



**Borough of Manville**  
**Ordinance #2022 -1278**

**An Ordinance By The Mayor & Council Of The Borough Of Manville Amending Borough Land Use Code Sections 31-400 And 31-600, To Establish Setback Requirements For Accessory Structures In Residential Zones**

**Statement of Purpose**

The purpose of this Ordinance is to amend Borough Land Use Code Sections, to to establish setback requirements for accessory structures in residential zones

**WHEREAS**, the Borough of Manville has duly enacted a zoning ordinance pursuant to the terms and requirements of the New Jersey Municipal Land Use Law, N.J.S.A. 40:55D-1 et. seq.; and

**WHEREAS**, the Mayor & Council have determined it to be in the best interests of the citizens of Manville to establish uniform setback requirements in residential zones in the Borough of Manville; and

**NOW, THEREFORE, BE IT ORDAINED**, by the governing body of the Borough of Manville, County of Somerset, and State of New Jersey, as follows:

**SECTION 1: AMENDMENTS TO BOROUGH LAND USE CODE SECTIONS 31-400**

(a) Subsection 31-403.4 is hereby amended, to now read as follows:

**§31-403.4** Accessory buildings, excepting hot tubs and spas, shall be at least four (4) feet from any principal building situated on the same lot, unless an integral part thereof, and shall be at least four (4) feet from any other accessory building. Hot tubs and spas shall be at least two (2) feet from any such principal or accessory building.

(b) Subsection 31-403.5 is hereby amended, to now read as follows:

**§31-403.5** No accessory buildings shall be erected or constructed closer than four (4) feet to any side or rear lot line.

**SECTION 2: AMENDMENTS TO BOROUGH LAND USE CODE SECTIONS 31-600**

(a) Subsection 31-601.3[c](2) is hereby amended, to now read as follows:

**§31-601.3[c](2)** Accessory buildings. No accessory building shall be closer than four (4) feet to a side lot line.

(b) Subsection 31-601.3[d](2) is hereby amended, to now read as follows:

**§31-601.3[d](2)** Accessory buildings. No accessory building shall be closer than four (4) feet to the rear lot line.

(c) Subsection 31-602.3[c](2) is hereby amended, to now read as follows:

**§31-602.3[c](2)** Accessory buildings. No accessory

building shall be closer than four (4) feet to a side lot line.

- (d) Subsection 31-602.3[d](2) is hereby amended, to now read as follows:  
**§31-602.3[c](2)** Accessory buildings. No accessory building shall be closer than four (4) feet to the rear lot line.
- (e) Subsection 31-603.3[c](2) is hereby amended, to now read as follows:  
**§31-603.3[c](2)** Accessory buildings. No accessory building shall be closer than four (4) feet to a side lot line.
- (f) Subsection 31-603.3[d](2) is hereby amended, to now read as follows:  
**§31-603.3[c](2)** Accessory buildings. No accessory building shall be closer than four (4) feet to the rear lot line.
- (g) Subsection 31-604.3[c](2) is hereby amended, to now read as follows:  
**§31-604.3[c](2)** Accessory buildings. No accessory building shall be closer than four (4) feet to a side lot line.
- (h) Subsection 31-604.3[d](2) is hereby amended, to now read as follows:  
**§31-604.3[c](2)** Accessory buildings. No accessory building shall be closer than four (4) feet to the rear lot line.
- (i) Subsection 31-605.4[c] is hereby amended, to add a new subsection  
[c](3), to read as follows:  
**§31-605.4[c](3)** Accessory buildings. No accessory building shall be closer than four (4) feet to a side lot line.
- (j) Subsection 31-605.4[d] is hereby amended, to add a new subsection  
[d](3), to read as follows:  
**§31-605.4[d](2)** Accessory buildings. No accessory building shall be closer than four (4) feet to the rear lot line.

### **SECTION 3: EXCEPT AS AMENDED HEREIN, PRIOR ORDINANCES REMAIN IN FULL FORCE AND EFFECT**

Except as modified herein or in another Ordinance of the governing body, all prior Ordinances and Borough Land Use Code Sections remain in full force and effect.

### **SECTION 4: REPEALER**

All other Ordinances or other local requirements that are inconsistent or in conflict with this ordinance are hereby repealed to the extent of any inconsistency or conflict, and the provisions of this ordinance shall apply.

### **SECTION 5: SEVERABILITY**

In the event that any provision of this Ordinance, or the application of thereof to any person or circumstance is adjudged invalid, such adjudication of invalidity shall not affect the validity of the remaining provisions which shall be deemed severable therefrom.

### **SECTION 6: PURPOSE OF CAPTIONS**

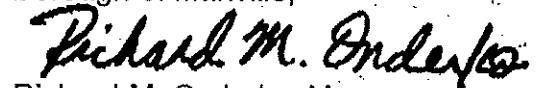
Captions contained in this Ordinance have been inserted only for the purpose of

facilitation reference to the various sections, and are not intended and shall not be utilized to construe the intent and meaning of the text of any section.

**SECTION 7: EFFECTIVE DATE**

This Ordinance shall take effect after adoption, passage and publication according to law.

Borough of Manville,

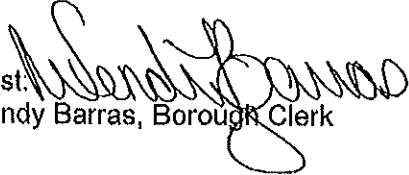
A handwritten signature in black ink that reads "Richard M. Onderko". The signature is written in a cursive style with a large initial 'R' and 'O'.

Richard M. Onderko, Mayor

**ORDINANCE #2022-1278**

**FIRST READING:  
ROLL CALL**

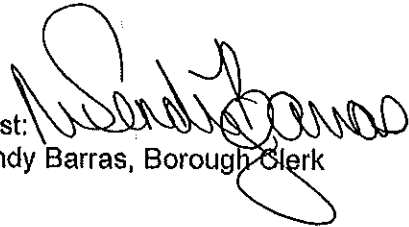
Introduced	Seconded	Council	Yes	No	Abstain	Absent
	✓	Lukac	✓			
		Agans	✓			
		Madak	✓			
		Maeder	✓			
✓		Petrock	✓			
		Szabo	✓			
		Onderko				

Attest:   
Wendy Barras, Borough Clerk

INTRODUCED this 27<sup>th</sup> day of June, 2022

**SECOND READING AND FINAL ADOPTION:  
ROLL CALL**

Introduced	Seconded	Council	Yes	No	Abstain	Absent
	✓	Lukac	✓			
		Agans	✓			
		Madak	✓			
		Maeder	✓			
✓		Petrock	✓			
		Szabo	✓			
		Onderko				

Attest:   
Wendy Barras, Borough Clerk

[ADOPTED] [DEFEATED] this 11<sup>th</sup> day of July, 2022