

TOWNSHIP OF MOORESTOWN

ORDINANCE NO. 34-2005

AN ORDINANCE OF THE TOWNSHIP OF MOORESTOWN AMENDING MOORESTOWN CODE SECTIONS 180-101D(1) AND (4) REGULATING THE ISSUANCE OF PERMITS FOR DEMOLITION OF CERTAIN PROPERTIES

WHEREAS, the Township Council recognizes that both the integrity and well being of the community are strengthened by the preservation of older structures; and

WHEREAS, concern has been expressed that the demolition of older structures, which can be preserved, threatens the health, safety and welfare of the community; and

WHEREAS, the Township Council has agreed that it is a priority to develop regulatory tools to assure the continued structural integrity of the community.

NOW THEREFORE, BE IT ORDAINED by the Township Council of the Township of Moorestown, County of Burlington and State of New Jersey as follows:

Section 1: Township of Moorestown Code Section 180-101D(1) is hereby amended as follows:

- (1) No person shall demolish or remove any principal or accessory building (including carriage houses, tenant houses, barns or similar buildings), of which at least 500 square feet of the footprint is more than 75 years old at the time of the proposed demolition or removal, without first obtaining a zoning permit therefor from the Township Zoning Officer. All applications for such zoning permits shall be in the form set forth in Subsection A above.

Section 2: Township of Moorestown Code Section 180-101D(4) is hereby amended as follows:

- (1) The Zoning Officer may issue a zoning permit upon the applicant providing a written signed agreement approved by the Appearance Committee providing for an alternative to complete demolition of the building(s), which may include a satisfactory disassembly and removal of the buildings. A zoning permit may also be issued where the applicant and the Director of Community Development agree that demolition is appropriate. In the event that a zoning permit has not earlier been issued, the Zoning Officer shall issue the zoning permit within 180 days of receipt of a complete application therefor, or within a longer time period as to which may be agreed to by the applicant.

Section 3: Continuation. In all other respects, Chapter 180 shall remain in full force and effect.

Section 4: Severability. In the event that any section or paragraph, clause, phrase, term,

provision, or part of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid or unenforceable for any reason, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the section, paragraph, clause, phrase, term, provision or part thereof directly involved in the controversy in such judgment shall be rendered.

Section 5: Repealer. Any and all ordinances, inconsistent with any of the terms and provisions of this ordinance are hereby repealed to the extent of such inconsistencies.

Section 6: Effective Date. This ordinance shall take effect upon proper publication and in accordance with law.

Section 7: Short Title. This ordinance shall be known as Ordinance 34-2005.

CERTIFICATION

I hereby certify that Ordinance No. 34-2005 was introduced and adopted on first reading by the Township Council at a meeting held on November 14, 2005. This ordinance was duly adopted by the Township Council of the Township of Moorestown, County of Burlington, State of New Jersey at a meeting of the Township Council held on December 5, 2005.

<u>VOTE:</u>	
ABERANT	ABSENT
ROCCATO	YES
MILLER	YES
SEGAL	YES
ERON	YES

PATRICIA L. HUNT, RMC
Township Clerk