

## **ORDINANCE NO. 2005-1001**

### **AN ORDINANCE AMENDING SECTION 403.4 OF ORDINANCE 643, THE ZONING ORDINANCE OF THE BOROUGH OF MANVILLE**

BE IT ORDAINED by the Mayor and Council of the Borough of Manville in the County of Somerset and State of New Jersey, as follows:

#### **SECTION I. AMENDMENT OF SECTION 403.4**

Section 403.4 of Ordinance 643, the Zoning Ordinance of the Borough of Manville, is hereby amended to read as follows:

"403.4 Accessory buildings, excepting hot tubs and spas, shall be at least ten (10) feet from any principal building situated on the same lot, unless an integral part thereof, and shall be at least six (6) feet from any other accessory building. Hot tubs and spas shall be at least two (2) feet from any such principal or accessory building."

#### **SECTION II. CONSTRUCTION**

Where consistent with the context in which used in this ordinance, words importing the singular shall include the plural; words importing the plural shall include the singular; and, words importing one gender shall include all other genders.

#### **SECTION III. INCONSISTENCY**

Should any provision of this ordinance be inconsistent with the provisions of any prior ordinances, the inconsistent provisions of said prior ordinances are hereby repealed, but only to the extent of such inconsistencies.

#### **SECTION IV. SEVERABILITY**

In the event that any provision of this ordinance, or the application thereof to any person or circumstance is declared invalid by a court of competent jurisdiction, such declaration of invalidity shall not affect any other provision or application of this ordinance which may be given effect, and, to realize this intent, the provisions and applications of this ordinance are declared to be severable.

#### **SECTION V. PURPOSE OF CAPTIONS**

Captions contained in this ordinance have been inserted only for the purpose of facilitating 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.

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**SECTION VI. EFFECTIVE DATE**

This ordinance shall be effective immediately upon final adoption, approval and publication in accordance with law.

\_\_\_\_\_  
ANGELO CORRADINO, Mayor

ATTEST:

\_\_\_\_\_  
PHILIP E. PETRONE, Clerk

**STATEMENT OF PURPOSE**

The purpose of this Ordinance is to permit hot tubs and spas to be located within a proximity to other structures of no less than 2 feet.

**ORDINANCE #2005-1001**

**FIRST READING:**

| <b>Introduced</b> | <b>Seconded</b> | <b>Council</b>             | <b>Yes</b> | <b>No</b> | <b>Abstain</b> | <b>Absent</b> |
|-------------------|-----------------|----------------------------|------------|-----------|----------------|---------------|
|                   |                 | <b>ALLAN</b>               | √          |           |                |               |
|                   |                 | <b>ASHER</b>               | √          |           |                |               |
|                   | √               | <b>OTRIMSKI</b>            | √          |           |                |               |
| √                 |                 | <b>PETROCK</b>             | √          |           |                |               |
|                   |                 | <b>PETRONE</b>             | √          |           |                |               |
|                   |                 | <b>WEISS</b>               | √          |           |                |               |
|                   |                 |                            |            |           |                |               |
|                   |                 | <b>MAYOR<br/>CORRADINO</b> |            |           |                |               |

**PASSED** this 7<sup>th</sup> day of March, 2005.

Attest: \_\_\_\_\_  
Philip E. Petrone, Borough Clerk

**SECOND READING:**

| <b>Introduced</b> | <b>Seconded</b> | <b>Council</b>             | <b>Yes</b> | <b>No</b> | <b>Abstain</b> | <b>Absent</b> |
|-------------------|-----------------|----------------------------|------------|-----------|----------------|---------------|
|                   |                 | <b>ALLAN</b>               | √          |           |                |               |
| √                 |                 | <b>ASHER</b>               | √          |           |                |               |
|                   | √               | <b>OTRIMSKI</b>            | √          |           |                |               |
|                   |                 | <b>PETROCK</b>             | √          |           |                |               |
|                   |                 | <b>PETRONE</b>             | √          |           |                |               |
|                   |                 | <b>WEISS</b>               | √          |           |                |               |
|                   |                 |                            |            |           |                |               |
|                   |                 | <b>MAYOR<br/>CORRADINO</b> |            |           |                |               |

**PASSED** this 11<sup>th</sup> day of April, 2005.

Attest: \_\_\_\_\_  
Philip E. Petrone, Borough Clerk