

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

ORDINANCE #2015-09

AN ORDINANCE OF THE TOWNSHIP OF LOWER AMENDING CHAPTER 318 OF THE CODE OF THE TOWNSHIP OF LOWER

WHEREAS, Chapter 318 of the Code of the Township of Lower ("Code") entitled Fire Districts, establishes Fire Districts within the Township of Lower for fire protection purposes; and

WHEREAS, Section 318-3 Schedules, sets forth the boundaries for Lower Township Fire Districts #1, #2 and #3; and

WHEREAS, the Board of Commissioners of Lower Township Fire Districts # 1 and # 3 have each passed Resolutions requesting that the Township of Lower amend the Code by moving certain property contained in Fire District #1 to Fire District #3; and

WHEREAS, the Township Council has determined that it is in the Township's best interest to adjust the boundaries for Fire Districts #1 and #3 as requested by the Board of Commissioners of each of said Fire Districts.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Township Council of the Township of Lower in the County of Cape May, State of New Jersey as follows:

SECTION 1. Section 318-3 entitled "Schedules" of the Code is hereby amended as follows:

(a) Schedule A is amended by adding a new Section 37 which will read as follows:

37. Notwithstanding the above, Tax Lot 1.10, Block 416 is excluded
From Fire District # 1

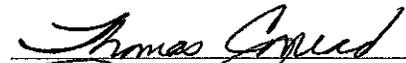
(b) Schedule B is amended by adding a new Section 35 which will read as follows:

35. Notwithstanding the above, Tax Lot 1.10, Block 416 is included in Fire
District #3.

SECTION 2. All other Ordinances in conflict or inconsistent with this Ordinance are hereby repealed to the extent of such conflict or inconsistency.

SECTION 3. 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.

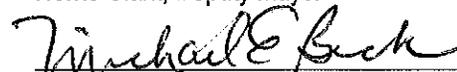
SECTION 4. This Ordinance shall take effect twenty (20) days after final passage and publication as provided by law.


Thomas Conrad, Councilmember

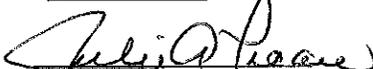

David Perry, Councilmember


Erik Simonsen, Councilmember


Norris Clark, Deputy Mayor


Michael E Beck, Mayor

Adopted: 11-2-2015

Attest: 
Julie A Picard, Township Clerk

**Board of Fire Commissioners
Lower Township District # 3
Resolution 2015-13**

Whereas the Commissioners of Fire District # 3 have been made aware of two new dwellings on Lot 1.10 Block 416 , on the tax map of the Township of Lower, commonly known as 301 Pine Street; and

Whereas the access to the dwelling is off of Pine Street; and

Whereas other structures and land on Pine Street are within the boundaries of Fire District # 3; and

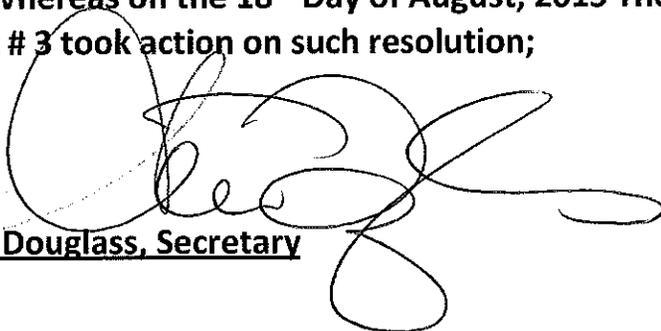
Whereas for the Health, Safety and Welfare of the dwelling, occupants and land of Lot 1.10 Block 416 , the Commissioners of Fire District # 3 believe that it would be in the best interest of all parties to have Lot 1.10 Block 416 within the boundaries of Fire District # 3; and

Whereas Fire District # 3 shall request that Lower Township Fire District # 1 agree with Fire District # 3 to relocate Lot 1.10 Block 416 from Fire District # 1 into Fire District # 3 Boundaries; and

Whereas upon both Fire District # 1 and Fire District # 3 both passing such resolutions, Fire District # 3 will pass on both passed resolutions and request Lower Township Council to amend by Ordinance the boundaries of the Fire Districts to include Lot 1.10 Block 416 within the boundaries of Fire District # 3 and delete Lot 1.10 Block 416 from the boundaries of Fire District # 1; and

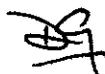
Whereas on the 18th Day of August, 2015 The Commissioners of Fire District # 3 took action on such resolution;

Steven Douglass, Secretary

A large, stylized handwritten signature in black ink, appearing to read 'Steven Douglass', is written over the printed name and extends upwards into the text of the previous paragraph.

| | Motion | Second | Aye | Nay | Abstain | Absent |
|--------------------|--------|--------|-----|-----|---------|--------|
| David Lepor | | | X | | | |
| Gary Douglass | | | | | | X |
| Dennis Robertson | X | | X | | | |
| Steven Douglass | | X | X | | | |
| Jeffrey Van Mourik | | | | | X | |

**THE COMMISSIONERS OF FIRE DISTRICT # 1
IN THE TOWNSHIP OF LOWER COUNTY OF CAPE MAY**

Resolution 2015- 16 

Whereas the Commissioners of Fire District # 3 have requested that Lot 1.10 Block 416 , on the tax map of the Township of Lower, commonly known as 301 Pine Street become within the boundaries of Lower Township Fire District 3; and

Whereas the access to Lot 1.10 Block 416 is off of Pine Street; and

Whereas other structures and land on Pine Street are within the boundaries of Fire District # 3; and

Whereas for the Health, Safety and Welfare of the dwellings, occupants and land of Lot 1.10 Block 416 , the Commissioners of Fire District # 3 believe that it would be in the best interest of all parties to have Lot 1.10 Block 416 within the boundaries of Fire District # 3; and

Whereas Fire District # 3 is requesting that Lower Township Fire District # 1 agree with Fire District # 3 to relocate Lot 1.10 Block 416 from Fire District # 1 into Fire District # 3 Boundaries; and

Whereas upon Fire District # 1 passing a resolution in support, Fire District # 3 will request Lower Township Council to amend by Ordinance the boundaries of the Fire Districts to include Lot 1.10 Block 416 within the boundaries of Fire District # 3 and delete Lot 1.10 Block 416 from the boundaries of Fire District # 1; and

Whereas on the 27th Day of August, 2015 The Commissioners of Fire District # 1 took action on such resolution;

BE IT FURTHER RESOLVED THAT THIS RESOLUTION SHALL ACT AS FORMAL ACTION TAKEN ON THIS MATTER;

BOARD of FIRE COMMISSIONERS
 FIRE DISTRICT 1
 TOWNSHIP OF LOWER
 P.O. BOX 1
 VILLAS, NEW JERSEY 08251

#2015-16 Resolution authorizing the transfer of Lot 1.10 Block 416 to be deleted from Lower Township Fire District 1 boundaries and include within the boundaries of Lower Township Fire District 3.

CERTIFICATION

I, Dale Gentek, Secretary of the Commissioners of Fire District 1, in the Township of Lower, County of Cape May, hereby certify that the foregoing Resolution was duly adopted by the Commissioners at a Monthly Meeting held on August 27, 2015


 Dale Gentek, Secretary

The foregoing Resolution was introduced by the Commissioner ALEXANDER, and was seconded by Commissioner BRANNON.

RECORD OF VOTE

| MEMBER | Wareham | Alexander | Sambenedetto | Brannon | Gentek |
|---------|---------|-----------|--------------|---------|--------|
| YES | X | X | | X | |
| NO | | | | | |
| ABSTAIN | | | X | | X |
| ABSENT | | | | | |