas, or such designations, in addition to the curb painting as may serve to act as a deterrent to parking in fire lanes.

#### 8.20.70. Unauthorized Vehicles in Fire Lanes – Enforcement.

- A. No unauthorized vehicles shall be allowed to park, stand or stop in any fire lane except where there is a fire lane in front of and one hundred (100) feet to either side of the only means of ingress and egress to a commercial establishment and no other alternate means of ingress and egress can be feasibly established, then and in that event, limited stopping, standing and parking shall be permitted for the purposes of loading and unloading to that commercial facility only. The foregoing exception to the enforcement of fire lanes shall be limited to the specific criteria as set forth above and be further limited to actual loading and unloading only, not to exceed fifteen (15) minutes. Nor shall any person in any manner obstruct any fire lane except as provided above. Any person violating this section shall be subject to a fine not less than fifty dollars (\$50.00) and not greater than two hundred fifty dollars (\$250.00) for each separate offense, said fine and court costs inclusive to be payable through the violations bureau. “Unauthorized vehicle” shall be interpreted to mean a vehicle other than emergency vehicle as well as such other vehicles as may be designated by the fire official as being authorized and trucks loading or unloading pursuant to this chapter.
- B. Any unoccupied vehicle parked, stopped or standing in violation of this chapter in any fire lane shall be deemed a nuisance and the fire/Fire Official may provide for its immediate removal and any subsequent storage which may be required shall be paid by the owner of the vehicle before he may be allowed to regain possession of same.
- C. The fire marshal/Fire Official, the inspector, the code enforcement officer and the township police department shall have concurrent jurisdiction to enforce the provisions of this section.
- D. A fire lane violation citation shall be established in coordination with the Police Department, when a Fire Official or Fire Inspector determines a summons should be issued, the Fire Official or Fire Inspector shall notify the Police Department accordingly.

TOWNSHIP OF EDGEWATER PARK  
ORDINANCE NO. 22-2005

**AN ORDINANCE OF THE TOWNSHIP OF EDGEWATER PARK  
AUTHORIZING AN AGREEMENT WITH EDGEWATER PARK REAL ESTATE  
ASSOCIATES, d/b/a THE COURTYARD APARTMENTS, AND THE  
EDGEWATER PARK BOARD OF EDUCATION FOR THE PURPOSE OF  
OBTAINING EASEMENTS UPON CERTAIN TRACTS OF REAL PROPERTY  
KNOWN AS BLOCK 502, LOT 10, OWNED BY THE EDGEWATER PARK  
BOARD OF EDUCATION, AND BLOCK 502, LOT 12.01 OWNED BY  
EDGEWATER PARK REAL ESTATE ASSOCIATES, d/b/a THE COURTYARD  
APARTMENTS, FOR THE PURPOSE OF CONSTRUCTING A SIDEWALK.**

BE IT ORDAINED by the Township Committee of the TOWNSHIP OF EDGEWATER PARK, in the County of Burlington and State of New Jersey, that:

**SECTION 1.**

A. **EDGEWATER PARK BOARD OF EDUCATION**, is the owner in fee simple of a certain tract of real property known as Block 502, Lot 10, situate in the Township of Edgewater Park, State of New Jersey, upon which is situate the RIDGWAY SCHOOL, 300 Delanco Road, Edgewater Park, New Jersey, 08010;

B. **EDGEWATER PARK REAL ESTATE ASSOCIATES**, is the owner in fee simple of a certain tract of real property known as Block 502, Lot 12.01, situate in the Township of Edgewater Park, upon which is situate an apartment complex known as THE COURTYARD APARTMENTS;

C. **The TOWNSHIP OF EDGEWATER PARK**, is desirous of obtaining a ten foot wide easement adjacent to and parallel with the Township's existing 33 foot right-of-way, a total distance of approximately 650 feet, in order to gain access to said properties, and to construct a sidewalk for public use, and for public good and welfare, to utilize said properties, and to traverse upon said properties, in connection with the construction of said sidewalk by Grantee, the TOWNSHIP OF EDGEWATER PARK.

D. **EDGEWATER PARK REAL ESTATE ASSOCIATES, d/b/a, THE COURTYARD**

APARTMENTS and the EDGEWATER PARK BOARD OF EDUCATION have by Agreement, or intend by Agreement, to grant said easements to the TOWNSHIP OF EDGEWATER PARK, for the purpose of access to their properties, and for constructing a sidewalk thereon, and to permit public use of said sidewalk.

**SECTION 2.**

NOW, THEREFORE, the Township Committee of the TOWNSHIP OF EDGEWATER PARK, as grantee, hereby authorizes agreements with EDGEWATER PARK REAL ESTATE ASSOCIATES, d/b/a, THE COURTYARD APARTMENTS and the EDGEWATER PARK BOARD OF EDUCATION for the purpose of obtaining easements over a portion of grantor's said real properties aforesaid in accordance with the Public Lands and Buildings Law, N.J.S.40A:12-1, et sequentia, and further approves the form of the deeds of easement, which have, or shall have annexed thereto a metes and bounds description, which have been or shall be recorded in the Office of the Burlington County Clerk, and, thereafter shall be kept on file in the Office of the Township Clerk, available for inspection during normal business hours.

**SECTION 3.**

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

**TOWNSHIP OF EDGEWATER PARK**  
**Ordinance No. 23 -2005**

*AN ORDINANCE OF THE TOWNSHIP OF EDGEWATER PARK PROVIDING  
FOR AND DETERMINING THE RATES OF COMPENSATION FOR  
EMPLOYEES FOR THE YEAR 2006*

BE IT ORDAINED AND ENACTED by the Township Committee of the Township of Edgewater Park, County of Burlington, State of New Jersey, as follows:

Section 2:2-1. The annual rates of compensation of officers and employees whose compensation shall be payable bi-weekly shall be as follows:

POSITION	SALARY RANGE
Administrator	\$25,000 - \$30,000
Municipal Clerk	\$46,500 - \$60,000
Deputy Township Clerk	\$24,000 - \$38,500
Second Deputy Township Clerk	\$ 1,000 - \$ 1,100
Recycling Coordinator	\$ 4,200 - \$5,500
Principal Clerk Typist	\$32,800 - \$39,500
Senior Clerk Typist	\$30,600 – \$45,000
Clerk Typist	\$20,700 – \$34,500
Part-time Clerk Typist	\$7.00 - \$10.00 (per hour)
Registrar-Vital Statistics	\$900 - \$1,300
Deputy Registrar-Vital Statistics	\$500 - \$800
Police Records Clerk	\$20,700 - \$34,500
Senior Police Records Clerk	\$30,600 - \$36,900
Principal Police Records Clerk	\$32,877 - \$39,300
Secretary, Board of Health	\$ 750 - \$ 1,100

Chief Financial Officer	\$16,000 – \$22,000
Assistant Treasurer	\$1,000 - \$1,500
Tax Collector	\$36,700 – \$40,500
Tax Assessor	\$8,000 - \$17,500
Recreation Coordinator	\$12,000 - \$18,500
Municipal Court Judge	\$12,000 – \$21,000
Court Administrator	\$31,800 – \$47,600
Deputy Court Administrator	\$20,700 – \$34,500
Court Recorder	\$50 - \$65 per session
Court Aide	\$45 - \$65 per session
Construction Official (Over Base Hours)	\$7,500 - \$12,000 \$20 - \$25 per hour
Building Inspector & Sub Code Official (Over Base Hours)	\$7,500 - \$12,000 \$20 - \$25 per hour
Property Maintenance/Rental Licensing Insp.	\$18,000 - \$31,000
Property Maintenance	\$12 - \$15 per hour
Zoning Officer	\$15 - \$18 per hour
Plumbing Inspector	\$20 -\$28 per hour
Electrical Inspector	\$20 -\$28 per hour
Fire Sub Code Official	\$20 -\$28 per hour
Streets Superintendent	\$48,000 - \$65,000
Streets Repairer/Laborer	\$32,600 - \$53,000
Part-time Public Works Grounds Keeper/Driver/Snow Plow Operator	\$10 - \$15 (Per Hour)

Public Safety Director/ Chief Law Enforcement Officer	\$50,000 - \$85,500
Captain	\$74,000 - \$85,500
Lieutenant	\$55,803 - \$74,100
Sergeant	\$53,199 - \$70,800.
Police Officer	\$35,000 - \$65,000
Special Police Officer	\$10 - \$15 (Per Hour)
Crossing Guards	
Substitute	\$14.33 – \$15.20 per post
Classified/Unclassified	\$ 22.62 – \$25.49 per post

SECTION 2:2-2. The annual rates of compensation of officers and employees whose compensation shall be paid quarterly shall be as follows:

Township Mayor	\$ 3,700 - \$4,500
Township Committee	\$2,950 - \$3,500
Police Matron (includes all call-outs)	\$ 5,500
Court Administrator/Deputy Court Administrator (includes all call-outs)	\$7,000

SECTION 2:2-3. The annual rates of compensation of officers and employees whose compensation shall be payable annually shall be as follows:

Member, Board of Health	\$50
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SECTION 2:2-4. The compensation of officers and employees whose compensation shall be payable upon completion of said duty and approval by respective Chairperson:

Secretary, Planning Board	\$ 150 (per meeting)
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For each special meeting called by the Chairman for a developer, said developer is responsible for the reimbursement of the meeting fee.

SECTION 2:2-5. The rates of compensation of employees whose compensation falls within a variable range shall be fixed by resolution from time to time.

SECTION 2:2-6. Longevity payments shall be in accordance with respective contracts.

SECTION 2:2-7. This ordinance shall take effect immediately upon its final passage and publication according to law, but the terms of compensation provided herein shall be effective as of **January 1, 2005**, and shall apply only to those persons in employment at the date of adoption of this ordinance. This ordinance is intended to repeal all prior ordinances dealing with salaries in the Township of Edgewater Park in their entirety.

**TOWNSHIP OF EDGEWATER PARK  
ORDINANCE NO. 24-2005**

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**AN ORDINANCE OF THE TOWNSHIP OF EDGEWATER PARK, IN THE COUNTY OF BURLINGTON, NEW JERSEY, REAFFIRMING THE TOWNSHIP’S AGREEMENT TO SELL CERTAIN REAL PROPERTY IN THE TOWNSHIP; AUTHORIZING THE PREPARATION AND EXECUTION OF A DEVELOPMENT AGREEMENT BETWEEN THE TOWNSHIP AND GREATER AMERICAN COMMUNITIES, II, LLC.; FURTHER AUTHORIZING THE PREPARATION OF A REDEVELOPMENT PLAN FOR BLOCK 1202, LOT 4.01 AND OTHER ADJACENT PROPERTIES, AND THE SUBMISSION OF THE SAME TO THE EDGEWATER PARK TOWNSHIP PLANNING BOARD FOR ADVICE AND CONSENT; AND MAKING CERTAIN DETERMINATIONS AND COVENANTS AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING”**

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**WHEREAS**, the Township of Edgewater Park (the “Township”) and Quest Properties, L.L.C., a New Jersey Limited Liability Company (“Quest”) entered into a certain Agreement of Sale dated November 4, 2004 by and through which the Township agreed to sell and Quest agreed to purchase all that certain real property known and designated on the official tax map of the Township as Block 1202, Lot 4.01 (the “Property”);

**WHEREAS**, on or about November 4, 2004, Quest assigned all of its right, title and interest in and to its agreement to purchase the Property from the Township to Greater American Communities, LLC., a New Jersey Limited Liability Company (“Greater American”);

**WHEREAS**, through this Ordinance, the Township wishes to reaffirm its agreement to sell the Property to Greater American;

**WHEREAS**, by Resolution No. 31-98 dated May 14,1998, the Township previously designated the Property as an “area in need of redevelopment”;

**WHEREAS**, in connection with the Township’s prior designation of the Property and other adjacent properties identified as Block 1202, Lot 4.01, Block 1202 Lot 9 and Block 1202 Lot 1.10 as a redevelopment property, the Township believes that it is appropriate at this time to prepare and consider the adoption of an ordinance establishing a redevelopment plan (the “Plan”) for the Property;

**WHEREAS**, Greater American intends to develop the Property and other adjacent properties into approximately a 257 unit age-restricted residential community, and to develop a 10,000 square foot medical/office building on part of the Property, including all associated roads, storm water drainage, active and passive recreation facilities, and open space (the “Project”); and

**WHEREAS**, in connection with the implementation of a Plan and Greater American’s intent to develop the Property and other adjacent properties following their acquisition of the same, it will be necessary for the Township to prepare and have executed a development agreement by and between the Township and Greater American, which agreement will serve to memorialize the specific terms and conditions of Great American’s development of the Property.

**NOW, THEREFORE, BE IT ORDAINED AND ESTABLISHED BY THE COMMITTEE OF THE TOWNSHIP OF EDGEWATER PARK, IN THE COUNTY OF BURLINGTON, NEW JERSEY THAT:**

1. **Affirmation of the Sale of the Property.**

(a) The Township of Edgewater Park hereby reaffirms and establishes its commitment to sell certain real property known and designated on the official tax map of the Township of Edgewater Park as Block 1202, Lot 4.01 to Greater American Communities, II, LLC.

or their successors and assigns subject to the specific terms and conditions of its written agreement of sale with Quest, as the same may be amended from time to time.

(b) The Township's Clerk/Administrator, Solicitor and Special Counsel are hereby further designated and authorized on behalf of the Township to prepare and execute any and all documents by and on behalf of the Township to properly transfer the Property to Greater American and/or their successors and assigns on a mutually convenient closing date established by the Township and Greater American.

2. **Preparation of a Redevelopment Plan.**

(a) In connection with the Township's prior designation of the Property as a "property in need of redevelopment" the Township hereby authorizes the Township Clerk/Administrator, Solicitor and Special Counsel to prepare and deliver to the Township Committee a Plan for the redevelopment of the Property by Greater American.

(b) Upon the Township Committee's receipt and examination of said redevelopment plan, the Township hereby expresses its intent and desire to forward the Plan to the Edgewater Park Township Planning Board in accordance with the provisions of N.J.S.A. 40A:12A-7 for the Township Planning Board's review and consent within the time period within said statute.

3. **Redevelopment Agreement.**

(a) The Township's Clerk/Administrator, Solicitor and Special Counsel are hereby further authorized and directed to prepare simultaneously with the preparation of a redevelopment Plan, a redevelopment agreement, through which Greater American will be permitted, subject to Township Planning Board approval to plan and construct the Project.

(b) The Township hereby expresses its desire upon the preparation of the redevelopment agreement to execute the same at its earliest possible convenience.

4. **Miscellaneous.**

(a) In the event that any section or portion of this Ordinance shall be declared to be unconstitutional, invalid or inoperative, in whole or in part, by a court of competent jurisdiction, each section or part shall, to the extent that it is unconditional, invalid, or inoperative, remain in full force and affect and no such determination shall be deemed to invalidate the remaining sections or parts of this ordinance or the ordinance as a whole.

(b) This Ordinance shall take effect twenty (20) days after the first publication hereof after final adoption, as provided by Law.