

2019 ORDINANCES INDEX

<u>ORD. #</u>	<u>TITLE</u>	<u>INTRODUCED</u>	<u>ADOPTED</u>
01-19	RE: CREATING A NEW CHAPTER TO BE KNOWN AS CHAPTER 494 PROHIBITING THE POSSESSION OF TOBACCO, SMOKELESS TOBACCO, ELECTRONIC TOBACCO DEVICES BY UNDERAGE PERSONS	01/16/19	RESCINDED
02-19	AN ORDINANCE OF THE TOWNSHIP OF MORRIS, COUNTY OF MORRIS CONCERNING SALARIES FOR NONUNION PERSONNEL	01/16/19	02/27/19
03-19	AN ORDINANCE OF THE TOWNSHIP OF MORRIS, COUNTY OF MORRIS CONCERNING SALARIES FOR NONUNION PERSONNEL-FIRE DEPARTMENT	01/16/19	02/27/19
04-19	ORDINANCE AMENDING CHAPTER 447 - "POOL, MUNICIPAL: RULES AND REGULATIONS" IN PARTICULAR REPLACING §447-5. ENTITLED: MEMBERSHIP FEES. A. THROUGH K-	01/16/19	02/27/19
05-19	AN ORDINANCE VACATING THE RIGHTS OF THE TOWNSHIP OF MORRIS IN AND TO 0.036 ACRES OF UNIMPROVED ROW – FORMERLY A PORTION OF OAK PARK DRIVE	02/20/19	03/20/19
06-19	AN ORDINANCE OF THE TOWNSHIP OF MORRIS, MORRIS COUNTY, NEW JERSEY, ESTABLISHING SALARIES AND COMPENSATION FOR EMPLOYEES OF THE INTERNATIONAL BROTHERHOOD OF TEAMSTERS (LOCAL NO. 469) OF THE TOWNSHIP OF MORRIS	02/20/19	03/20/19
07-19	RE: ACCEPTING DEED OF EASEMENT LOT 13.01, BLOCK 6005, 8 OLD HARTER ROAD – GRANTEE: TODD PIERRO	04/17/19	
08-19	RE: MODIFYING AND AMENDING CHAPTER 9 SECTIONS 39-46 - ENTITLED "ECONOMIC DEVELOPMENT ADVISORY COMMITTEE"	05/15/19	06/19/19
09-18	AN ORDINANCE AMENDING CHAPTER 88 ENTITLED, "VEHICLES AND TRAFFIC" ARTICLE II, SECTION 88-2.7 AND SCHEDULE VI "NO PARKING SNOW-COVERED ROADWAY" LINDSLEY DRIVE – BOTH SIDES - ENTIRE LENGTH	03/20/19	4/17/19
10-19	RE: ORDINANCE APPROPRIATING \$25,000 AVAILABLE IN THE GENERAL CAPITAL FUND TO PROVIDE FOR THE REPLACEMENT OF HVAC SYSTEM AT THE MT. KEMBLE FIRE STATION HEREIN AND BY THE TOWNSHIP OF MORRIS	03/20/19	4/17/19
11-19	CALENDAR YEAR 2019-ORDINANCE TO EXCEED THE MUNICIPAL BUDGET- APPROPRIATION LIMITS-AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4 45.14)	03/20/19	4/17/19
12-19	AN ORDINANCE OF THE TOWNSHIP OF MORRIS, COUNTY OF MORRIS, NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 95 ENTITLED ZONING BY REPEALING AND REPLACING ARTICLE XII ENTITLED "SMALL CELL EQUIPMENT, WIRELESS CABINETS AND WIRELESS POLES IN THE MUNICIPAL RIGHT OF WAY" WITH NEW ARTICLE XII ENTITLED "RESERVED" AND REVISING SECTION 89(A)(IX) OF ARTICLE XIII ENTITLED "COLLOCATION ONTO EXISTING TOWERS AND BASE STATIONS."	03/20/19	4/17/19
13-19	AN ORDINANCE OF THE TOWNSHIP OF MORRIS, COUNTY OF MORRIS, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF MORRIS BY ADDING NEW ARTICLE VI ENTITLED "SITING OF POLES, CABINETS AND ANTENNAS" IN CHAPTER 439 ENTITLED "STREETS AND SIDEWALKS."	03/20/19	4/17/19
14-19	BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS BY THE TOWNSHIP OF MORRIS, APPROPRIATING THE AGGREGATE AMOUNT OF \$2,700,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,570,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF	04/17/19	05/15/19

2019 ORDINANCES INDEX

<u>ORD. #</u>	<u>TITLE</u>	<u>INTRODUCED</u>	<u>ADOPTED</u>
15-19	BOND ORDINANCE PROVIDING FOR SWIMMING POOL IMPROVEMENTS BY THE TOWNSHIP OF MORRIS, APPROPRIATING \$86,500 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$82,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF	04/17/19	05/15/19
16-19	ORDINANCE APPROPRIATING \$2,103,500 AVAILABLE IN THE SEWER UTILITY CAPITAL IMPROVEMENT FUND TO PROVIDE FOR VARIOUS WASTEWATER TREATMENT PLANT AND SEWER SYSTEM IMPROVEMENTS BY THE TOWNSHIP OF MORRIS	04/17/19	05/15/19
17-19	ORDINANCE APPROPRIATING \$25,000 AVAILABLE IN THE PARKING UTILITY CAPITAL IMPROVEMENT FUND TO PROVIDE FOR DRAINAGE IMPROVEMENTS AT THE CONVENT TRAIN STATION HOUSE BY THE TOWNSHIP OF MORRIS	04/17/19	05/15/19
18-19	ORDINANCE APPROPRIATING \$507,500 AVAILABLE IN THE GENERAL CAPITAL IMPROVEMENT FUND TO PROVIDE FOR VARIOUS CAPITAL IMPROVEMENTS BY THE TOWNSHIP OF MORRIS	04/17/19	05/15/19
19-19	ORDINANCE APPROPRIATING THE AGGREGATE AMOUNT OF \$985,000 TO PROVIDE FOR THE WASHINGTON VALLEY ROAD RESURFACING PROJECT BY THE TOWNSHIP OF MORRIS	04/17/19	05/15/19
20-19	AN ORDINANCE OF THE TOWNSHIP OF MORRIS AUTHORIZING AS A LOCAL IMPROVEMENT OF THE CURBING OF BLOCK 8410 LOT 5, 1 CRESCENT DRIVE AND BLOCK 8405 LOT 1, 2 CRESCENT DRIVE	05/15/19	06/19/19
21-19	AN ORDINANCE AMENDING CHAPTER 88 ENTITLED, "VEHICLES AND TRAFFIC" ARTICLE IIA, SECTION 88-2a.2 AND SCHEDULE II "HANDICAPPED PARKING SPACES"	05/15/19	06/19/19
22-19	CREATING A NEW ARTICLE WITHIN CHAPTER 9 OF THE MUNICIPAL CODE - BOARDS, COMMISSIONS AND COMMITTEES ARTICLE IX TRANSPORTATION ADVISORY COMMITTEE(TITLE CHANGED FROM TRANSPORTATION CIRCULATION AND ADVISORY COMMITTEE)	07/17/19	8/29/19
23-19	AMENDING CHAPTER 95, ARTICLE II, SECTION 6, "ZONING MAP" TO DESIGNATE BLOCK 10103, LOT 3 FROM THE RH-20 ZONE TO THE OS/GU ZONE OF THE CODE OF THE TOWNSHIP OF MORRIS	09/18/19	10/23/19
24-19	AMENDING CHAPTER 95, ARTICLE IX, SECTION 54, SUBSECTION B AND CHAPTER 95, ARTICLE IX, SECTION 54, SUBSECTION E, PARAGRAPH (2) OF THE CODE OF THE TOWNSHIP OF MORRIS	09/18/19	10/23/19
25-19	AMENDING CHAPTER 57, PART 10, ARTICLE XXXV, SECTION 163, SUBSECTION D, PARAGRAPH (1) SUBSECTION (b) OF THE CODE OF THE TOWNSHIP OF MORRIS	09/18/19	10/23/19
26-19	AMENDING CHAPTER 95, ARTICLE IV, SECTION 29, LOT REGULATION OF THE CODE OF THE TOWNSHIP OF MORRIS	09/18/19	10/23/19
27-19	RE: AMENDING CHAPTER 15, SECTION 7, SUBSECTION E (VACATIONS AND HOLIDAYS)	10/23/19	11/13/19
28-19	AMENDING CHAPTER 95 OF THE ZONING ORDINANCE OF THE TOWNSHIP OF MORRIS TO ELIMINATE THE RH-20 ZONE AND TO REMOVE ALL REFERENCES TO SAME	10/23/19	12/18/19
29-19	AMENDING CHAPTER 57, PART 1, ARTICLE 1, SECTION 53, SUBSECTION 3 OF THE LAND DEVELOPMENT ORDINANCE AND CHAPTER 95, PART 1, ARTICLE IV, SECTION 31, SUBSECTION A, PARAGRAPH (2) TO ALLOW FOR PORTICOS	10/23/19	12/18/19
30-19	MODIFYING AND AMENDING ARTICLE XXXII HISTORIC PRESERVATION COMMISSION	10/23/19	NO ACTION TAKEN BY PB 12/11/19

2019 ORDINANCES INDEX

<u>ORD. #</u>	<u>TITLE</u>	<u>INTRODUCED</u>	<u>ADOPTED</u>
31-19	AN ORDINANCE TO PROHIBIT THE USE OF PLASTIC BAGS AND REGULATE THE USE OF PAPER BAGS BY RETAIL ESTABLISHMENTS WITHIN THE TOWNSHIP OF MORRIS	11/13/19	12/18/19
32-19	ORDINANCE APPROPRIATING \$195,000 AVAILABLE IN THE GENERAL FUND BALANCE TO PROVIDE FOR VARIOUS CAPITAL IMPROVEMENTS BY THE TOWNSHIP OF MORRIS	11/13/19	12/18/19
33-19	RE: REPEALING AND AMENDING PORTIONS OF CHAPTER 95 "ZONING" OF THE CODE OF THE TOWNSHIP OF MORRIS – SPECIFICALLY: CHAPTER 95, SECTION L91 SUBSECTION E. AND CHAPTER 95, SECTION 92 SUBSECTION E(3)	12/02/19	12/18/19

**TOWNSHIP OF MORRIS
MORRIS COUNTY – NEW JERSEY
ORDINANCE NO. 01-19**

RESCINDED

RE: CREATING A NEW CHAPTER TO BE KNOWN AS CHAPTER 494 PROHIBITING THE POSSESSION OF TOBACCO, SMOKELESS TOBACCO, ELECTRONIC TOBACCO DEVICES BY UNDERAGE PERSONS

BE IT HEREBY ORDAINED by the Township Committee of the Township of Morris they being the governing body thereof as follows:

SECTION ONE: There is hereby created a new Chapter to be known as Chapter 494 “Prohibiting the Possession of Tobacco, Smokeless Tobacco, Electronic Tobacco Devices by Underage Persons”

§494-1. Definitions and word usage:

Prohibited Tobacco Material: any cigarettes made of tobacco or of any other matter or substance which can be smoked, or any cigarette paper or tobacco in any form, including smokeless tobacco, or any electronic smoking device that can be used to deliver nicotine or other substances to the person inhaling from the device, including, but not limited to, an electronic cigarette, cigar, cigarillo, or pipe, or any cartridge or other component of the device or related product.

§494-2. Possession Prohibited:

No person in and about the Township of Morris, who is under the legal age to purchase prohibited tobacco material shall have on his or her person or otherwise directly, indirectly, or constructively have, use, consume or possess such prohibited tobacco material.

§494-3. Violations and Penalties.

A. Any person violating any of the provisions of this chapter shall, upon conviction thereof before the Judge authorized to hear and determine the matter, be punishable as provided in § 1-3, General penalty, of this Code, in the discretion of the Judge.

B. Disposition of fines.

1. All fines imposed and collected under and by virtue of this chapter shall be paid into the treasury of the Township of Morris.

SECTION TWO: If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason found to be unconstitutional or unenforceable, such decision shall not affect the remaining portion of this ordinance.

SECTION THREE: all ordinances of the Township of Morris which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

SECTION FOUR: this ordinance shall take effect upon final passage and publication thereof as provided by law.

INTRO: 1/16/19

ON MOTION DULY MADE AND SECONDED THIS ORDINANCE HAS BEEN RESCINDED

**TOWNSHIP OF MORRIS
MORRIS COUNTY – NEW JERSEY
ORDINANCE NO. 02-19**

AN ORDINANCE OF THE TOWNSHIP OF MORRIS, COUNTY OF MORRIS CONCERNING SALARIES FOR
NONUNION PERSONNEL

BE IT ORDAINED by the Township Committee of the Township of Morris, in the County of Morris and State of New Jersey, they being the Governing Body of said Township, as follows:

1. Effective January 1, 2019 the following salaries for non-union employees as established in ordinance 06-18 are hereby increased by 2.0%. Effective January 1, 2019 the following salaries or compensations are established for the following named officers, employees, or positions in the Township of Morris.

2. The following salaries or compensations shall be retroactive to January 1, 2019 for fulltime non-probationary employees and regular part-time employees. Any employee retiring prior to enactment of this ordinance will be entitled to retroactive compensation provision of this ordinance.

ADMINISTRATIVE

Mayor			\$7,252	Per Year
Township Committee Members			\$6,527	Per Year
Township Administrator	\$95,000	To	\$117,119	Per Year
Qualified Purchasing Agent / Admin Assist	\$55,000	To	\$71,981	Per Year
Secretary / Assistant Purchasing Agent	\$25,000	To	\$33,923	Per Year
Human Resource Manager	\$30,000	To	\$47,796	Per Year
Municipal Housing Liaison	\$4,000	To	\$6,495	Per Year
Assistant Municipal Housing Liaison	\$2,000	To	\$5,306	Per year
Township Clerk	\$80,000	To	\$103,055	Per Year
Director of Finance / CFO	\$75,000	To	\$92,520	Per Year
Assistant Treasurer	\$3,500	To	\$6,292	Per Year
Chief Accountant	\$40,000	To	\$53,691	Per Year
Finance Assistant	\$33,000	To	\$40,800	Per Year
Accounts Payable Clerk	\$24,500	To	\$34,300	Per Year
Payroll Clerk	\$24,500	To	\$37,086	Per year
Tax Collector	\$28,500	To	\$37,572	Per Year
Tax Search Officer	\$1,000	To	\$2,873	Per Year
Tax Assessor	\$60,000	To	\$79,614	Per Year
Licensed Appraiser	\$9,000	To	\$16,918	Per Year
Administrative Assistant (part-time)	\$16.00	To	\$32.00	Per Hour
Township Engineer	\$75,000	To	\$91,852	Per Year
Assistant Township Engineer	\$50,000	To	\$80,376	Per Year
Jr. Design Engineer / CAD Operator	\$35,000	To	\$50,549	Per Year
Project Manager	\$35,000	To	\$45,900	Per Year
Information Technology Manager	\$35,000	To	\$55,528	Per Year

Computer Technician	\$21,000	To	\$31,567	Per Year
Webmaster	\$2,000	To	\$2,761	Per Year
Building Maintenance Supervisor	\$20,000	To	\$27,470	Per Year
Groundskeeper	\$10,000	To	\$23,099	Per Year
Buildings and Grounds Custodian (part-time)	\$10.00	To	\$15.00	Per Hour
Construction Code Official	\$70,000	To	\$115,178	Per Year
Building Sub Code Official	\$50,000	To	\$80,362	Per Year
Building Inspector	\$45,000	To	\$69,642	Per Year
Plumbing Inspector – Sub Code	\$50,000	To	\$75,000	Per Year
Electrical Inspector – Sub Code (part-time)	\$35.00	To	\$54.57	Per Hour
Fire Inspector – Sub Code (part-time)	\$35.00	To	\$54.57	Per Hour
CCO Inspector (part-time)	\$20.00	To	\$40.00	Per Hour
Engineering Inspector (part-time)	\$20.00	To	\$40.00	Per Hour
Municipal Code Enforcement Officer	\$5,000	To	\$9,738	Per Year
Secretary	\$35,000	To	\$48,461	Per Year
Secretary Board of Ethics	\$500	To	\$1,092	Per Year
Secretary EDAC	\$500	To	\$2,101	Per Year
Senior Clerk	\$16,000	To	\$47,188	Per Year

PLANNING BOARD

Engineer	\$96.00 per hour	TO	\$480 Per Meeting	
Secretary	\$23,000	To	\$35,551	Per Year

BOARD OF ADJUSTMENT

Engineer	\$96.00 per hour	TO	\$489 Per Meeting	
Secretary	\$10,000	To	\$17,774	Per Year

OPEN SPACE

Secretary	\$1,500	To	\$3,453	Per Year
-----------	---------	----	---------	----------

ENVIRONMENTAL COMMISSION

Secretary	\$1,500	To	\$3,453	Per Year
-----------	---------	----	---------	----------

POLICE

Police Chief	\$140,000	To	\$163,764	Per Year
Records Bureau Supervisor	\$40,000	To	\$49,980	Per Year
Administrative Assistant (part-time)	\$16.00	To	\$32.00	Per Hour
Executive Administrative Assistant	\$75,000	To	\$98,838	Per Year
School Crossing Guards	\$15.00	To	\$28.12	Per Hour
Special Police Officers Class II	\$20.00	To	\$25.00	Per Hour
Special Police Officers Class III	\$20.00	To	\$35.00	Per Hour
Secretary	\$35,000	To	\$48,461	Per Year
Senior Clerk	\$32,000	To	\$47,188	Per Year

ROADS AND SANITATION

Superintendent	\$95,000	To	\$128,025	Per year
Assistant Superintendent	\$90,000	To	\$117,033	Per Year
Foreman	\$70,000	To	\$110,674	Per Year
Assistant Foreman	\$60,000	To	\$103,090	Per Year
Part Time Seasonal / Summer Help	\$10.00	To	\$17.00	Per Hour

VEHICLE MAINTENANCE

Foreman, Fleet Maintenance	\$70,000	To	\$110,674	Per Year
----------------------------	----------	----	-----------	----------

RECREATION

Parks and Recreation Director	\$60,000	To	\$88,035	Per Year
Program Supervisor	\$40,000	To	\$58,182	Per Year
Senior Clerk	\$9,000	To	\$43,108	Per Year
Administrative Assistant	\$35,000	To	\$48,462	Per Year

SUMMER PROGRAM PERSONNEL

Playground Supervisors	\$15.50	To	\$30.00	Per Hour
Playground Directors	\$12.75	To	\$20.00	Per Hour
Playground Assistant Directors	\$9.50	To	\$13.00	Per Hour
Playground Leaders	\$8.85	To	\$11.50	Per Hour
Specialty Instructor/Leader	\$10.00	To	\$60.00	Per Hour
Tennis Instructor	\$12.00	To	\$60.00	Per Hour
Gymnastics Instructor	\$30.00	To	\$75.00	Per Hour
Gymnastics Assistant	\$12.00	To	\$30.00	Per Hour

FALL, WINTER, SPRING PROGM. PERSONNEL

Supervisors and Instructors	\$12.00	To	\$55.00	Per Hour
-----------------------------	---------	----	---------	----------

PARKS

Parks Maintenance Foreman	\$70,000	To	\$110,674	Per Year
Parks Maintenance Assistant Foreman	\$15,000	To	\$20,918	Per Year
Parks Part Time Seasonal/ Summer Help	\$10.00	To	\$17.00	Per Hour

PART-TIME

Plumbing Inspector, As Needed Part-time	\$20.00	To	\$40.00	Per Hour
Electrical Inspector, As Needed Part-time	\$20.00	To	\$40.00	Per Hour
Building Inspector, As Needed Part-time	\$20.00	To	\$40.00	Per Hour
Fire Inspector, As Needed Part-time	\$20.00	To	\$40.00	Per Hour
CCO Inspector, As Needed Part-time	\$20.00	To	\$40.00	Per Hour
Carpenter , As Needed Part-time	\$35.00	To	\$50.00	Per Hour
Carpenter Helper, As Needed Part-time	\$20.00	To	\$35.00	Per Hour
Clerical, As Needed Part-time	\$10.00	To	\$20.00	Per Hour
Secretarial, As Needed Part-time	\$12.00	To	\$25.00	Per Hour

SEWER UTILITY

Mayor			\$3,108	Per year
Township Committee Members			\$2,798	Per Year
Township Administrator	\$35,000	To	\$50,194	Per Year
Qualified Purchasing Agent / Admin Asst	\$20,000	To	\$30,850	Per Year
Secretary / Assistant Purchasing Agent	\$12,000	To	\$14,539	Per Year
Human Resource Manager	\$8,000	To	\$19,584	Per Year
Director of Finance / CFO	\$25,000	To	\$39,651	Per Year
Assistant Treasurer	\$3,500	To	\$4,457	Per Year
Chief Accountant	\$15,000	To	\$23,010	Per year
Finance Assistant	\$14,000	To	\$18,453	Per Year
Accounts Payable Clerk	\$10,500	To	\$14,700	Per Year
Payroll Clerk	\$10,500	To	\$15,894	Per Year
Collector of Sewer Fees	\$25,000	To	\$42,242	Per Year
Township Engineer	\$25,000	To	\$39,366	Per Year
Assistant Township Engineer	\$20,000	To	\$34,447	Per Year
Jr. Design Engineer / CAD Operator	\$15,000	To	\$21,665	Per Year
Project Manager	\$15,000	To	\$19,380	Per Year
Information Technology Manager	\$15,000	To	\$23,798	Per Year
Computer Technician	\$9,000	To	\$13,529	Per Year
Operating Superintendent	\$95,000	To	\$121,920	Per Year
Assistant Superintendent	\$85,000	To	\$117,755	Per Year
Foreman	\$70,000	To	\$108,543	Per Year
Maintenance Supervisor	\$60,000	To	\$93,557	Per Year
Laboratory Manager	\$60,000	To	\$84,545	Per Year
Senior Clerk	\$9,600	To	\$47,188	Per Year

MUNICIPAL SWIMMING POOL UTILITY

Parks and Recreation Director	\$25,000	To	\$37,730	Per Year
Pool Maintenance Supervisor	\$40,000	To	\$62,752	Per Year
Senior Clerk	\$22,400	To	\$47,188	Per Year
Pool Manager	\$10,000	To	\$13,250	Per Season
Assistant Manager	\$7,500	To	\$11,000	Per Season
Pool Manager – PT	\$15.00	To	\$20.00	Per Hour
Assistant Manager – PT	\$14.00	To	\$17.00	Per Hour
Head Lifeguard	\$14.00	To	\$20.00	Per Hour
Lifeguards	\$10.00	To	\$15.30	Per Hour
Lifeguards Substitute/Part-time	\$9.50	To	\$13.00	Per Hour
Pool Attendant	\$9.00	To	\$11.00	Per Hour
Swim Instructor –Private Lesson	\$19.00	To	\$25.50	Per ½ Hour
Swim Team Coach	\$3,000	To	\$4,500	Per Season
Assistant Swim Team Coach	\$1,200	To	\$1,734	Per Season
Swim team Aid	\$9.00	To	\$15.00	Per Hour
Clerical/Pool Registration/Part-time	\$9.00	To	\$15.00	Per Hour
Maintenance	\$10.00	To	\$17.00	Per Hour

PARKING ENTERPRISE UTILITY

Parking Lot Supervisor	\$20,000	To	\$27,470	Per year
Groundskeeper	\$7,500	To	\$9,900	Per Year
Secretary	\$10,000	To	\$14,321	Per Year
Parking Enforcement Officer	\$20.00	To	\$40.00	Per Hour

3. That the said salaries or compensation shall be in lieu of any and all fees. Effective January 1, 2012 implementation of applicable legislation, Chapter 78, P.L. 2011, from the State of New Jersey all employees shall contribute towards their health benefits as required by State Statute.

4. No employee will be exempt from payment of such contribution based upon their coverage, health benefit plan selection, compensation and other statutorily required criteria, if any.

5. Employees receiving the enhanced dental plan coverage are required to pay the difference between the cost of the basic plan and the enhanced plan.

6. Any employee who voluntarily resigns or is discharged from employment prior to the introduction date of this ordinance shall not be entitled to receive the salary adjustment set forth herein.

7. This Ordinance shall take effect upon final passage and publication thereof, as provided for by law.

INTRO: 01/16/19

ADOPTED: 2/27/19

**TOWNSHIP OF MORRIS
MORRIS COUNTY – NEW JERSEY**

ORDINANCE NO. 03-19

AN ORDINANCE OF THE TOWNSHIP OF MORRIS, COUNTY OF MORRIS CONCERNING SALARIES FOR NONUNION PERSONNEL-FIRE DEPARTMENT- NOTE: **THIS ORDINANCE ADDRESSES THE 2% INCREASE FOR NON-UNION PERSONNEL CONSISTENT WITH NEGOTIATED RAISES FOR THE TOWNSHIP UNION PERSONNEL**

BE IT ORDAINED by the Township Committee of the Township of Morris, in the County of Morris and State of New Jersey, they being the Governing Body of said Township, as follows:

1. Effective January 1, 2019 the following salaries for non-union employees as established in ordinance 07-18 are hereby increased by 2.0%. Effective January 1, 2019 the following salaries or compensations are established for the following named officers, employees, of the Fire Department in the Township of Morris.
2. The following salaries or compensations shall be retroactive to January 1, 2019 for full-time non-probationary employees and regular part-time employees. Any employee retiring prior to enactment of this ordinance will be entitled to retroactive compensation provision of this ordinance.

FIRE

Fire Chief	\$100,000	To	\$127,875	Per year
Fire Deputy Chief	\$100,000	To	\$120,236	Per Year
Fire Captain	\$100,000	To	\$110,160	Per Year
Fire Lieutenant	\$100,000	To	\$106,080	Per year
Battalion Chief			\$775	Per Week
Relief Drivers	\$25.98	To	\$29.22	Per Hour
Fire Official	\$1,000	To	\$2,816	Per Year

3. That the said salaries or compensation shall be in lieu of any and all fees. Effective January 1, 2012 implementation of applicable legislation, Chapter 78, P.L. 2011, from the State of New Jersey all employees shall contribute towards their health benefits as required by State Statute.
4. No employee will be exempt from payment of such contribution based upon their coverage, health benefit plan selection, compensation and other statutorily required criteria, if any.
5. Employees receiving the enhanced dental plan coverage are required to pay the difference between the cost of the basic plan and the enhanced plan.
6. Any employee who voluntarily resigns or is discharged from employment prior to the introduction date of this ordinance shall not be entitled to receive the salary adjustment set forth herein.
7. This Ordinance shall take effect upon final passage and publication thereof, as provided for by law.

INTRO: 01/16/19

ADOPTED: 2/27/19

TOWNSHIP OF MORRIS
MORRIS COUNTY – NEW JERSEY
ORDINANCE NO. 04-19

**ORDINANCE AMENDING CHAPTER 447 - “POOL, MUNICIPAL: RULES AND REGULATIONS”
IN PARTICULAR REPLACING §447-5. ENTITLED: MEMBERSHIP FEES. A. THROUGH K. NOTE: THIS
ORDINANCE REVISES SWIM POOL MEMBERSHIP AND PROGRAM FEES**

BE IT HEREBY ORDAINED by the Township Committee of the Township of Morris they being the governing body thereof as follows:

SECTION ONE: Chapter §447-5 of the ordinances of the Township of Morris is hereby amended in its entirety to read as follows:

§ 447-5. Membership fees.

A. Fees: amending Ordinance **03-18 adopted 02-28-2018**

(1)	Individual membership (12 years and older):	Rate Prior to May 1	Rate Beginning May 1	Rate Beginning August 1
(a)	Resident	\$ 195	\$ 205	\$ 135
(b)	Nonresident:	\$ 330	\$ 345	\$ 245
(c)	Morristown Resident	\$ 265	\$ 275	\$ 195
(2)	Couple membership (2 people, 1 Adult Minimum):			
(a)	Resident:	\$ 280	\$ 300	\$ 200
(b)	Nonresident:	\$ 440	\$ 455	\$ 315
(c)	Morristown Resident	\$ 355	\$ 375	\$ 260
(3)	Baby-sitter/parent's helper:			
(a)	Resident:	\$ 115	\$ 115	\$ 115
(b)	Nonresident:	\$ 115	\$ 115	\$ 115
(4)	Family membership:			
(a)	Resident family:	\$ 375	\$ 395	\$ 270
(b)	Nonresident family:	\$ 550	\$ 560	\$ 395
(c)	Morristown Resident	\$ 465	\$ 485	\$ 340
(5)	Senior citizen individual (62 years and older):			
(a)	Resident:	\$ 85	\$ 95	\$ 55
(b)	Nonresident:	\$ 155	\$ 175	\$ 110
(c)	Morristown Resident	\$ 125	\$ 140	\$ 100

(6) Senior citizen couple (62 years and older):

(a)	Resident:	\$ 130	\$ 140	\$ 90
(b)	Nonresident:	\$ 245	\$ 265	\$ 180
(c)	Morristown Resident	\$ 190	\$ 205	\$ 140

B. Membership fees shall be paid in full with the filing of the application for membership.

C. Guests will be permitted to members as follows:

1. Registered prior to May 1st

Each Family membership will receive eight (8) free one(1)-day guest privileges, each Couple membership shall receive five (5) free one (1)-day guest privileges, and each individual membership will receive four (4) free one(1)-day guest privileges, which guest privilege may be used at any time during the current pool season only.

2. Registered May 1st or later

Each Family membership will receive four (4) free one(1)-day guest privileges, each Couple membership shall receive three(3) free one (1)-day guest privileges, and each individual membership will receive two (2) free one(1)-day guest privileges, which guest privilege may be used at any time during the current pool season only.

3. Thereafter, guests will be permitted to enter with members by purchasing a daily guest pass at the pool at a charge of \$10 each per day on weekdays and \$15 each per day on weekends and holidays. However, all members may purchase cards of ten (10) one(1)-day guest privileges at the rate of \$75 for each card of ten (10) from the Parks and Recreation Department, which guest privileges may be used at any time during the current pool season and the following pool season. All guests, however, must be accompanied by the member at all times. Failure to accompany the member at all times may result in revocation of the membership without refund.

D. No fees are returnable for any reason after opening day of each season.

E. Children's group swim lessons may be offered at the discretion of the Township of Morris. If offered, said lessons shall be available to the children between the ages of 4 and 12, four (4) days a week for two (2) weeks at a cost of \$20 per child for a current Swim Pool member and \$35 per child for Non-Members residing in Morris Township. Private swim lessons for children or adults are available to pool members only at a cost of \$22.00 per person per 30-minute class.

F. Swim team is offered to all children between ages 6-17 at a cost of \$55 per child. Swim team participants must be current members or staff of the Morris Township swim pools.

G. Lost card replacement fee is \$10.00 per card.

H. Refund fee is \$20.00 per transaction.

I. Specialized Program & Training Fees - \$ 50.00 to \$ 400.00 per person per session

- J. Active volunteer members of the Morris Township Fire Department, the Morris Township Office of Emergency Management, and the Minutemen Volunteer First Aid Squad shall receive a seasonal pool membership for themselves and their immediate family (as defined in this Ordinance) at no charge for the membership season. The chief operating officer of each unit shall certify that the volunteer qualifies as an active member for that year.

- K. Individual employees of the Township of Morris shall be eligible for a seasonal swim pool membership at no charge for the current membership season. Additional family member may join at pro-rated membership rates.

SECTION TWO: If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

SECTION THREE: All Ordinances of the Township of Morris which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION FOUR: This Ordinance shall take effect upon final passage and publication thereof, as provided for by law.

INTRO: 1/16/19
ADOPTED: 2/27/19

TOWNSHIP OF MORRIS
MORRIS COUNTY – NEW JERSEY

ORDINANCE NO. 05-19

AN ORDINANCE VACATING THE RIGHTS OF THE TOWNSHIP OF MORRIS IN AND TO 0.036
ACRES OF UNIMPROVED ROW – FORMERLY A PORTION OF OAK PARK DRIVE

BE IT HEREBY ORDAINED by the Township Committee of the Township of Morris they being the governing body thereof as follows:

SECTION ONE: The Township of Morris is the owner of approximately 0.036 acres of certain right of way which is shown on an exhibit attached hereto and identified as 'RIGHT OF WAY VACATION EXHIBIT'. The vacated portion will be added to and become a part of Block 9402 Lot 27 as set forth on the Tax Map of Township of Morris, Morris County and is also know as 17 Oak Park Drive.

The Township of Morris declares this land as no longer needed for public purposes and does ordain to vacate the public rights and title in said land to the abutting owner, .

The abutting lands are now or formerly identified on the tax map of the Township of Morris as Block 9402 Lot 27, the owner of record is Regina McGuire

This ordinance shall, upon adoption be recorded in the office of the Morris County Clerk.

SECTION TWO: If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

SECTION THREE: All Ordinances of the Township of Morris which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION FOUR: This Ordinance shall take effect upon final passage and publication thereof, as provided for by law.

INTRO: 2/27/19
ADOPTED: 3/20/19

TOWNSHIP OF MORRIS
MORRIS COUNTY – NEW JERSEY

ORDINANCE NO. 06-19

AN ORDINANCE OF THE TOWNSHIP OF MORRIS, MORRIS COUNTY, NEW JERSEY, ESTABLISHING SALARIES AND COMPENSATION FOR EMPLOYEES OF THE INTERNATIONAL BROTHERHOOD OF TEAMSTERS (LOCAL NO. 469) OF THE TOWNSHIP OF MORRIS

BE IT ORDAINED by the Township Committee of the Township of Morris, in the County of Morris and the State of New Jersey, they being the governing body of said Township as follows:

SECTION ONE: The International Brotherhood of Teamsters (Local No. 469) of the Township of Morris Salaries for the years 2018, 2019, 2020 and 2021 shall be as follows:

BE IT ORDAINED by the Township Committee of the Township of Morris, in the County of Morris and the State of New Jersey, they being the governing body of said Township as follows:

SECTION ONE: The International Brotherhood of Teamsters (Local No. 469) of the Township of Morris Salaries for the years 2018, 2019, 2020 and 2021 shall be as follows:

ROADS AND SANITATION	2018	2019	2020	2021
	2.00%	2.00%	2.00%	2.00%
DRIVERS	\$52,166.40 to \$73,343.71	\$52,166.40 to \$74,810.59	\$52,166.40 to \$76,306.80	\$52,166.40 to \$77,832.93
COLLECTORS	\$52,166.40 to \$73,343.71	\$52,166.40 to \$74,810.59	\$52,166.40 to \$76,306.80	\$52,166.40 to \$77,832.93
LABORERS	\$45,219.20 to \$72,091.97	\$45,219.20 to \$73,533.81	\$45,219.20 to \$75,004.48	\$45,219.20 to \$76,504.57
MECHANIC	\$55,556.80 to \$93,668.64	\$55,556.80 to \$95,542.01	\$55,556.80 to \$97,452.85	\$55,556.80 to \$99,401.91
ASSISTANT MECHANIC	\$53,872.00 to \$78,647.71	\$53,872.00 to \$80,220.67	\$53,872.00 to \$81,825.08	\$53,872.00 to \$83,461.58
MECHANIC'S HELPER	\$45,219.20 to \$73,343.71	\$45,219.20 to \$74,810.59	\$45,219.20 to \$76,306.80	\$45,219.20 to \$77,832.93
TREE TRIMMER	\$55,577.60 to \$84,248.74	\$55,577.60 to \$85,933.71	\$55,577.60 to \$87,652.38	\$55,577.60 to \$89,405.43
SR. TREE TRIMMER	\$54,724.80 to \$80,366.21	\$54,724.80 to \$81,973.53	\$54,724.80 to \$83,613.00	\$54,724.80 to \$85,285.26
TREE TRIMMER HELPER	\$53,872.00 to \$76,504.90	\$53,872.00 to \$78,034.99	\$53,872.00 to \$79,595.69	\$53,872.00 to \$81,187.61
UPGRADE DIFFERENTIALS:				
CERTIFIED MECHANIC/WELDER	\$0.60/hr	\$0.60/hr.	\$0.60/hr.	\$0.60/hr.
EXCAVATOR/OPERATOR	\$0.90/hr	\$0.90/hr.	\$0.90/hr.	\$0.90/hr.
FRONT END LOADER	\$0.60/hr	\$0.60/hr.	\$0.60/hr.	\$0.60/hr.
PESTICIDE	\$0.25/hr	\$0.25/hr.	\$0.25/hr.	\$0.25/hr.

PARKS

DRIVER/OPERATOR	\$52,166.40 to \$73,343.71	\$52,166.40 to \$74,810.59	\$52,166.40 to \$76,306.80	\$52,166.40 to \$77,832.93
LABORERS	\$45,219.20 to \$72,091.97	\$45,219.20 to \$73,533.81	\$45,219.20 to \$75,004.48	\$45,219.20 to \$76,504.57

UPGRADE DIFFERENTIALS:

CERT. PLAYGROUND INSPECTOR	\$0.25/hr.	\$0.25/hr.	\$0.25/hr.	\$0.25/hr.
FERTILIZER APPLICATION CERTIFICATION	\$0.10/hr.	\$0.10/hr.	\$0.10/hr.	\$0.10/hr.

SEWER UTILITY	2018	2019	2020	2021
	2.00%	2.00%	2.00%	2.00%

OPERATOR'S HELPER	\$45,219.20 to \$74,722.75	\$45,219.20 to \$76,217.21	\$45,219.20 to \$77,741.55	\$45,219.20 to \$79,296.38
OPERATOR'S HELPER/ LABORATORY TECHNICIAN	\$55,556.80 to \$76,016.93	\$55,556.80 to \$77,537.27	\$55,556.80 to \$79,088.01	\$55,556.80 to \$80,669.77
OPERATOR'S HELPER/ ASSISTANT LABORATORY TECHNICIAN	\$50,356.80 to \$75,295.58	\$50,356.80 to \$76,801.50	\$50,356.80 to \$78,337.53	\$50,356.80 to \$79,904.28
OPERATOR'S HELPER/ MECHANIC	\$59,030.40 to \$76,016.93	\$59,030.40 to \$77,537.27	\$59,030.40 to \$79,088.01	\$59,030.40 to \$80,669.77
OPERATOR'S HELPER/ ASSISTANT MECHANIC	\$52,166.40 to \$75,295.58	\$52,166.40 to \$76,801.50	\$52,166.40 to \$78,337.53	\$52,166.40 to \$79,904.28

UPGRADE DIFFERENTIALS:

LICENSE S-1 (GRADE 1)	\$0.50/hr.	\$0.50/hr.	\$0.50/hr.	\$0.50/hr.
LICENSE S-2	\$1.00/hr.	\$1.00/hr.	\$1.00/hr.	\$1.00/hr.
LICENSE C-1	\$0.50/hr.	\$0.50/hr.	\$0.50/hr.	\$0.50/hr.
LICENSE C-2	\$1.00/hr.	\$1.00/hr.	\$1.00/hr.	\$1.00/hr.
JET VAC AND TV INSPECTION TRUCK OPERATOR	\$0.16/hr.	\$0.16/hr.	\$0.16/hr.	\$0.16/hr.
NIGHT STANDBY	\$40.26	\$41.07	\$41.89	\$42.73

SECTION TWO: The salaries or compensations shall be retroactive to January 1, 2018. Any Teamsters (Local No. 469) member retiring prior to enactment of this ordinance will be entitled to retroactive compensation provision of this ordinance. The established salaries or compensation shall be in lieu of any and all fees.

SECTION THREE: All full time employees shall contribute towards their health benefits as required by State Statute, Chapter 78, P.L. 2011. No Employee will be exempt from payment of such contribution based upon their coverage, health plan selection, compensation and other statutorily required criteria, if any.

SECTION FOUR: Employees receiving the enhanced dental plan coverage are required to pay the difference between the cost of the basic plan and the enhanced plan.

SECTION FIVE: The employee's grade classification shall be established on January 1 of each year as per current practice.

SECTION SIX: That the said salaries or compensation shall be in lieu of any and all fees.

SECTION SEVEN: Any employee who voluntarily resigns or is discharged from employment prior to the introduction date of this ordinance shall not be entitled to receive the salary adjustment set forth herein.

SECTION EIGHT: This Ordinance shall take effect upon final passage and publication thereof, as provided for

INTRO: 2/27/19

ADOPTED: 3/20/19

AN ORDINANCE
TOWNSHIP OF MORRIS
MORRIS COUNTY – NEW JERSEY
ORDINANCE NO. 07-19

RE: ACCEPTING DEED OF EASEMENT LOT 13.01, BLOCK 6005, 8 OLD HARTER ROAD –
GRANTEE: TODD PIERRO

WHEREAS, the Township of Morris (the “Township”) has need to secure a permanent utility easement and to extend a sanitary sewer easement; and

WHEREAS, the grantee, Todd Pierro has agreed to convey to the Township a permanent easement for utilities and sanitary sewer extension over, upon and under a portion of the above premises; and

WHEREAS, a proposed form of deed of easement has been generated to memorialize the agreement between the parties; and

WHEREAS, Morris Township has agreed to pay consideration of ten thousand (\$10,000.00) dollars and to perform certain other services.

NOW THEREFORE BE IT HEREBY ORDAINED by the Township Committee of the Township of Morris as follows:

SECTION ONE: The Township of Morris does hereby ordain to accept the Deed of Easement conveying the described easement rights to Morris Township. The Mayor and Clerk are hereby authorized to countersign the Deed. The Deed shall be recorded in the office of The County Clerk and a copy of this ordinance shall be lodged with the County of Morris in accordance with law.

SECTION TWO: If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason found to be unconstitutional or unenforceable, such decision shall not affect the remaining portion of this ordinance.

SECTION THREE: all ordinances of the Township of Morris which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

SECTION FOUR: this ordinance shall take effect upon final passage and publication thereof as provided by law.

INTRO: 04/17/19

AN ORDINANCE
TOWNSHIP OF MORRIS
MORRIS COUNTY – NEW JERSEY
ORDINANCE NO. 08 -19

RE: MODIFYING AND AMENDING CHAPTER 9 SECTIONS 39-46 - ENTITLED “ECONOMIC DEVELOPMENT ADVISORY COMMITTEE”

WHEREAS, the Township of Morris (the “Township”) has need to modify and amend certain portions of the Economic Development Advisory Committee ordinance;

NOW THEREFORE BE IT HEREBY ORDAINED by the Township Committee of the Township of Morris as follows:

SECTION ONE: The Township of Morris does hereby ordain to modify and amend the following sections of Chapter 9 of the Revised General Ordinances of the Township of Morris:

§ 9-39 Purpose; creation.

A. In order to foster the economic development needs of the Township of Morris, stimulate economic growth, both in terms of new economic development and the retention of existing commercial businesses and industries, the Township Committee hereby establishes the Morris Township Economic Development Advisory Committee, hereinafter referred as the "EDAC." The EDAC shall be advisory in nature and provide the Township Committee, the Planning Board, the Board of Adjustment, and other municipal advisory bodies, departments and officials as appropriate with recommendations in addressing the economic development needs of the Township. The EDAC shall serve as a liaison between the Township's government and businesses as well as reaching out to prospective commercial businesses and industries seeking to become a member of the Morris Township corporate community.

§ 9-40 Membership; qualifications; terms of office; vacancies.

B. Membership composition. The regular members of the EDAC shall represent a cross section of the corporate, commercial and industrial business community, including representation from the Morris Area Chamber of Commerce. In furtherance of EDAC's role as a liaison to Township businesses, EDAC members may communicate to EDAC the views of their clients or other business contacts with respect to matters being considered by EDAC, so long as (1) whenever a member of EDAC expresses a view on such a matter on behalf of a third party, such member shall disclose that fact and the identity of such third party; (2) no member of EDAC shall accept compensation from any third party for time spent serving on EDAC or for advocating for a position on behalf of such third party in his/her capacity as an EDAC member; and (3) if EDAC is requested to make a recommendation with respect to any site plan, variance, redevelopment or tax-abatement application or similar applicant-specific matter, and an EDAC member has a personal or business interest in such application or matter, such member shall recuse him/herself from voting on such recommendation.

§ 9-41 Duties and responsibilities.

A. Duties and responsibilities shall include but not be limited to:

Monitoring the current state of the Township's economy and exploring ways to stimulate economic growth and development.

C. Working in creating, maintaining and implementing a positive business climate that fosters a strong economic community by developing a strategic plan, consistent with the Township's Master Plan (or recommending changes to the Master Plan if appropriate), which will result in business growth, the creation of more local jobs and provide new municipal tax revenue sources with minimal impact on municipal services.

E. Consulting and communicating with the Township Committee, the Planning Board, the Board of Adjustment, and other municipal advisory bodies, departments and officials as appropriate concerning land use issues that may have an impact upon development in the Township as it affects economic growth issues and consumer convenience. This may also include recommendations concerning changes to land use and zoning regulations that could impact economic growth, provided that EDAC shall not consider particular site plan, variance, redevelopment or tax-abatement applications or similar applicant-specific matters unless specifically requested to do so by the Township Committee, Planning Board or Board of Adjustment.

§ 9-42 Limitation of duties.

Other than the duties and responsibilities enumerated above, the EDAC shall not have the power to enter into contracts, create debt or take property by condemnation or eminent domain.

§ 9-43 Officers; quorum; meetings.

D. Organization. The EDAC shall meet in January of each year (or as soon as possible thereafter) to organize or reorganize and, at that time, determine when it shall meet and how often. In accordance with the Open Public Meetings Act, the EDAC shall publish a notice of meetings in a local newspaper, post the same on the Township website, post the same on the Township's official bulletin board and file such notice with the Municipal Clerk. The annual notice shall contain the dates, times and locations of each meeting to be held during the forthcoming year;

BE IT FURTHER ORDAINED that all appointees shall be continued in their respective appointments for the balance of their terms;

BE IT FURTHER ORDAINED that in all other respects Chapter 9 sections 39 through 46 shall continue in full force and effect except as modified herein.

SECTION TWO: If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason found to be unconstitutional or unenforceable, such decision shall not affect the remaining portion of this ordinance.

SECTION THREE: all ordinances of the Township of Morris which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

SECTION FOUR: this ordinance shall take effect upon final passage and publication thereof as provided by law.

INTRO: 05/15/19

ADOPTED: 06/19/19

TOWNSHIP OF MORRIS
MORRIS COUNTY, NEW JERSEY

ORDINANCE NO. 09-19

AN ORDINANCE AMENDING CHAPTER 88 ENTITLED, "VEHICLES AND TRAFFIC" ARTICLE II, SECTION 88-2.7 AND SCHEDULE VI "NO PARKING SNOW-COVERED ROADWAY" LINDSLEY DRIVE – BOTH SIDES - ENTIRE LENGTH.

BE IT HEREBY ORDAINED by the Township Committee of the Township of Morris, they being the governing body thereof that the Code of the Township of Morris is hereby amended as follows:

SECTION ONE: Be it hereby ordained by the Township Committee of the Township of Morris that the following sections and schedules as designated in Chapter 88 of the Code of the Township of Morris are hereby amended to include, as set forth below.

1. Schedule VI: No Parking: Snow-Covered Roadway:

<u>Name of Location</u>	<u>Side</u>	<u>Location</u>
Lindsley Drive	Both	Entire Length

SECTION TWO: If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason found to be unconstitutional or unenforceable, such decision shall not affect the remaining portion of this ordinance.

SECTION THREE: all ordinances of the Township of Morris which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

SECTION FOUR: this ordinance shall take effect upon final passage and publication thereof as provided by law.

INTRO: 03/20/19

ADOPTION: 04/17/19

AN ORDINANCE
TOWNSHIP OF MORRIS
MORRIS COUNTY – NEW JERSEY
ORDINANCE NO. 10-19

RE: ORDINANCE APPROPRIATING \$25,000 AVAILABLE IN THE GENERAL CAPITAL FUND TO PROVIDE FOR THE REPLACEMENT OF HVAC SYSTEM AT THE MT. KEMBLE FIRE STATION HEREIN AND BY THE TOWNSHIP OF MORRIS

Whereas, the Township of Morris (the “Township”) has need to appropriate funds from the General Capital Fund for certain repairs;

NOW THEREFORE BE IT HEREBY ORDAINED by the Township Committee of the Township of Morris as follows:

SECTION ONE: Be it ordained by the Township Committee of the Township of Morris (not less than two-thirds of all members thereof affirmatively concurring) as follows:

- A. \$25,000 is available in the General Capital Fund of the Township of Morris, a municipal corporation of the State of New Jersey (the “Township”) and is hereby appropriated to provide for the replacement of HVAC system at the Mt. Kemble Fire Station.
- B. The capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency hereof.

SECTION TWO: If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason found to be unconstitutional or unenforceable, such decision shall not affect the remaining portion of this ordinance.

SECTION THREE: all ordinances of the Township of Morris which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

SECTION FOUR: This ordinance shall take effect 10 days after publication hereof after final passage thereof as provided by law.

INTRO: 03/20/19

ADOPTION: 04/17/19

AN ORDINANCE
TOWNSHIP OF MORRIS
MORRIS COUNTY – NEW JERSEY
ORDINANCE NO. 11-19

CALENDAR YEAR 2019
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 Governing Body of the Township of Morris, in the County of Morris, finds it advisable and necessary to increase its CY 2019 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 Governing Body for said year, amounting final appropriations otherwise advisable and necessary; and, hereby determines that a 3.5% increase in the to \$263,554.39 in excess of the in the Government Cap Law, is advisable and necessary; and,

WHEREAS, the Governing Body 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 Governing Body of the Township of Morris, in the County of Morris, a majority of the full authorized of this governing body affirmatively concurring, that, in the CY 2019 budget year, the final appropriations of the Township of Morris shall, in accordance with this ordinance and N.J.S.A. 40: 45.14, be increased by 3.5%, amounting to \$922,440.37 and that the CY 2019 municipal budget for the Township of Morris be approved and adopt accordance with ordinance; and,

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

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

INTRO: 03/20/19
ADOPTION: 04/17/19

AN ORDINANCE
TOWNSHIP OF MORRIS
MORRIS COUNTY – NEW JERSEY
ORDINANCE NO. 12-19

AN ORDINANCE OF THE TOWNSHIP OF MORRIS, COUNTY OF MORRIS, NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 95 ENTITLED ZONING BY REPEALING AND REPLACING ARTICLE XII ENTITLED “SMALL CELL EQUIPMENT, WIRELESS CABINETS AND WIRELESS POLES IN THE MUNICIPAL RIGHT OF WAY” WITH NEW ARTICLE XII ENTITLED “RESERVED” AND REVISING SECTION 89(A)(IX) OF ARTICLE XIII ENTITLED “COLLOCATION ONTO EXISTING TOWERS AND BASE STATIONS.”

WHEREAS, on March 28, 2018, the Township Committee of the Township of Morris (“Township”) adopted Ordinance 09-18 entitled “An Ordinance of the Township of Morris, County of Morris, New Jersey Amending and Supplementing Chapter 95 Entitled “Zoning” by Adding New Article CII Entitled “Small Cell Equipment, Wireless Cabinets and Wireless Poles in the Municipal Right-of-Way” (the “Ordinance”); and

WHEREAS, the purpose of the Ordinance was to regulate the deployment of small wireless facilities in the municipal right-of-way; and

WHEREAS, such regulation was necessary given the applications before the Township from certain wireless carriers wishing to have access to the municipal right-of-way; and

WHEREAS, on September 26, 2018 the Federal Communications Commission (the “FCC”) adopted a declaratory ruling, report and order entitled “FCC removes barriers to wireless infrastructure deployment by clarifying the scope of Sections 254 and 332 and establishing shot clocks for small wireless facilities.” Docket No. 17-79, 17-84, 33 FCC Rcd 9088 (14); and

WHEREAS, the said report and order imposes substantive and procedural limitations on municipalities in the way in which same can regulate small wireless facilities; and

WHEREAS, the Township has crafted amendments to its code that protect the municipal Right-of-Way in ways that comply with the FCC’s recent report and order; and

WHEREAS, it is necessary to revise the changes made to the Township code by way of Ordinance 09-18 in conjunction with these other amendments.

FOR THE FOREGOING REASONS, it is hereby ordained by the Township Committee of the Township of Morris, in the County of Morris and State of New Jersey as follows:

Section 1 Chapter 95 “Zoning” is hereby amended and supplemented by repealing and replacing Article XII entitled “Small Cell Equipment and Wireless Poles in the Municipal Right-of-Way” in its entirety with new Article XII entitled “Reserved.”

Section 2 Chapter 95 “Zoning” is hereby amended and supplemented through the revision of Section 89(A)(ix) of Article XIII entitled “Collocation onto Existing Towers and Base Stations” as follows:

ix. Tower.

Any structure built for the sole or primary purpose of supporting any FCC licensed or authorized antennas and their associated facilities, including structures that are constructed for wireless communications services including, but not limited to, private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul, and the associated site. [This term includes Wireless Poles in the Municipal Right-of-Way.]

Section 3. If any section or provision of this Ordinance shall be held invalid in any court of competent jurisdiction, the same shall not affect the other sections or provisions of this Ordinance, except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

Section 4. A copy of this Ordinance shall be forwarded, after introduction, to the Morris Township Planning Board for a Master Plan consistency review in accordance with N.J.S.A. 40:55D-64.

Section 5. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

Section 6. This Ordinance shall take effect upon (i) filing with the Morris County Planning Board in accordance with the Municipal Land Use Law; and (ii) adoption and publication in the manner required by New Jersey law.

Note to Codifier: Deleted provisions indicated by brackets [].
New provision indicated in underline _____

INTRO: 3/20/19

ADOPTION: 04/17/19

TOWNSHIP OF MORRIS
MORRIS COUNTY, NEW JERSEY
ORDINANCE NO.13-19

AN ORDINANCE OF THE TOWNSHIP OF MORRIS, COUNTY OF MORRIS, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF MORRIS BY ADDING NEW ARTICLE VI ENTITLED "SITING OF POLES, CABINETS AND ANTENNAS" IN CHAPTER 439 ENTITLED "STREETS AND SIDEWALKS."

WHEREAS, the Township of Morris ("Township") is aware that certain technological developments have made access to its Municipal Rights-of-Way desirable by certain telecommunications companies for the placement of small cell wireless facilities ("Small Cells"); and

WHEREAS, it is "axiomatic that municipal corporations are required to exercise ordinary care to maintain their streets and sidewalks...[n]or may a municipality in any way surrender or impair its control over the streets" McQuillan Mun. Corp. (3rd Ed), Section 30.73; and

WHEREAS, the Township acknowledges that its streets "are used for the ordinary purposes of travel and such other uses as customarily pertain there-to which, in recent years, are numerous and various. It thus follows that these public ways must be kept free from obstruction, nuisances, or unreasonable encroachments which destroy, in whole or in part, or materially impair, their use as public thoroughfares" Id.; and

WHEREAS, the Township has determined that its Municipal Rights-of-Way, such as they are or may be, themselves constitute a valuable resource, finite in nature, and which exists as a common right of the public to pass and repass freely over and across said lands without unreasonable obstruction or interference, and which therefore must be managed carefully; and

WHEREAS, the Federal Telecommunications Act preserves local government's ability to "manage the public Rights-of-Way...on a competitively neutral and non-discriminatory basis" 47 U.S.C. 253(c); and

WHEREAS, the Federal Telecommunications Act preserves local government's authority over the, "placement, construction and modification of personal wireless service facilities" 47 U.S.C. 332(c)(7)(A); and

WHEREAS, the Federal Telecommunications Act makes it unlawful for local government to prohibit or have the effect of prohibiting the provision of personal wireless service 47 U.S.C. 332(c)(7)(B)(i)(II); and

WHEREAS, the Federal Telecommunications Act provides that municipalities "shall not unreasonably discriminate among providers of functionally equivalent services"; 47 U.S.C. 332(c)(7)(B)(i)(I); and

WHEREAS, recent developments in wireless technology, specifically the development of 5G, involve the placement of Small Cells and Cabinets in the Municipal Right-of-Way. Fitzgerald, Drew Wireless Companies to Offer 5G Plans at Mobile Forum, Wall Street Journal (February 28, 2018); and

WHEREAS, New Jersey municipalities must give consent before a Small Cell, i.e. a small antenna, can be placed on existing poles pursuant to N.J.S.A. 48:3-19 and for the erection of New Poles within the municipal Rights-of-Way pursuant to N.J.S.A. 48:17-10; and

WHEREAS, the Federal Highway Administration has acknowledged the problem of overburdening the Municipal Right-of-Way by stating, "[as] demand for the finite space in existing ROW increases, the

difficulty and cost of adding new utility facilities and relocating existing utility facilities also increases. Just as significant is how utility service interruptions may add to public discontent with overall highway construction. It is therefore essential for planners, designers, and builders of street and highway projects to avoid unnecessary utility relocations..."Federal Highway Administration, Avoiding Utility Relocations, <https://www.fhwa.dot.gov/utilities/utilityrelo/2.cfm> (accessed March 7, 2018); and

WHEREAS, since the Township last reviewed this matter, the Federal Communications Commission (FCC) has adopted an order entitled "Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment; Accelerating Wireline Broadband Deployment by Removing Barriers to Infrastructure Investment" WT Docket No. 17-79; WC Docket 17-84, which places a shot clock on municipal review and approval for the placement of Small Cells on Existing Poles and the placement of New Poles and Cabinets in the Municipal Right-of-Way; and

WHEREAS, the erection of New Poles and Ground Level Cabinets in the Municipal Right-of-Way raises significant aesthetic and safety concerns; and

WHEREAS, Ground Level Cabinets attached to small cells trigger certain collocation requirements pursuant to Section 6409(a) of the Middle Class Tax Relief and Jobs Creation Act of 2012 which raises serious concerns as to the ability of local government to protect the public's interest in the Municipal Right-of-Way when it comes to aesthetics and the ability of the public to pass and repass over same; and

WHEREAS, New Poles and Ground Level Cabinets also raise concerns related to sight triangle encroachments and other safety related issues related to the use of roadways by the public; and

WHEREAS, it is the Township's goal to increase collocation of antennas, to the maximum amount possible, on existing poles thereby precluding the proliferation of new poles; and

WHEREAS, the Township understands that technology is advancing in this area and that greater collocation may be required as same becomes more technologically possible in the future; and

WHEREAS, the FCC in its recent order provides that municipalities can impose aesthetic and location requirements on Small Cells where said requirements are: 1) reasonable; 2) no more burdensome than those applied to other types of infrastructure deployments; and 3) published in advance; and

WHEREAS, the FCC in its recent order further clarified what it considers "reasonable" aesthetic requirements by stating that "in assessing that this standard has been met, aesthetic requirements that are more burdensome than those the state or locality applies to similar infrastructure deployments are not permissible, because such discriminatory application evidences that the requirements are not, in fact, reasonable and directed at remedying the impact of the wireless infrastructure deployment;" and

WHEREAS, the FCC's requirement that, in order to protect the aesthetics of the Township's Municipal Right-of-Way, it must treat like infrastructure in a like manner, necessitates the introduction of broader aesthetic requirements that apply to all Poles and Antennas and Cabinets in the Municipal Right-of-Way and not just Small Cells; and

WHEREAS, the Township has determined that the most efficient way to handle this process is to create a Right-of-Way Permit system for all New Poles, Cabinets and Antennas in the Municipal Right-of-Way; and

WHEREAS, the Township has determined that it is necessary to set forth clear standards in relation to the siting of Poles, Cabinets and Antennas for the benefit of its citizens and any utilities which use or will seek to make use of said Municipal Rights-of-Way.

FOR THE FOREGOING REASONS, it is hereby ordained by the Township Committee of the Township of Morris, in the County of Morris and State of New Jersey as follows:

SECTION ONE Chapter 439 "Streets and Sidewalks" of the Revised General Ordinances of the Township of Morris is hereby amended through the addition of new Article VI "Siting of Poles, Cabinets and Antennas in the Municipal Right-of-Way" as follows:

439-33 DEFINITIONS.

- a. "Anticipated Municipal Expenses" means the cost of processing an application for a Right-of-Way Permit including, but not limited to, all professional fees such as engineering and attorney costs incurred by the Township.
- b. "Cabinet" shall mean a small box-like or rectangular structure used to facilitate utility or wireless service from within the Municipal Right-of-Way.
- c. "Electric Distribution System" shall mean the part of the electric system, after the transmission system, that is dedicated to delivering electric energy to an end user.
- d. "Existing Pole" shall mean a pole that is in lawful existence within the Municipal Right-of-Way.
- e. "Ground Level Cabinets" shall mean a Cabinet that is not attached to an existing pole and is touching or directly supported by the ground.
- f. "Municipal Right-of-Way" shall mean the surface of, and the space above or below, any public street, road, place, public way or place, sidewalk, alley, boulevard, parkway, drive, and the like, held by the Township as an easement or in fee simple ownership. This term also includes rights-of-way held by the County of Morris where the Township's approval is required for the use of same pursuant to N.J.S.A. 27:16-6. This term shall not include private roadways.
- g. "Pole" shall mean a long, slender, rounded piece of wood, concrete or metal.
- h. "Pole Mounted Antenna" shall mean a device that is attached to a Pole and used to transmit radio or microwave signals and shall include, but not be limited to, small cell equipment and transmission media such as femtocells, picocells, microcells, and outside distributed antenna systems.
- i. "Pole Mounted Cabinet" shall mean a Cabinet that is proposed to be placed on an Existing or Proposed Pole.
- j. "Proposed Pole" shall mean a Pole that is proposed to be placed in the Municipal Right-of-Way.
- k. "Right-of-Way Agreement" shall mean an agreement that sets forth the terms and conditions for use of the Municipal Right-of-Way and includes, but is not limited to, municipal franchise agreements.
- l. "Right-of-Way Permit" shall mean an approval from the Township setting forth applicant's compliance with the requirements of this Article.
- m. "Surrounding Streetscape" shall mean Existing Poles within the same right-of-way which are located within five hundred linear (500) feet of the Proposed Pole. Poles carrying electric transmission lines shall not be considered part of the "Surrounding Streetscape."
- n. "Township Committee" shall mean the Township Committee of the Township of Morris.

- o. "Utilities Regulated by the Board of Public Utilities" shall mean companies subject to regulation by the New Jersey Board of Public Utilities under Chapter 48 of the Revised Statutes.
- p. "Utility Service" shall mean electric, telephone, or cable service.
- q. "Zone, Non-Residential" shall mean the B-11, OL-5, OL-15, OL-40, I-21 and CEM Zones as designated in § 95-5 of the Revised General Ordinances of the Township of Morris.
- r. "Zone, Residential" shall mean any zones permitting single family, two family, or multifamily residences, assisted-living residences, nursing homes, and/or residential health care facilities.

439-44 ACCESS TO RIGHT-OF-WAY, RIGHT-OF-WAY AGREEMENTS.

- a. No person shall operate or place any type of Pole Mounted Antenna, Cabinet or Pole within the Municipal Right-of-Way without first entering into a Right-of-Way Agreement pursuant to the provisions of this Section.
- b. The terms of said Right-of-Way agreement shall include:
 - i. A term not to exceed 15 (fifteen) years;
 - ii. Reasonable insurance requirements;
 - iii. Fine for unauthorized installations;
 - iv. A reference to the siting standards as set forth in this Article; and
 - v. Any other items which may reasonably be required.

439-45 APPLICATION TO UTILITIES REGULATED BY THE BOARD OF PUBLIC UTILITIES.

- a. Notwithstanding any franchise or Right-of-Way Agreement to the contrary, all Antennas, Poles and Cabinets proposed to be placed within the Municipal Right-of-Way by a Utility Regulated by the Board of Public Utilities, or any other entity with legal access to the Municipal Right-of-way, shall be subject to the standards and procedures set forth in this Article and shall require Right-of-Way Permits for the siting of Poles, Antennas and Cabinets in the Municipal Right-of-Way.

439-46 RIGHT-OF-WAY PERMITS, SITING STANDARDS FOR POLES, ANTENNAS AND CABINETS IN THE RIGHT-OF-WAY.

- a. No Pole, Antenna or Cabinet shall be installed within the Municipal Right-of-Way without the issuance of a Right-of-Way Permit.
- b. Pole Siting Standards
 - i. Height. No Pole shall be taller than thirty five (35) feet or 110% of the average height of Poles in the Surrounding Streetscape, whichever is higher.
 - ii. Location, Safety and Aesthetics. No Pole shall be erected in the Right-of-Way unless it:
 - 1. Is used to bring Utility Service across the Right-of-Way to an existing or proposed development from an Existing Pole; or
 - 2. Is replacing an Existing Pole; or
 - 3. Approved pursuant to a land development application by either the Township's Zoning Board of Adjustment or Planning Board pursuant a land use application; or
 - 4. Located on the opposite side of the street from the Electric Distribution System; and
 - 5. For sites in Residential Zones, is two hundred linear feet from any other Existing Pole or Proposed Pole along the same side of the street, or for sites in Non-Residential Zones is one hundred linear feet from any other Existing Pole or Proposed Pole along the same side of the street; and
 - 6. Is not located in an area with underground utilities; and
 - 7. Does not inhibit any existing sight triangles or sight distance; and

8. Allows adequate room for the public to pass and re-pass across the Municipal Right-of-Way; and
 9. Is finished and/or painted, constructed and otherwise camouflaged, in conformance with best available stealth technology methods, so as to blend in compatibly with its background and so as to minimize its visual impact on surrounding properties, and to permit the colocation of additional Pole Mounted Antennas thereon.
- c. Ground Level Cabinet Site Standards
- i. Ground Level Cabinets are prohibited in Residential Zones.
 - ii. Ground Level Cabinets are permitted in Non-Residential Zones provided that each Ground Level Cabinet:
 1. Is less than twenty-eight cubic feet in volume; and
 2. Is finished and/or painted so as to blend in compatibly with its background and so as to minimize its visual impact on surrounding properties; and
 3. Does not inhibit an existing sight triangles or sight distance; and
 4. Allows adequate room for the public to pass and repass across the Municipal Right-of-Way.
- d. Pole Mounted Antenna and Pole Mounted Cabinet Siting Standards
- i. Pole Mounted Antennas are permitted on Existing Poles in all zones, provided that each Pole Mounted Antenna:
 1. Does not exceed three (3) cubic feet in volume; and
 2. Is finished and/or painted and otherwise camouflaged, in conformance with best available stealth technology methods, so as to blend in compatibly with its background and so as to minimize its visual impact on surrounding properties; and
 3. Does not inhibit sight triangles or sight distance; and
 4. Allows adequate room for the public to pass and repass across the Municipal Right-of-Way.
 - ii. Pole Mounted Cabinets are permitted on Existing Poles in all zones, provided that each Pole Mounted Cabinet:
 1. Does not exceed sixteen (16) cubic feet; and
 2. Is finished and/or painted and otherwise camouflaged, in conformance with best available stealth technology methods, so as to blend in compatibly with its background and so as to minimize its visual impact on surrounding properties; and
 3. Does not inhibit sight triangles or sight distance; and
 4. Allows adequate room for the public to pass and repass across the Municipal Right-of-Way.
 - iii. The Township may also require that a Permittee provide a certification from a licensed engineer attesting to the structural integrity of any Pole Mounted Antenna or Pole Mounted Cabinet and the structure on which it is proposed to be mounted.

439-47 APPLICATION PROCESS.

- a. Pre-Application Meeting- While not required by the Township, prior to making a formal application with the Township for use of the Municipal Right-of-Way, all applicants are advised to meet with the Township Engineer to review the scope of applicant's proposal.
- b. The Township Committee shall, by resolution, approve or disapprove every Right-of-Way Permit application based on the recommendations provided to it pursuant to subsection (e) below.

- c. All applications made under this section which trigger Federal Communications Commission shot clock rules pursuant to the Federal Communications Commission Order titled "Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment; Accelerating Wireline Broadband Deployment by the Removal of Barriers to Infrastructure Investment." WT Docket No. 17-79; WC Docket No. 17-84 shall be processed on an expedited basis.
- d. Every application for a Proposed Pole must include a stamped survey prepared by a New Jersey licensed surveyor demonstrating that any such Proposed Pole is located within the Municipal Right-of-Way. An application which does not include such a survey shall immediately be deemed incomplete.
- e. The Township Engineer shall review applications made pursuant to this Article and advise the Township Committee of his or her recommendation to approve or disapprove same. If he or she recommends that an application be disapproved, the factual basis for that recommendation must be transmitted to the Township Committee in writing.
- f. If the Township Committee denies any application made under this Section, it shall do so in writing and set forth the factual basis therefor.

439-48 WAIVER.

- a. The Township Committee may, by resolution, waive any siting standard set forth in Section 439-46 where the applicant demonstrates that strict enforcement of said standard:
 - i. Will prohibit or have the effect of prohibiting any interstate or intrastate telecommunications service pursuant to 47 U.S.C. 253(a); or
 - ii. Will prohibit or have the effect of prohibiting personal wireless service pursuant to 47 U.S.C. 332(c)(7)(B)(i)(II); or
 - iii. Will violate any requirement set forth by the Federal Communications Commission Order entitled "Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment; Accelerating Wireline Broadband Deployment by Removing Barriers to Infrastructure Investment." WT Docket No. 17-79; WC Docket 17-84.

439-49 RIGHT-OF-WAY PERMIT FEES AND DEPOSIT TOWARDS ANTICIPATED MUNICIPAL EXPENSES.

- a. Every Right-of-Way Permit application must include a Right-of-Way Permit Fee in the following amounts:
 - i. One (1) to five (5) collocation sites on Existing Poles- \$500.00.
 - ii. Each additional collocation site on an Existing Pole- \$100.00.
- b. Deposit Towards Anticipated Municipal Expenses
 - i. In addition to the Right-of-Way Permit Fee, the Township Engineer may, in his or her own discretion, require the posting of a two thousand dollar (\$2,000.00) Deposit Towards Anticipated Municipal Expenses related to an application made pursuant to this Chapter.
 - ii. Applicant's Deposit Towards Anticipated Municipal Expenses shall be placed in an escrow account. If said deposit contains insufficient funds to enable the Township to perform its review, the Chief Financial Officer of the Township shall provide applicant a notice of insufficient balance. In order for review to continue, the applicant shall, within ten (10) days post a deposit to the account in an amount to be mutually agreed upon.

The Chief Financial Officer shall, upon request by the applicant, and after a final decision has been made by the Township Committee regarding his or her pending Right-of-Way Permit application, and subject to review by the Township Engineer, refund any unused balance from applicant's Deposit Towards Anticipated Municipal Expenses.

439-50 COLOCATION REQUIREMENT.

Any applicant for a Right-of-Way permit shall, as a condition to the issuance of same, permit the colocation of Pole Mounted Antennas onto any new Pole to the maximum amount that colocation is technically feasible which, in any event, shall not be less than two Pole Mounted Antennas.

439-51 MISCELLANEOUS PROVISIONS.

- a. Any approval received pursuant to this Chapter does not relieve the applicant from receiving consent from the owner of the land above which an applicant's facility may be located as may be required under New Jersey law, or the owner of any existing pole on which the facility may be mounted.
- b. Applicant must, in addition to receiving a Right-of-Way Permit, also receive all necessary road opening permits, construction permits and any other requirement set forth in the Revised Ordinances of the Township of Morris or state statutes.
- c. The Township's consent for use of County Roads, as required pursuant to N.J.S.A. 27:16-6, shall take the form of a Right-of-Way Permit subject to the standards and application process set forth in this Chapter. No such applicant shall be required to enter into a Right-of-Way Agreement with the Township.
- d. Applicant must comply with all applicable state, local and federal regulations including.
- e. Any agreement entered into or Right-of-Way permit issued pursuant to this Chapter shall not supersede or in any way take the place of any local approvals or franchises which otherwise in the future may be required by applicant under the New Jersey Cable Television Act, N.J.S.A. 48:5A-1, *et seq.*

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

SECTION THREE 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 the Ordinance shall be deemed valid and effective.

SECTION FOUR This Ordinance shall take effect upon final adoption and publication in accordance with law

INTRO: 3/20/19

ADOPTION: 04/17/19

AN ORDINANCE
TOWNSHIP OF MORRIS
MORRIS COUNTY – NEW JERSEY

ORDINANCE NO. 14-19

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS BY THE TOWNSHIP OF MORRIS, APPROPRIATING THE AGGREGATE AMOUNT OF \$2,700,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,570,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MORRIS (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Township of Morris, a municipal corporation of the State of New Jersey (the "Township") as general improvements. For the improvements or purposes described in Section 3 of this bond ordinance, there is hereby appropriated the sum of \$2,700,000 (which is the aggregate amount of the sums of money appropriated for each respective improvement or purpose), including the sum of \$130,000 as the down payment for the improvements or purposes required by the Local Bond Law. The down payment is now available by virtue of the provision for a down payment for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvements or purposes not covered by the application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$2,570,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The improvements or purposes hereby authorized for which bonds or notes are to be issued, the estimated cost of each improvement or purpose and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement or purpose, and the period of usefulness of each improvement or purpose are as follows:

(a) Park improvements, including the reconstruction of the tennis courts at the Ginty Tennis Court facility and the Streeter Tennis Court facility, and all work and materials necessary therefor or incidental thereto.

<u>APPROPRIATION</u>	<u>BOND AUTHORIZATION</u>	<u>PERIOD OF USEFULNESS</u>
\$800,000	\$761,500	15 years

(b) The 2019 Road Overlay / Crack Sealing Improvements Project, including road overlay and crack sealing improvements to various roads throughout the Township as set forth on the project list filed in the Department of Public Works, and all work and materials necessary therefor or incidental thereto.

<u>APPROPRIATION</u>	<u>BOND AUTHORIZATION</u>	<u>PERIOD OF USEFULNESS</u>
\$790,000	\$752,000	10 years

(c) The 2019 Road Improvements Project - Phase I, including the planning, design, reconstruction and / or resurfacing of various roads throughout the Township as set forth on the project list filed in the Engineering Department, and all work and materials necessary therefor or incidental thereto.

<u>APPROPRIATION</u>	<u>BOND AUTHORIZATION</u>	<u>PERIOD OF USEFULNESS</u>
\$750,000	\$714,000	10 years

(d) The 2019 Curb Improvements Project, including the planning, design, construction and / or reconstruction of various curbs throughout the Township as set forth on the project list filed in the Engineering Department, and all work and materials necessary therefor or incidental thereto.

<u>APPROPRIATION</u>	<u>BOND AUTHORIZATION</u>	<u>PERIOD OF USEFULNESS</u>
\$360,000	\$342,500	10 years

<u>TOTAL APPROPRIATION</u>	<u>TOTAL BOND AUTHORIZATION</u>	<u>AVERAGE PERIOD OF USEFULNESS</u>
\$2,700,000	\$2,570,000	11.48 years

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer; provided that no bond anticipation note shall mature later than one year from its date. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the bond anticipation notes issued pursuant to this bond ordinance, and the Chief Financial Officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell a part, or all, of the bond anticipation notes from time to time at public or private sale, and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest, if any, from their dates to the dates of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale of bond anticipation notes issued pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements or purposes that the Township may lawfully undertake as general improvements, and no part of the costs thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of the improvements or purposes described in Section 3 of this bond ordinance, computed on the basis of the amounts of obligations authorized for each improvement or purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 11.48 years.

(c) An aggregate amount not exceeding \$400,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost of the improvements or purposes set forth in Section 3 of this bond ordinance.

(d) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and submitted to the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township is increased by \$2,570,000 (the amount of the authorization of the obligations provided for in this bond ordinance). The obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

Section 7. The Township reasonably expects to commence the acquisition and/or construction of the improvements or purposes described in Section 3 of this bond ordinance, and to advance all or a portion of the costs in respect thereof, prior to the issuance of bonds or notes hereunder. To the extent such costs are advanced, the Township further reasonably expects to reimburse such expenditures from the proceeds of the obligations authorized in Section 2 of this bond ordinance. This Section 7 is intended to be and hereby is a declaration of official intent under Treasury Regulation Section 1.150-2.

Section 8. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 9. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

INTRO: 04/17/19

ADOPTION: 05/15/19

AN ORDINANCE
TOWNSHIP OF MORRIS
MORRIS COUNTY – NEW JERSEY

ORDINANCE NO. 15-19

BOND ORDINANCE PROVIDING FOR SWIMMING POOL IMPROVEMENTS BY THE TOWNSHIP OF MORRIS, APPROPRIATING \$86,500 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$82,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MORRIS (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Township of Morris, a municipal corporation of the State of New Jersey (the "Township") as general improvements. For the improvements or purposes described in Section 3 of this bond ordinance, there is hereby appropriated the sum of \$86,500 (which is the aggregate amount of the sums of money appropriated for each respective improvement or purpose), including the sum of \$4,500 as the down payment for the improvements or purposes required by the Local Bond Law. The down payment is now available by virtue of the provision for a down payment for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvements or purposes not covered by the application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$82,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The improvements or purposes hereby authorized for which bonds or notes are to be issued, the estimated cost of each improvement or purpose and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement or purpose, and the period of usefulness of each improvement or purpose are as follows:

(a) Improvements to the Ginty Swim Pool filter system, including the purchase and installation of new UV controls and all work and materials necessary therefor or incidental thereto.

<u>APPROPRIATION</u>	<u>BOND AUTHORIZATION</u>	<u>PERIOD OF USEFULNESS</u>
\$30,000	\$28,500	5 years

(b) Purchase and installation of new shade structures for the Ginty Swim Pool facility and Streeter Swim Pool facility, including all work and materials necessary therefor or incidental thereto.

<u>APPROPRIATION</u>	<u>BOND AUTHORIZATION</u>	<u>PERIOD OF USEFULNESS</u>
\$24,000	\$22,800	10 years

(c) Purchase and installation of new doors and lockers for the Ginty Swim Pool facility and the Streeter Swim Pool facility, including all work and materials necessary therefor or incidental thereto.

<u>APPROPRIATION</u>	<u>BOND AUTHORIZATION</u>	<u>PERIOD OF USEFULNESS</u>
----------------------	---------------------------	-----------------------------

\$32,500

\$30,700

5 years

**TOTAL
APPROPRIATION**

**TOTAL BOND
AUTHORIZATION**

**AVERAGE PERIOD
OF USEFULNESS**

\$86,500

\$82,000

6.39 years

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer; provided that no bond anticipation note shall mature later than one year from its date. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the bond anticipation notes issued pursuant to this bond ordinance, and the Chief Financial Officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell a part, or all, of the bond anticipation notes from time to time at public or private sale, and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest, if any, from their dates to the dates of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale of bond anticipation notes issued pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements or purposes that the Township may lawfully undertake as general improvements, and no part of the costs thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of the improvements or purposes described in Section 3 of this bond ordinance, computed on the basis of the amounts of obligations authorized for each improvement or purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 6.39 years.

(c) An aggregate amount not exceeding \$10,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost of the improvements or purposes set forth in Section 3 of this bond ordinance.

(d) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and submitted to the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township is increased by \$82,000 (the amount of the authorization of the obligations provided for in this bond ordinance). The obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

Section 7. The Township reasonably expects to commence the acquisition and/or construction of the improvements or purposes described in Section 3 of this bond ordinance, and to advance all or a portion of the costs in respect thereof, prior to the issuance of bonds or notes hereunder. To the extent such costs are advanced, the Township further reasonably expects to reimburse such expenditures from the proceeds of the obligations authorized in Section 2 of this bond ordinance. This Section 7 is intended to be and hereby is a declaration of official intent under Treasury Regulation Section 1.150-2.

Section 8. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 9. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

INTRO: 04/17/19

ADOPTION: 05/15/19

AN ORDINANCE
TOWNSHIP OF MORRIS
MORRIS COUNTY – NEW JERSEY

ORDINANCE NO. 16-19

ORDINANCE APPROPRIATING \$2,103,500 AVAILABLE IN THE SEWER UTILITY CAPITAL IMPROVEMENT FUND TO PROVIDE FOR VARIOUS WASTEWATER TREATMENT PLANT AND SEWER SYSTEM IMPROVEMENTS BY THE TOWNSHIP OF MORRIS

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MORRIS (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. \$2,103,500 available in the Sewer Utility Capital Improvement Fund of the Township of Morris, a municipal corporation of the State of New Jersey (the "Township") is hereby appropriated to provide for the following improvements or purposes, including all work and materials necessary therefor or incidental thereto: (i) the purchase and installation of new HVAC systems and air supply diffusers at the Butterworth Wastewater Treatment Plant and the Woodland Wastewater Treatment Plant; (ii) improvements to the lab at the Butterworth Wastewater Treatment Plant; (iii) the purchase and installation of a new roof and underground valves at the Woodland Wastewater Treatment Plant; (iv) paving improvements at various Pump Stations; (v) the purchase and installation of a new grease mixer at the Mendham Pump Station; (vi) sewer pipe improvements along Lake Road; (vii) infiltration and inflow manhole treatments throughout the entire Sewer System; and (viii) the 2019 Road Improvements Project - Phase II, including the planning, design, reconstruction and/or resurfacing of various roads throughout the Township as set forth on the project list filed in the Engineering Department.

Section 2. The capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith.

Section 3. This ordinance shall take effect 10 days after the first publication thereof after final adoption.

INTRO: 04/17/19

ADOPTION: 05/15/19

AN ORDINANCE
TOWNSHIP OF MORRIS
MORRIS COUNTY – NEW JERSEY

ORDINANCE NO. 17-19

ORDINANCE APPROPRIATING \$25,000 AVAILABLE IN THE PARKING UTILITY CAPITAL IMPROVEMENT FUND TO PROVIDE FOR DRAINAGE IMPROVEMENTS AT THE CONVENT TRAIN STATION HOUSE BY THE TOWNSHIP OF MORRIS

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MORRIS (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. \$25,000 available in the Parking Utility Capital Improvement Fund of the Township of Morris, a municipal corporation of the State of New Jersey (the "Township") is hereby appropriated to provide for drainage improvements at the Convent Train Station House, including the purchase and installation of new gutters and all work and materials necessary therefor or incidental thereto.

Section 2. The capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith.

Section 3. This ordinance shall take effect 10 days after the first publication thereof after final adoption.

INTRO: 04/17/19

ADOPTION: 05/15/19

AN ORDINANCE
TOWNSHIP OF MORRIS
MORRIS COUNTY – NEW JERSEY

ORDINANCE NO. 18-19

ORDINANCE APPROPRIATING \$507,500 AVAILABLE IN THE GENERAL CAPITAL IMPROVEMENT FUND TO PROVIDE FOR VARIOUS CAPITAL IMPROVEMENTS BY THE TOWNSHIP OF MORRIS

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MORRIS (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. \$507,500 available in the General Capital Improvement Fund of the Township of Morris, a municipal corporation of the State of New Jersey (the "Township") is hereby appropriated to provide for the following improvements or purposes, including all work and materials necessary therefor or incidental thereto: (i) fire alarm system improvements at the Hillside Fire Station and the Fairchild Fire Station; (ii) ramp improvements at the Hillside Fire Station; (iii) grading and drainage improvements at the Collinsville Fire Station; (iv) lighting improvements at the Public Works Department Building; (v) the purchase of utility vehicles for the Public Works Department; (vi) the purchase of 2 lawn mowers and a remote controlled slope mower for the Parks and Recreation Department; (vii) the 2019 Sidewalk Improvements Project, including various sidewalk improvements throughout the Township as set forth on the project list filed in the Engineering Department; and (viii) the 2019 Drainage Improvements Project, including various drainage improvements throughout the Township as set forth on the project list filed in the Engineering Department.

Section 2. The capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith.

Section 3. This ordinance shall take effect 10 days after the first publication thereof after final adoption.

INTRO: 04/17/19
ADOPTED: 05/15/19

AN ORDINANCE
TOWNSHIP OF MORRIS
MORRIS COUNTY – NEW JERSEY

ORDINANCE NO. 19-19

ORDINANCE APPROPRIATING THE AGGREGATE AMOUNT OF \$985,000 TO PROVIDE FOR
THE WASHINGTON VALLEY ROAD RESURFACING PROJECT BY THE TOWNSHIP OF MORRIS

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MORRIS (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. \$435,000 available in the General Capital Fund Balance of the Township of Morris, a municipal corporation of the State of New Jersey (the "Township") and a grant in the amount of \$550,000 expected to be received from the State of New Jersey Department of Transportation is hereby appropriated to provide for the Washington Valley Road Resurfacing Project, including all work and materials necessary therefor or incidental thereto.

Section 2. The capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith.

Section 3. This ordinance shall take effect 10 days after the first publication thereof after final adoption.

INTRO: 04/17/19
ADOPTED: 05/15/19

AN ORDINANCE
TOWNSHIP OF MORRIS
MORRIS COUNTY – NEW JERSEY

ORDINANCE NO. 20-19

AN ORDINANCE OF THE TOWNSHIP OF MORRIS AUTHORIZING AS A LOCAL IMPROVEMENT OF THE CURBING OF BLOCK 8410 LOT 5, 1 CRESCENT DRIVE AND BLOCK 8405 LOT 1, 2 CRESCENT DRIVE

BE IT ORDAINED by the Township Committee of the Township of Morris, Morris County, State of New Jersey, as follows:

SECTION ONE:

1. Whereas, Crescent Drive is a public roadway with concrete curbing from Madison Avenue across the frontage of the property Block 8410 lot 5, 1 Crescent Drive and Block 8405, Lot 1, 2 Crescent Drive.
2. Whereas, the 2 property owners and the Township of Morris entered into an agreement for the Township to replace the concrete curbing with Belgian block curbing and the residents to reimburse the Township for the cost over a five year period commencing in 2020 (resolution 52-19).
3. Whereas, the funding for this project was authorized in ordinance 18-20.
4. Whereas, the curb improvement project of Block 8410 lot 5, 1 Crescent Drive and Block 8405, Lot 1, 2 Crescent Drive within the Township of Morris, is hereby authorized with cost of said improvement NTE, \$7,800.
5. Whereas, the improvement authorized in this ordinance shall be undertaken as a local improvement pursuant to Chapter 56 of Title 40 of the Revised Statutes of New Jersey. The cost thereof shall be assessed upon the properties abutting the said road in a manner described below.
6. Whereas, The owner of any property upon which any assessment for the said local improvement shall have been made, may pay such assessment in the number of equal yearly installments herein determined as five (5). The first of the said installments shall be due and payable sixty (60) days after the confirmation of the assessments by the Township Committee. Annual installments shall be payable on April 1st 2020 and in the same day and month each successive year thereafter, provided that any owner of land so assessed shall have the privilege of paying the whole of any assessment or of any balance of installments, provided, however, in case any such assessment shall remain unpaid for thirty (30) days, the governing body may, by resolution, permit a person who is delinquent in the payment of such an installment to pay only the amount of the delinquent payment and any interest on the delinquent payment that has accrued from the date that the installment was due and payable until the date that payment of the delinquent installment is made. After the delinquent installment is satisfied, the person assessed shall be reinstated on a regular installment payment schedule. The rate of interest on the delinquent installment will be 5% per annum. A delinquent installment remaining unpaid at year end will be subject to the tax sale process.
7. Whereas, should any property be sold prior to paying for improvements in full, the total amount due must be paid prior to transfer of ownership.
8. Whereas, the work for improvements authorized by this Ordinance shall be undertaken by the Township.

9. Whereas, the assessment shall constitute a first and paramount lien as provided by NJSA 40:56-33.

10. Whereas, in accordance herewith a special assessment is hereby imposed upon the described properties to be paid in time and manner hereinabove set forth. The improvements referred to herein are undertaken at the request of the benefited property owners in accordance with N.J.S.A. 40:56-3.

SECTION TWO: If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

SECTION THREE: All Ordinances of the Township of Morris which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION FOUR: This Ordinance shall take effect upon final passage and publication thereof, as provided for by law.

INTRO: 05/15/19

ADOPTED: 06/19/19

TOWNSHIP OF MORRIS
MORRIS COUNTY, NEW JERSEY

ORDINANCE NO. 21-19

AN ORDINANCE AMENDING CHAPTER 88 ENTITLED, "VEHICLES AND TRAFFIC"
ARTICLE IIA, SECTION 88-2a.2 AND SCHEDULE II "HANDICAPPED PARKING
SPACES"

BE IT HEREBY ORDAINED by the Township Committee of the Township of Morris, they being the governing body thereof that the Code of the Township of Morris is hereby amended as follows:

SECTION ONE: Be it hereby ordained by the Township Committee of the Township of Morris that the following sections and schedules as designated in Chapter 88 of the Code of the Township of Morris are hereby amended as set forth below.

1. Schedule II: HANDICAPPED PARKING SPACES:

<u>Name of Location</u>	<u>Location</u>
86 Fairchild Avenue	In front of the premises identified as 86 Fairchild Avenue
48 Mackenzie Road	In front of the premises identified as 48 Mackenzie Road
Ginty Field Complex (2)	35 Woodland Avenue Parking Lot

SECTION TWO: If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason found to be unconstitutional or unenforceable, such decision shall not affect the remaining portion of this ordinance.

SECTION THREE: all ordinances of the Township of Morris which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

SECTION FOUR: this ordinance shall take effect upon final passage and publication thereof as provided by law.

INTRO: 05/15/19
ADOPTED: 06/19/19

TOWNSHIP OF MORRIS
MORRIS COUNTY, NEW JERSEY

ORDINANCE NO. 22-19

AMENDING CHAPTER 9 ENTITLED "BOARDS, COMMISSIONS AND COMMITTEES", ADDING A NEW ARTICLE TO BE KNOWN AS ARTICLE IX ENTITLED "TRANSPORTATION ADVISORY COMMITTEE"(TITLE CHANGED FROM TRANSPORTATION AND CIRCULATION ADVISORY COMMITTEE)

BE IT HEREBY ORDAINED by the Township Committee of the Township of Morris as follows:

SECTION ONE: There is hereby created a new article in Chapter 9 to be known as Article IX entitled "Transportation Advisory Committee"

§ 9-47. Creation.

There is hereby established a Transportation Advisory Committee.

§ 9-48. Title Designation.

Said Committee shall be known as the "Transportation Advisory Committee."

§ 9-49. Purpose.

The Transportation Advisory Committee's primary purpose is to explore, study, and make advisory recommendations to the Township Committee ways to improve travel and transportation modes to include walking, biking, driving and parking in Morris Township. In making recommendations, the Transportation Advisory Committee will consider such factors as safety, convenience, accessibility and connectivity within Morris Township and the surrounding entities. A secondary purpose is to provide cost analysis and potential funding sources for any recommendations.

§9-50. Membership; Terms of Office.

The Transportation Advisory Committee of the Township of Morris shall be composed of nine (9) voting members, Class I, Class II and Class III to be appointed as follows:

A. The Township Committee shall appoint seven (7) regular members; said terms to commence January 1 of the year of appointment. Within this class of appointees, there exist two groups, having staggered anniversary dates:

- (1) Class I – Group 1 consists of members who are Township residents appointed or their successors for a term designated as two (2) years and shall be constituted with three members.
- (2) Class I - Group II consists of members who are Township residents appointed or their successors for an initial term of one (1) year and each successive term designated as two (2) years and shall be constituted with three members.
- (3) Class II - Consists of a member, being an individual who is knowledgeable in Transportation and Circulation and/or Traffic Engineering and who may reside outside the Township for a term designated as two (2) years and shall be constituted with one member.
- (4) Class III - Consists of the Chairman of the Transportation and Circulation Standing Committee of the Township Committee, and the Deputy Chairperson of Transportation and Circulation Standing Committee of the Township Committee. Each of their terms shall be for the calendar year, expiring December 31st.
- (5) Ex Officio members. The four (4) ex officio nonvoting members shall consists of the Township Administrator, or his or her designee, the Township Chief of Police, or his or her designee, the Township Engineer, or his or her designee, and the Township Director of Parks and Recreation, or his or her designee. Each of their terms shall be for the calendar year, expiring December 31st.

§9-51. Vacancies.

In the event that any member of the Transportation Advisory Committee of the Township of Morris shall resign or be unable to serve for any reason as a member of said Committee, the vacancy created thereby shall be filled for the remainder of the term in the manner provided for appointments under § 9-4 above.

§9-6. Powers and Duties.

It shall be the duty of the Transportation Advisory Committee of the Township of Morris to:

- (1) Make studies, surveys and recommendations to the Morris Township Committee with respect to Street Safety to address concerns of traffic and parking in conjunction with Education, Enforcement and Engineering.
- (2) Make studies, surveys and recommendations to the Morris Township Committee with respect to sidewalks, bike routes and trails to better connect residents with Township recreation, transportation, cultural, school, and business facilities, as well as contiguous municipalities.
- (3) Make recommendations to the Township Committee on any other matters which may be referred to the Committee by the Township Committee.
- (4) Prepare an annual report to be submitted to the Township Committee setting forth in detail its achievements and recommendations covering the preceding 12 months.
- (5) The Transportation Advisory Committee shall have no powers other than those set forth herein and shall not commit the Township of Morris to the commission or omission of any act or thing. It shall not establish any policy of the Township of Morris, nor shall it waive any policy, rules, regulations or ordinances previously established by the Township of Morris.

§9-52. Expenditures.

The Transportation Advisory Committee shall have no authority to expend any money or incur any expense or commit the Township of Morris to the expenditure of any money unless and until the same shall have been specifically authorized and approved by the Township Committee of the Township of Morris.

§9-53. Meetings; Quorum, Officers.

- (1) Meetings shall be held at such time and place as shall be determined annually by the Transportation and Circulation Standing Committee. There shall be an annual meeting for Committee organization, to be held during January of each year.
- (2) There shall be elected at the annual organization meeting each year a Chairperson and a Vice Chairperson, both of whom shall hold office for one year and be elected by a majority vote of the Committee. A majority of voting members shall constitute a quorum.
- (3) The Township shall provide a secretary to the Transportation and Circulation Advisory Committee. The secretary does not have voting rights.
- (4) The secretary shall be responsible for maintaining correspondence, memoranda, and preparing written minutes of all Transportation and Circulation Advisory Committee minutes. However, in accordance with Township policy, before any correspondence or memoranda is sent out under the auspices of the Transportation and Circulation Committee, any draft letter or memoranda shall be submitted to the Township Administrator for the review and approval of the governing body.

SECTION TWO: If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason found to be unconstitutional or unenforceable, such decision shall not affect the remaining portion of this ordinance.

SECTION THREE: All ordinances of the Township of Morris which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

SECTION FOUR: This ordinance shall take effect upon final passage and publication thereof as provided by law.

INTRO: 07/17/19

ADOPTED: 08/29/19

TOWNSHIP OF MORRIS
MORRIS COUNTY, NEW JERSEY
ORDINANCE NO. 23-19

AMENDING CHAPTER 95, ARTICLE II, SECTION 6, "ZONING MAP" TO DESIGNATE BLOCK 10103, LOT 3 FROM THE RH-20 ZONE TO THE OS/GU ZONE OF THE CODE OF THE TOWNSHIP OF MORRIS

BE IT HEREBY ORDAINED by the Township Committee of the Township of Morris, Morris County, State of New Jersey, as follows:

SECTION ONE. The zoning of all of the property designated as Block 10103, Lot 3 on the Official Tax Maps of the Township of Morris shall be removed from the RH-20 zone and incorporated into the OS/GU zone.

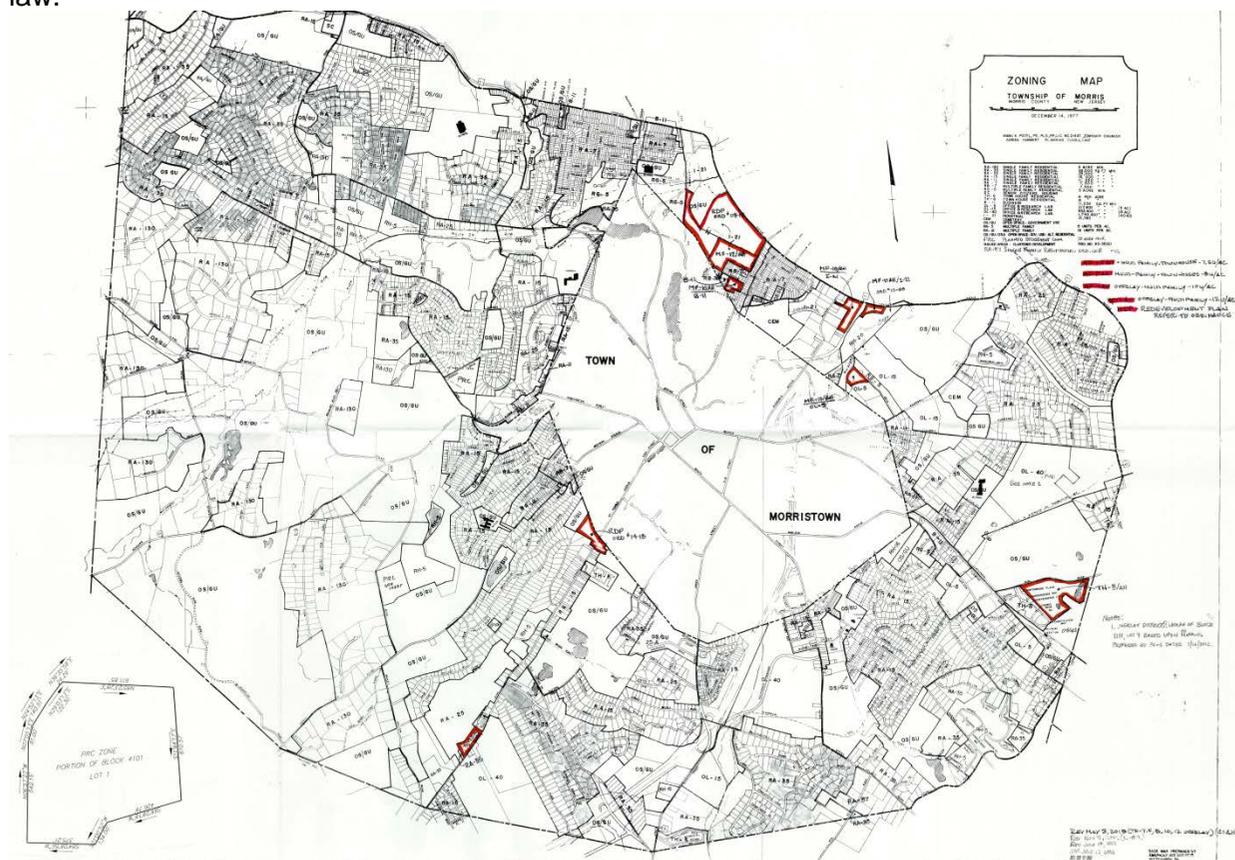
SECTION TWO. Chapter 95, Article II, Section 6, Zoning Map, is hereby amended to read in its entirety as:

The location and boundaries of said zones or districts are hereby established on the Zoning Map of the Township of Morris in Morris County, dated May 3, 2018, which is attached hereto and hereby made part of this ordinance. Said map and all notations, referenced and designations shown thereon shall be, as such, a part of this ordinance as if the same were all fully described and set further herein.

SECTION THREE. All ordinances of the Township of Morris which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

SECTION FOUR. If any provision of this ordinance is declared to be invalid by a court of competent jurisdiction, this declaration shall not affect the remainder of the ordinance.

SECTION FIVE. This ordinance shall take effect upon final passage and publication as provided by law.



TOWNSHIP OF MORRIS
MORRIS COUNTY, NEW JERSEY
ORDINANCE NO. 24-19

AMENDING CHAPTER 95, ARTICLE IX, SECTION 54, SUBSECTION B AND CHAPTER 95, ARTICLE IX, SECTION 54, SUBSECTION E, PARAGRAPH (2) OF THE CODE OF THE TOWNSHIP OF MORRIS

IT IS HEREBY ORDAINED by the Township Committee of the Township of Morris, Morris County, State of New Jersey, as follows:

SECTION ONE. The Code of the Township of Morris is hereby amended by revising Chapter 95, Article IX, Section 54, Subsection B to read as follows (repealed text is crossed-out and added text is underlined):

B. Except as noted below, the length of all parking spaces shall be 18 (eighteen) feet and the minimum width shall be nine feet. Parallel parking spaces shall measure not less than (8) eight feet in width and 23 (twenty-three) feet in length. The Planning Board may approve a parking plan showing smaller dimensions to accommodate compact cars or valet parking, but in no event shall any parking space be less than 8 (eight) feet wide.

The Mayor and Township Committee approved this Ordinance with the exception that the minimum width of parking spaces remain ten (10) feet as indicated in the current in Chapter 95, Article IX, Section 54, Subsection B.

SECTION TWO. The Code of the Township of Morris is hereby amended by revising Chapter 95, Article IX, Section 54, Subsection E, Paragraph (2) to read as follows:

(2) Size of aisles. The width of all aisles providing direct access to individual parking stalls shall be in accordance with the requirements set forth below. Only one-way traffic shall be permitted in aisles serving parking spaces placed at an angle other than 90°.

Parking Angle	Aisle Width (feet)
0° (parallel)	12
30°	12
45°	13
60°	18
90° (perpendicular)	24

SECTION THREE. All ordinances of the Township of Morris which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

SECTION FOUR. If any provision of this ordinance is declared to be invalid by a court of competent jurisdiction, this declaration shall not affect the remainder of the ordinance.

SECTION FIVE. This ordinance shall take effect upon final passage and publication as provided by law.

INTRO: 9/18/19

TOWNSHIP OF MORRIS
MORRIS COUNTY, NEW JERSEY
ORDINANCE NO. 25-19

AMENDING CHAPTER 57, PART 10, ARTICLE XXXV, SECTION 163, SUBSECTION D,
PARAGRAPH (1) SUBSECTION (b) OF THE CODE OF THE TOWNSHIP OF MORRIS

IT IS HEREBY ORDAINED by the Township Committee of the Township of Morris, Morris County, State of New Jersey, as follows:

SECTION ONE. Chapter 57, Part 10, Article XXXV, Section 163, Subsection D, Paragraph (1) Subsection (b) is hereby amended to read in its entirety as follows :

(b) For areas that are not special water resource protection areas, the RBCZ shall be measured from the top of bank of an intermittent or perennial stream, or center line if bank is not defined, or lake, pond or reservoir at bank-full flow or level, and shall extend 50 (fifty) feet horizontally outward from the perpendicular. Where steep slopes (in excess of 10%) are located within the designated widths, the RBCZ shall be extended to include the entire distance of this sloped area

SECTION TWO. All ordinances of the Township of Morris which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

SECTION THREE. If any provision of this ordinance is declared to be invalid by a court of competent jurisdiction, this declaration shall not affect the remainder of the ordinance.

SECTION FOUR. This ordinance shall take effect upon final passage and publication as provided by law.

INTRO: 9/18/19

TOWNSHIP OF MORRIS
MORRIS COUNTY, NEW JERSEY
ORDINANCE NO. 26-19

AMENDING CHAPTER 95, ARTICLE IV, SECTION 29, LOT REGULATION OF THE CODE OF THE TOWNSHIP OF MORRIS

IT IS HEREBY ORDAINED by the Township Committee of the Township of Morris, Morris County, State of New Jersey, as follows:

SECTION ONE. Delete all Chapter 95-29A in Article IV- New Structures; Additions.

SECTION TWO. Chapter 95, Article IV, Section 29A, Lot Regulations, New Structures; Additions, is hereby amended to read in its entirety as:

A. New structures and Additions.

(1) New Structures

Notwithstanding any of the provisions of this article, any lot existing as a separate isolated lot under separate ownership and not adjoining any other lot or lots of the same owner and which lot is a nonconforming lot due to size, shape or area may be improved with a new building or structure in accordance with this chapter, provided that all bulk standards for the zone can be complied with and further that the building meets all other requirements of this chapter.

(2) Additions

Where a lot exists as a separate isolated lot under separate ownership and not adjoining any other lot or lots of the same owner and is improved with a building or structure which is nonconforming, said lot may be further improved by an addition to said building or structure or any accessory building or structure, provided that the proposed improvements meet the current bulk standards for the zone. A vertical and/or horizontal extension or exacerbation of any pre-existing non-conforming setback shall constitute a violation of the current setback requirement and therefore shall require bulk variance relief. The Construction Official of the Township of Morris is hereby authorized and empowered to issue any necessary construction permits in accordance with the provisions of this section, provided that all other requirements of this chapter are met.

SECTION THREE. All ordinances of the Township of Morris which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

SECTION FOUR. If any provision of this ordinance is declared to be invalid by a court of competent jurisdiction, this declaration shall not affect the remainder of the ordinance.

SECTION FIVE. This ordinance shall take effect upon final passage and publication as provided by law.

INTRO: 9/18/19

AN ORDINANCE
TOWNSHIP OF MORRIS
MORRIS COUNTY – NEW JERSEY
ORDINANCE NO. 27-19

RE: AMENDING CHAPTER 15, SECTION 7, SUBSECTION E (VACATIONS AND HOLIDAYS)

BE IT HEREBY ORDAINED by the Township Committee of the Township of Morris as follows:

SECTION ONE:

Chapter 15, Section 7, Subsection E “Vacations and Holidays” is hereby amended to provide in its entirety as follows:

Municipal Code 15-7 Vacations and Holidays

E. The following 12 days are designated as official holidays. In January of each year, an annual list shall be published indicating the dates that each holiday will be celebrated.

- (1) New Year's Day.
- (2) Martin Luther King Day.
- (3) Washington's Birthday (President's Day).
- (4) Good Friday.
- (5) Memorial Day.
- (6) Independence Day.
- (7) Labor Day.
- (8) Columbus Day.
- (9) Veterans Day.
- (10) Thanksgiving Day.
- (11) Day after Thanksgiving.
- (12) Christmas Day.

SECTION TWO: If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason found to be unconstitutional or unenforceable, such decision shall not affect the remaining portion of this ordinance.

SECTION THREE: all ordinances of the Township of Morris which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

SECTION FOUR: this ordinance shall take effect upon final passage and publication thereof as provided by law.

INTRO: 10/23/19
ADOPT: 11/13/19

AN ORDINANCE
TOWNSHIP OF MORRIS
MORRIS COUNTY – NEW JERSEY
ORDINANCE NO. 27-19

RE: AMENDING CHAPTER 15, SECTION 7, SUBSECTION E (VACATIONS AND HOLIDAYS)

BE IT HEREBY ORDAINED by the Township Committee of the Township of Morris as follows:

SECTION ONE:

Chapter 15, Section 7, Subsection E “Vacations and Holidays” is hereby amended to provide in its entirety as follows:

Municipal Code 15-7 Vacations and Holidays

E. The following 12 days are designated as official holidays. In January of each year, an annual list shall be published indicating the dates that each holiday will be celebrated.

- (1) New Year's Day.
- (2) Martin Luther King Day.
- (3) Washington's Birthday (President's Day).
- (4) Good Friday.
- (5) Memorial Day.
- (6) Independence Day.
- (7) Labor Day.
- (8) Columbus Day.
- (9) Veterans Day.
- (10) Thanksgiving Day.
- (11) Day after Thanksgiving.
- (12) Christmas Day.

SECTION TWO: If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason found to be unconstitutional or unenforceable, such decision shall not affect the remaining portion of this ordinance.

SECTION THREE: all ordinances of the Township of Morris which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

SECTION FOUR: this ordinance shall take effect upon final passage and publication thereof as provided by law.

INTRO: 10/23/19

ADOPTED: 11/13/19

TOWNSHIP OF MORRIS
MORRIS COUNTY, NEW JERSEY

ORDINANCE NO. 28-19

AMENDING CHAPTER 95 OF THE ZONING ORDINANCE OF THE TOWNSHIP OF MORRIS TO
ELIMINATE THE RH-20 ZONE AND TO REMOVE ALL REFERENCES TO SAME

IT IS HEREBY ORDAINED by the Township Committee of the Township of Morris, Morris County, State of New Jersey, as follows:

SECTION ONE: Remove all references to the RH-20 Zone/District from the following sections as designated in Chapter 57 of the Code of the Township of Morris:

Chapter 57, Part 8: Development in RH-5, RH-16 and RH-20 Districts;
Chapter 57, Part 8, Article XXXI, § 57-157
Chapter 57, Part 8, Article XXXI, § 57-158(A)(3)

SECTION TWO: Remove all references to the RH-20 District/Zone from the following sections as designated in Chapter 95 of the Code of the Township of Morris:

Chapter 95, Article II, § 95-5
Chapter 95, Article II, § 95-6 (Zoning Map)
Chapter 95, Article XI, "RH-5, RH-16 and RH-20 Zones" (Remove from title)
Chapter 95, Article XI, § 95-69
Chapter 95, Article XI, § 95-70 (Remove "RH-20" Column of chart)
Chapter 95, Article XI, § 95-71(A)(2)
Chapter 95, Article XI, § 95-71(B)(1)
Chapter 95, Article XI, § 95-71(B)(1)(c)
Chapter 95, Article XI, § 95-72(B)
Chapter 95, Article XI, § 95-77(B)(1)(c)
Chapter 95, Article XI, § 95-77(B)(6)(a)
Chapter 95, Article XI, § 95-77(B)(7)(b)
Chapter 95, Article XI, § 95-77(G)
Chapter 95, Article XI, § 95-80(A)

SECTION THREE: Delete Chapter 95, Attachment 5 – Schedule of Area, Bulk and Yard Requirements, RH- 20 Zone.

SECTION FOUR: All ordinances of the Township of Morris which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

SECTION FIVE: If any provision of this ordinance is declared to be invalid by a court of competent jurisdiction, this declaration shall not affect the remainder of the ordinance.

SECTION SIX: This ordinance shall take effect upon final passage and publication as provided by law.

INTRO: 10/23/19
ADOPTION: 12/18/19

TOWNSHIP OF MORRIS
MORRIS COUNTY, NEW JERSEY

ORDINANCE NO. 29-19

AMENDING CHAPTER 57, PART 1, ARTICLE 1, SECTION 53, SUBSECTION 3 OF THE LAND DEVELOPMENT ORDINANCE AND CHAPTER 95, PART 1, ARTICLE IV, SECTION 31, SUBSECTION A, PARAGRAPH (2) TO ALLOW FOR PORTICOS

IT IS HEREBY ORDAINED by the Township Committee of the Township of Morris, Morris County, State of New Jersey, as follows:

SECTION ONE: The Code of the Township of Morris is hereby amended by revising Chapter 57, Part 1, Article 1, Section 3, of the Land Development Ordinance to include the following definition:

OPEN PORCH

A covered area attached to an entrance to a dwelling, not enclosed by walls, glass, screens or otherwise except for columns and/or railings which are no less than 50% open.

SECTION TWO: The Code of the Township of Morris is hereby amended by removing and replacing Chapter 95, Article IV, Section 31, Subsection A, Paragraph (2) of the Land Development Ordinance as follows:

§ 95-31Yard regulations.

A. General.

(1) Required yards shall be open to the sky, unobstructed except for the ordinary projection of parapets, windowsills, door posts, rainwater leaders and similar ornamental or structural fixtures which may not project more than one foot into such yards or as may otherwise be permitted in this chapter. Parking is permitted except where otherwise prohibited by this chapter.

(2) Cornices, eaves, bay windows, balconies and uncovered stairways may project not more than two feet over any required yard. No variance from the front yard setback requirements of the Zoning Ordinance shall be required for an open porch added to an existing detached single-family dwelling, provided that the following conditions are met:

a. The porch shall be an open porch as defined in Section 57-3 of Land Development Ordinance.

b. The porch shall not exceed a width of 8 feet or a depth of 5 feet. The height shall be such that the underside of the porch covering is not more than 10 feet above the porch floor.

c. The porch shall not protrude more than six feet into the minimum required front yard for the zone in which it is located.

(3) Chimneys, flues, or outdoor barbecues may be erected within any yard, provided that they do not exceed 75 square feet in aggregate external area. Patios may not be located closer than five feet to any property line.

SECTION THREE: All ordinances of the Township of Morris which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

SECTION FOUR: If any provision of this ordinance is declared to be invalid by a court of competent jurisdiction, this declaration shall not affect the remainder of the ordinance.

SECTION FIVE: This ordinance shall take effect upon final passage and publication as provided by law.

INTRO: 10/23/19

ADOPTION: ADOPTED: 12/18/19

AN ORDINANCE
TOWNSHIP OF MORRIS
MORRIS COUNTY – NEW JERSEY
ORDINANCE NO. 30-19
NO ACTION TAKEN

MODIFYING AND AMENDING ARTICLE XXXII HISTORIC PRESERVATION COMMISSION

§ 57-159 Establishment; membership; powers and duties:

to amend sections G and H, and to add sections I, J, K and L

WHEREAS, the Township of Morris (the “Township”) has need to modify and amend certain portions of the Historic Preservation Commission (the “HPC”) ordinance.

NOW THEREFORE BE IT HEREBY ORDAINED by the Township Committee of the Township of Morris as follows:

SECTION ONE: The Township of Morris does hereby ordain to modify and amend the following sections of Chapter 57-159 of the Revised General ordinances of the Township of Morris:

G. Definition of Historic Structure or Property:

An Historic Structure or Historic Property shall mean and refer to any property located within an historic zoning district or on historic sites as shown and identified on the plan entitled, “Plate #4 Master Plan - 2012, Historic Preservation”, prepared by Morris County Department of Planning and Development, GIS Section, dated May 30, 2012, as may be amended by the County of Morris and adopted by the municipality from time to time, a copy of which shall be maintained by the Township Engineering Department, and which property shall be presumed to have historic interest unless the Township Historic Preservation Commission shall, after appropriate review, determine otherwise.

H. Duties and Responsibilities. The Commission shall have the responsibility to:

- (1) Prepare a survey of historic sites of the municipality using methodologies established in the Guidelines for Architectural Survey: Guidelines for Historic and Architectural Surveys in New Jersey as may be amended and applying the U.S. Department of the Interior National Park Service National Register Criteria for Evaluation.
- (2) Make recommendations to the Planning Board on the historic preservation plan element of the Master Plan and on implications for preservation of historic sites of any other Master Plan elements.
- (3) Advise the Planning Board on the suggested inclusion of historic sites in the Annual Capital Improvement Program.
- (4) Advise the Planning Board and Board of Adjustment on applications for development pursuant to Subsection K of this section.
- (5) Provide written reports pursuant to N.J.S.A. 40:55D-111 for any building permit applications pertaining to Historic Structures or Historic Property concerning façade renovations which were not determined by approval of an application for development by the Planning Board or Board of Adjustment. The Commission’s reports shall be submitted as set forth in Subsection J of this section.
- (6) Carry out such other advisory, educational and information functions as will promote historic preservation in the Township.

I. Application for Demolition Permits.

Any request for demolition of an historic property shall require a forty-five (45) day waiting period to allow the HPC to assess the impact on the historic character of the Township and evaluate the possibilities for preservation, rehabilitation, restoration and reconstruction in accordance The Secretary of the Interior’s Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Properties, as may be amended, except that the forty-five (45) day waiting period shall not apply for any application for a permit to demolish a building or structure deemed unfit for occupancy by the Construction Official or which is in immediate danger of collapse or for demolition permits in connection with applications that have received an approval from the Planning Board or the Board of Adjustment.

J. Building Permit Application.

Upon submittal of a building permit application for façade renovations for an Historic Structure or Historic Property, the construction office shall require review and a written report of the application from the HPC. The HPC shall provide its report and recommendation, in accordance with The Secretary of the Interior's Standards for the Treatment of Historic Properties, with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Properties, to the Planning Board, within twenty (20) days of submittal of the building permit application or the requirement herein shall be deemed waived. The Planning Board shall provide its findings to the Township Engineer, who for purposes of this Ordinance is designated as the Township's administrative officer.

K. Review of Applications for Development before the Planning Board and Board of Adjustment.

The HPC shall provide a written report, in accordance with The Secretary of the Interior's Standards for the Treatment of Historic Properties, with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Properties, to the Planning Board or Board of Adjustment, as applicable, with respect to any application for development for an Historic Structure or Historic Property. The HPC written report shall be submitted to the Board secretary at least ten (10) days prior to the first hearing date, or ten (10) days prior to any subsequent hearing date if such a report is subsequently requested by the applicable Board. HPC may provide testimony to the applicable Board during the course of any hearing with respect to such application for development.

L. Time of Review.

The HPC shall complete its review of an application and provide its writ-ten report within twenty (20) days for applications submitted under subsection J herein, and within thirty (30) days for all other applications.

SECTION TWO: If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason found to be unconstitutional or unenforceable, such decision shall not affect the remaining portion of this ordinance.

SECTION THREE: all ordinances of the Township of Morris which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

SECTION FOUR: this ordinance shall take effect upon final passage and publication thereof as provided by law.

INTRO: 10/23/19

(NO REFERRAL FROM PB – NO ACTION TAKEN)

AN ORDINANCE
TOWNSHIP OF MORRIS
MORRIS COUNTY – NEW JERSEY

ORDINANCE NO. 31-19

AN ORDINANCE AMENDING CHAPTER 427 ENTITLED SOLID WASTE ADDING A NEW ARTICLE III ENTITLED PROHIBITING THE USE OF PLASTIC BAGS AND REGULATE THE USE OF PAPER BAGS BY RETAIL ESTABLISHMENTS WITHIN THE TOWNSHIP OF MORRIS

BE IT ORDAINED BY the Township Committee of the Township of Morris, in the County of Morris and the State of New Jersey, they being the governing body of said Township as follows:

SECTION ONE: Amending Chapter 427 to add Article III to be known as “PROHIBITING THE USE OF PLASTIC BAGS AND REGULATE THE USE OF PAPER BAGS BY RETAIL ESTABLISHMENTS WITHIN THE TOWNSHIP OF MORRIS “Prohibiting the use of plastic bags and regulate the use of paper bags by retail establishments within the Township of Morris”

ARTICLE III – PROHIBITING THE USE OF PLASTIC BAGS AND REGULATE THE USE OF PAPER BAGS BY RETAIL ESTABLISHMENTS WITHIN THE TOWNSHIP OF MORRIS

§427-30 Purpose; creation.

- A. The Township Committee of the Township of Morris finds that the reduction in the use of disposable paper and plastic checkout bags by retail establishments within the Township of Morris promotes a legitimate public purpose

§427-31. DEFINITIONS.

As used in this chapter, the following terms shall have the meanings indicated:

CUSTOMER - any person purchasing goods or services from a retail establishment.

OPERATOR - the person in control of, or having the responsibility for, the operation of a retail establishment, which may include, but is not limited to, the owner of the retail establishment.

PERSON - any natural person, firm, corporation, partnership, or other organization or group however organized.

REUSABLE BAG - any bag with handles that is specifically designed and manufactured to withstand repeated uses over a period of time and is made from cotton cloth or other washable fabric, polyester, polypropylene, or other durable material or plastic that is machine washable or is made from a material that can be cleaned or disinfected.

SINGLE USE PLASTIC CARRY OUT BAG - any bag made predominantly of plastic that is not made or intended for reuse that is provided by an operator of a retail establishment to a customer at the point of sale. This definition specifically exempts the following from the category of "Single Use Plastic Carry-out Bag":

A. Bags provided by operators and used by consumers inside retail establishments to:

- (1) package bulk items, such as fruit, vegetables, nuts, grains, candies, or small hardware items;
- (2) contain or wrap frozen foods, meat, or fish, whether packaged or not;
- (3) contain or wrap flowers, potted plants, or other items where dampness may be an issue;
- (4) contain live animals, such as fish or insects sold in pet store;

(5) contain unwrapped prepared foods or bakery goods; or

(6) function as "produce bags" or "product bags," which shall mean bags used exclusively to carry produce, meats, or other food items to the point of sale inside a retail establishment or, for reasons of public health and safety, to prevent such food items from coming into direct contact with other purchased items.

(7) newspaper bags for home delivery, door-hanger bags, laundry and/or dry-cleaning bags, or bags sold in packages containing multiple bags intended for use as food storage bags, garbage bags, yard waste bags, or pet waste bags.

(8) The term "retail establishment" means any store or commercial establishment that sells perishable or nonperishable goods including, but not limited to, clothing, food, and personal items directly to the customer and is located within or doing business within the geographical limits of the Township of Morris. Retail establishments include: a business establishment that generates a sales or use-tax; a drug store, pharmacy, supermarket, grocery store, convenience food store, food mart, or other commercial entity engaged in the retail sale of a limited line of goods that include milk, bread, soda, and snack foods; a public eating establishment (i.e., a restaurant, take-out food establishment, or any other business that prepares and sells prepared food to be eaten on or off its premises); and business establishment that sells clothing, a hardware store, or any other non-perishable goods.

§427-32. Single use plastic carry-out bags prohibited (effective July 1, 2020).

Effective July 1, 2020, no retail establishment shall provide to any customer, or to any person, a single use plastic carry-out bag, as defined in above. This prohibition applies to bags provided for the purpose of carrying goods away from the point of sale and does not apply to product bags or produce bags used to carry product(s) or produce within the retail establishment to the point of sale. The prohibition applies to single use plastic carry-out bags used for take-out deliveries from retail establishments within the Township of Morris. The point of sale in such transactions is deemed to be at the retail establishment, regardless of where payment for the transaction physically occurs.

Effective July 1, 2020, single use plastic carry-out bags may not be distributed on Township property or at Township-sponsored events.

§427-33. Paper bags subject to mandatory fee (effective July 1, 2020).

Effective July 1, 2020, all retail establishments shall make available to customers, upon request by the customer, for a fee of not less than \$0.10 (ten cents) per bag, paper bags for the purpose of carrying goods or other materials away from the point of sale, subject to the provisions of this Ordinance. The fee charged shall be reflected in the sales receipt and shall be subject to applicable tax. The fee charged shall be retained by the retail establishment.

§427-34. The following bags shall be exempt from the not less than \$0.10 (ten cents) fee and are provided by operators inside retail establishments to:

(a) package bulk items, such as fruit, vegetables, nuts, grains, candies, or small hardware items;

(b) contain unwrapped prepared foods or bakery goods;

(c) take home uneaten food that has been served in a restaurant;

(d) take out foods intended for consumption away from the retail establishment for reasons of public health and safety during the transportation of such food products;

(e) contain pharmacy prescriptions and medicinal products; or

(f) function as "produce bags" or "product bags," which shall mean bags used exclusively to carry produce, meats, or other food items to the point of sale inside a retail establishment or,

for reasons of public health and safety, to prevent such food items from coming into direct contact with other purchased items.

§427-35 Promotion of reusable bags.

- (a) Each retail establishment shall be strongly encouraged to educate its staff to promote the use of reusable bags and to post signs encouraging customers to use reusable bags rather than paper carry-out bags.
- (b) Each retail establishment shall be strongly encouraged to educate its staff to make inquiry to a customer whether the customer desires a paper carry-out bag or has supplied his/her own reusable bags before offering the paper carry-out bags to the customer.
- (c) Each retail establishment shall inform customers that if they choose a paper carry-out bag they will be charged a fee of not less than .10 (ten cents) per paper bag.
- (d) Nothing in this Ordinance shall prohibit customers from using bags of any type that they choose to bring to retail establishments themselves, in lieu of using bags available for a fee from the retail establishment, or from carrying away goods that are not placed in a bag.
- (e) Nothing in this Ordinance shall prohibit a retail establishment from providing a credit to a customer who has supplied his/her own bags.
- (f) Nothing in this Ordinance shall prohibit a retail establishment from offering for sale reusable bags, including those made of cloth or other fabric with handles that are specifically designed and manufactured for multiple reuse, for a fee of not less than \$0.10 (ten cents) or greater.
- (g) The Township of Morris may undertake a reusable bag education program.

§427-36. Enforcement and Violation Penalty

- (a) The Health Officer of the Morris Township Health Department has the responsibility for enforcement of this Ordinance and may promulgate reasonable rules and regulations in order to enforce the provisions thereof, including, but not limited to, investigating violations and issuing fines.
- (b) Any retail establishment that violates or fails to comply with any of the requirements of this Ordinance after an initial written warning notice has been issued for that violation shall be subject to a summons.
- (c) If a retail establishment has subsequent violations of this Ordinance after the issuance of an initial written warning notice of a violation, the following penalties will be imposed and payable by the operator of the retail establishment:
 - (1) \$100.00 for the first violation after the first written warning notice is given;
 - (2) \$200.00 for the second violation after the written warning notice is given; and
 - (3) \$500.00 for the third and any subsequent violations after the written warning notice is given
 - (4) Fines shall be imposed for each day a violation occurs or is allowed to continue. A retail establishment shall not be subject to more than one fine for violations or continuing violations that occur on the same day.

SECTION TWO: If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason found to be unconstitutional or unenforceable, such decision shall not affect the remaining portion of this ordinance.

SECTION THREE: All ordinance of the Township of Morris which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

SECTION FOUR: This Ordinance shall take effect immediately after passage and publication as provided by law.

INTRO: INTRO: 11/13/2019
ADOPTED: 12/18/19

AN ORDINANCE
TOWNSHIP OF MORRIS
MORRIS COUNTY – NEW JERSEY

ORDINANCE NO. 32-19

ORDINANCE APPROPRIATING \$195,000 AVAILABLE IN THE GENERAL FUND BALANCE TO
PROVIDE FOR VARIOUS CAPITAL IMPROVEMENTS BY THE TOWNSHIP OF MORRIS

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MORRIS (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. \$195,000 available in the General Capital Fund Balance of the Township of Morris, a municipal corporation of the State of New Jersey (the "Township") is hereby appropriated to provide for the following improvements or purposes, including all work and materials necessary therefor or incidental thereto: (i) Purchase of Police Body Worn Cameras including equipment, software, licensing and technical services upgrades; (ii) DPW Fuel Management System; and (iii) Sidewalk Improvements as set forth on the project list filed in the Engineering Department;

Section 2. The capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith.

Section 3. This ordinance shall take effect 10 days after the first publication thereof after final adoption.

INTRO: 11/13/2019

ADOPTED: ADOPTED: 12/18/19

AN ORDINANCE
TOWNSHIP OF MORRIS
MORRIS COUNTY – NEW JERSEY
ORDINANCE NO. 33-19

REPEALING AND AMENDING PORTIONS OF CHAPTER 95 ENTITLED “ZONING” OF THE CODE OF THE TOWNSHIP OF MORRIS – SPECIFICALLY: CHAPTER 95, SECTION 91, SUBSECTION E(3) AND CHAPTER 95, SECTION 92, SUBSECTION E.

Repealing and Amending portions of Chapter 95 “ZONING” of the Code of the Township of Morris- Specifically: Chapter 95, Section 91 Subsection E(3) and Chapter 95, Section 92 Subsection E.

BE IT HEREBY ORDAINED by the Township Committee of the Township of Morris as follows:

SECTION ONE: Chapter 95, Section 91, Subsection E(3) is revoked, nunc pro tunc the date of adoption and is replaced in its entirety with a new Subsection as follows:

E. (3) On and after the effective date of this ordinance, for any affordable housing unit for which a certificate of occupancy is issued after the effective date of this ordinance or for which an association fee has not yet been established, the method used to determine the condominium association fee amounts and special assessments shall be indistinguishable between the low and moderate income unit owners and the market unit owners. This provision shall not in any way impair or negate the application of the restrictions imposed on homeowner fee increases established in Chapter 95 Section 77 Subsection B. (11).

Chapter 95, Section 92, Subsection E “Condominium and Homeowners Associates Fees” is revoked, nunc pro tunc the date of adoption and is replaced in its entirety with a new Subsection as follows:

E. Condominium and Homeowners Associates Fees. For any affordable housing unit for which a certificate of occupancy is issued after the effective date of this ordinance or for which an association fee has not yet been established, which is part of a condominium association and/or homeowners association, the Master Deed shall reflect that the association fee assessed for each affordable housing unit shall be established at 100 percent of the market rate fee. This provision shall not in any way impair or negate the application of the restrictions imposed on homeowner fee increases established in Chapter 95 Section 77 Subsection B. (11).

SECTION TWO:

If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason found to be unconstitutional or unenforceable, such decision shall not affect the remaining portion of this ordinance.

SECTION THREE: all ordinances of the Township of Morris which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

SECTION FOUR: this ordinance shall take effect upon final passage and publication thereof as provided by law.

INTRO: 12/02/19

ADOPTED: ADOPTED: 12/18/19