

1st Rdg. 5/7

2nd Rdg. 5/21

Effective
June 10, 2012

TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

ORDINANCE 2012-13

TITLE: AN ORDINANCE AMENDING CHAPTER 400 OF THE CODE OF THE TOWNSHIP OF LOWER

Whereas, Section 400-27 of the Code of The Township of Lower (the "code") establishes a Airport Hazard Zone as directed by the New Jersey Commissioner of Transportation pursuant to N.J.S.6:1-80 et seq.; and

Whereas, The Township Council desires to amend Section 400-27 of the Code to add General Business uses, specifically General Business GB and GB-1 principal permitted uses on land and in buildings; and

Whereas, The Lower Township Planning Board recommended the additional General Business uses as part of a recent re-examination of the Master Plan as set forth in a report dated April 14, 2011.

Now Therefore, Be It Ordained, by The Township Council of the Township of Lower, in the County of Cape May and State of New Jersey as follows:

Section 1. Section 400-27H. Permitted land uses within airport hazard zone shall be amended and supplemented by adding a New Section (8) as follows:

400-27H. (8) GB, GB-1 General Business, (not located in a clear zone). GB, GB-1, General Business shall be a permitted use in all or part of the following Blocks and Lots, as plotted on the Airport Hazard Area Map:

Block 410.01, Lots 36, 37 & 37.01.

Section 2. Section 400-27H. shall be amended and supplemented by adding a New Section (9) as follows:

400-27H.(9) Outdoor Flea Markets, (not located in a clear zone). Outdoor flea markets shall be a permitted use in all or part of the following Blocks and Lots.

Block 410.01, Lots 36, 37 & 37.01.

Section 3. All other Ordinances in conflict or inconsistent with this Ordinance are hereby repealed, to the extent of such inconsistency.

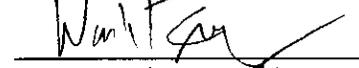
Section 4. Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason, the remaining portions of this Ordinance shall not be affected thereby and shall remain in full force and effect, and to this end the provisions of this Ordinance are hereby declared to be severable.

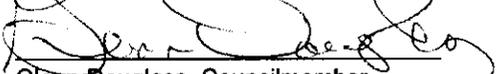
Section 5. This Ordinance shall be approved by The Commissioner of the Departmental of Transportation as required by N.J.S. 6:1-80 the "Air Safety and Zoning Act of 1983."

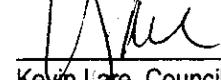
Section 6. Upon final passage and publication according to law, a copy of the Ordinance shall forthwith be certified by an appropriate officer of the Township of Lower and filed with the Secretary of State.

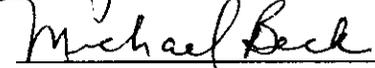
Section 7. This Ordinance shall take effect twenty (20) days after final passage and publication as provided by law.

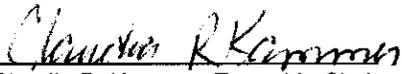

Thomas Conrad, Councilmember


Walt Craig, Councilmember


Glenn Douglass, Councilmember


Kevin Lane, Councilmember


Michael Beck, Mayor

Attest: 
Claudia R. Kammer, Township Clerk

Adopted: May 21, 2012.

New material show thus