

**ORDINANCE #8-2020  
CALENDAR YEAR 2020  
MODEL 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 up 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 Common Council of the City of Egg Harbor in the County of Atlantic finds it advisable and necessary to increase its CY 2020 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 Common Council hereby determines that a 3.5 % increase in the budget for said year, amounting to \$ 52,510.52 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

**WHEREAS** the Common Council 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 Common Council of the City of Egg Harbor , in the County of Atlantic, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2020 budget year, the final appropriations of the City of Egg Harbor shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$183,786.82, and that the CY 2020 municipal budget for the City of Egg Harbor be approved and adopted in accordance with this ordinance; and,

**BE IT FURTHER ORDAINED**, that any 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**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

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

Introduction: May 14, 2020

Publication:

Adoption:

Certified by:

Adoption Vote:

\_\_\_\_\_  
Meg Steeb, City Clerk

**CITY OF EGG HARBOR  
RESOLUTION**

**RESERVE FOR UNCOLLECTED TAXES APPROPRIATION  
THREE-YEAR AVERAGE COLLECTION RATE – 2020 MUNICIPAL BUDGET**

**WHEREAS**, the Reserve for Uncollected Taxes budget appropriation requires a calculation to determine the adequacy of said appropriation; and

**WHEREAS**, the City, for the 2020 municipal budget and as allowed by regulation, has opted to utilize the three-year collection rate average calculation in order to determine the required Reserve for Uncollected Taxes appropriation, which three-year collection rate average is 97.65%, and the collection rate realized in 2019 was 97.35%; and

**WHEREAS**, the City wishes to utilize the three-year average rate calculation in order to limit any increase in the Reserve for Uncollected Taxes appropriation for the 2020 municipal budget.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and City Council of the City of Egg Harbor, Atlantic County, New Jersey that the utilization of the three-year average rate calculation for the 2020 Reserve for Uncollected Taxes appropriation is hereby confirmed and ratified.

**BE IT FURTHER RESOLVED**, that a copy of this resolution be forwarded to the Director of the Division of Local Government Services.

\_\_\_\_\_  
Meg Steeb, City Clerk

Dated: May 14, 2020

2020

# MUNICIPAL BUDGET

Municipal Budget of the \_\_\_\_\_ CITY \_\_\_\_\_ of \_\_\_\_\_ EGG HARBOR CITY \_\_\_\_\_, County of \_\_\_\_\_ ATLANTIC \_\_\_\_\_ for the Fiscal Year 2020.

It is hereby certified that the Budget and Capital Budget annexed hereto and hereby made a part hereof is a true copy of the Budget and Capital Budget approved by resolution of the Governing Body on the

14 \_\_\_\_\_ day of \_\_\_\_\_ May \_\_\_\_\_, 2020  
and that public advertisement will be made in accordance with the provisions of N.J.S.A. 40A:4-6 and N.J.A.C. 5:30-4.4(d).

Certified by me, this \_\_\_\_\_ 14 \_\_\_\_\_ day of \_\_\_\_\_ May \_\_\_\_\_, 2020

\_\_\_\_\_ Clerk  
megg@eggharborcity.org  
500 London Avenue  
Address  
Egg Harbor City, NJ 08215  
Address  
609-965-0081  
Phone Number

It is hereby certified that the approved Budget annexed hereto and hereby made a part is an exact copy of the original on file with the Clerk of the Governing Body, that all additions are correct, all statements contained herein are in proof, and the total of anticipated revenues equals the total of appropriations.

Certified by me, this \_\_\_\_\_ 14 \_\_\_\_\_ day of \_\_\_\_\_ May \_\_\_\_\_, 2020

\_\_\_\_\_ icostello@ford-scott.com  
Registered Municipal Accountant  
1535 Haven Avenue  
Address  
Ocean City, NJ 08226  
609-399-6333  
Phone Number

It is hereby certified that the approved Budget annexed hereto and hereby made a part is an exact copy of the original on file with the Clerk of the Governing Body, that all additions are correct, all statements contained herein are in proof, the total of anticipated revenues equals the total of appropriations and the budget is in full compliance with the Local Budget Law, N.J.S.A. 40A:4-1 et seq.

Certified by me, this \_\_\_\_\_ 14 \_\_\_\_\_ day of \_\_\_\_\_ May \_\_\_\_\_, 2020

\_\_\_\_\_ jodik@eggharborcity.org  
Chief Financial Officer

DO NOT USE THESE SPACES

## CERTIFICATION OF ADOPTED BUDGET

It is hereby certified that the amounts to be raised by taxation for local purposes has been compared with the approved Budget previously certified by me and any changes required as a condition to such approval have been made. The adopted budget is certified with respect to the foregoing only.

STATE OF NEW JERSEY  
Department of Community Affairs  
Director of the Division of Local Government Services

Dated: \_\_\_\_\_, 2020 By: \_\_\_\_\_

*(Do not advertise this Certification form)*

It is hereby certified that the Approved Budget made part hereof complies with the requirements of law, and approval is given pursuant to N.J.S.A. 40A:4-79.

STATE OF NEW JERSEY  
Department of Community Affairs  
Director of the Division of Local Government Services

Dated: \_\_\_\_\_, 2020 By: \_\_\_\_\_

Sheet 1

Egg Harbor City  
Resolution #

RESOLUTION TO PARTICIPATE IN SJPC FOR ELECTRICITY

WHEREAS, the South Jersey Power Cooperative (SJPC), with Camden County as the lead agency, will be soliciting bids for electricity,

WHEREAS, the City desires to be a part of said bid,

NOW THEREFORE BE IT RESOLVED, by the Council of the City of Egg Harbor, County of Atlantic, State of New Jersey, that as an Atlantic County Cooperative Member and as part of the SJPC, the City will participate in said Co-op for electricity.

Certified by:

\_\_\_\_\_  
Meg Steeb, City Clerk

Dated: May 14, 2020

CITY OF EGG HARBOR

RESOLUTION #- 2020

RENEW CONTRACT FOR THE  
DISPATCH AND 911 SERVICES

CONTRACT PERIOD JUNE 4, 2020 TO JUNE 3, 2023

WHEREAS, the City of Egg Harbor has a shared services contract for Dispatch and 911 Services with the Township of Hamilton with offices at 6101 Thirteenth Street, Mays Landing, NJ 08330;

WHEREAS, City Council hereby desires to renew said Contract with the Township of Hamilton, for the aforesaid purpose for the period JUNE 4, 2020 TO JUNE 3, 2023, as the services are being performed in an effective and efficient manner;

THEREFORE BE IT RESOLVED, that said contract be renewed for the period JUNE 4, 2020 TO JUNE 3, 2023 with all terms and conditions remaining the same as the original contract, except for the fee to have a 2% yearly increase over the renewal term of the contract.

I HEREBY CERTIFY that the foregoing Resolution was adopted by the City Council of the City of Egg Harbor, County of Atlantic, State of New Jersey, at their meeting held in the Meeting Room of the Municipal Complex, 500 London Avenue, Egg Harbor City, NJ 08215.

Dated: May 14, 2020

\_\_\_\_\_  
Meg Steeb, City Clerk

CITY OF EGG HARBOR

RESOLUTION #- 2020

RENEW CONTRACT FOR THE  
POLICE COMPUTER SERVICES

CONTRACT PERIOD AUGUST 9, 2020 THROUGH AUGUST 8, 2023

WHEREAS, the City of Egg Harbor has a shared services contract for computer maintenance services for the Egg Harbor Police Department with the Township of Hamilton with offices at 6101 Thirteenth Street, Mays Landing, NJ 08330;

WHEREAS, City Council hereby desires to renew said Contract with the Township of Hamilton, for the aforesaid purpose for the period August 9, 2020 through August 8, 2023, as the services are being performed in an effective and efficient manner;

THEREFORE BE IT RESOLVED, that said contract be renewed for the period August 9, 2020 through August 8, 2023 with all terms and conditions remaining the same as the original contract, except for the fee to have a 2% yearly increase over the renewal term of the contract.

I HEREBY CERTIFY that the foregoing Resolution was adopted by the City Council of the City of Egg Harbor, County of Atlantic, State of New Jersey, at their meeting held in the Meeting Room of the Municipal Complex, 500 London Avenue, Egg Harbor City, NJ 08215.

Dated: May 14, 2020

\_\_\_\_\_  
Meg Steeb, City Clerk

EGG HARBOR CITY

RESOLUTION # -2020

RESOLUTION TO HIRE EMPLOYEE & APPROVE TEAMSTERS CONTRACT ADDENDUM

WHEREAS, The City of Egg Harbor has a need to hire the employee listed below effective May 16, 2020;

Keith Adams as:

Water & Sewer Superintendent     \$78,500 annual

WHEREAS, City Council desires to approve the attached addendum to the Teamsters Contract;

NOW THEREFORE BE IT RESOLVED, the Common Council of the City of Egg Harbor approves hiring the above employee at the rate listed,

NOW THEREFORE BE IT FURTHER RESOLVED, the Common Council of the City of Egg Harbor approves the attached addendum to the Teamsters Contract.

Dated: May 14, 2020

---

Meg Steeb, City Clerk

EGG HARBOR CITY  
RESOLUTION # -2020  
RESOLUTION TO HIRE EMPLOYEES

WHEREAS, The City of Egg Harbor has a need to hire the employee listed below effective May 16, 2020;

Jerry Gleason as:

Utility Repairer-Part Time-License Stipend	5,200 annual
Utility Repairer-Part Time-On Call	39.86 per hour

NOW THEREFORE BE IT RESOLVED, the Common Council of the City of Egg Harbor approves hiring the above employee at the rates listed.

Dated: May 14, 2020

---

Meg Steeb, City Clerk



City of Egg Harbor  
Resolution No.

Resolution: Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the Municipal Aid - Various Locations project.

NOW, THEREFORE, BE IT RESOLVED that Council of Egg Harbor City formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as \_\_\_\_\_ to the New Jersey Department of Transportation on behalf of Egg Harbor City.

BE IT FURTHER RESOLVED that Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of Egg Harbor City and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Certified as a true copy of the Resolution adopted by the Council  
On this 14 day of May, 2020

\_\_\_\_\_  
Clerk

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL

\_\_\_\_\_  
(Clerk)

\_\_\_\_\_  
(Presiding Officer)

City of Egg Harbor  
Resolution No.

Resolution: Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the Citywide Bikeway Extension project.

NOW, THEREFORE, BE IT RESOLVED that Council of Egg Harbor City formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as \_\_\_\_\_ to the New Jersey Department of Transportation on behalf of Egg Harbor City.

BE IT FURTHER RESOLVED that Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of Egg Harbor City and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Certified as a true copy of the Resolution adopted by the Council  
On this 14 day of May, 2020

\_\_\_\_\_  
Clerk

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL

\_\_\_\_\_  
(Clerk)

\_\_\_\_\_  
(Presiding Officer)

City of Egg Harbor  
Resolution No.

Resolution: Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the Transit Path Extension project.

NOW, THEREFORE, BE IT RESOLVED that Council of Egg Harbor City formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as \_\_\_\_\_ to the New Jersey Department of Transportation on behalf of Egg Harbor City.

BE IT FURTHER RESOLVED that Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of Egg Harbor City and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Certified as a true copy of the Resolution adopted by the Council  
On this 14 day of May, 2020

\_\_\_\_\_  
Clerk

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL

\_\_\_\_\_  
(Clerk)

\_\_\_\_\_  
(Presiding Officer)

May 14, 2020

Mr./Ms. ??? moved, seconded by Mr./Ms. ???, that the following resolution be adopted.

WHEREAS, pursuant to the State Aid Agreement for the FY2018 Safe Streets to Transit funds for the Atlantic Avenue Transit Path Extension, the contract must be awarded by May 7, 2020; and

WHEREAS, City budget constraints delayed the award of the contract for completion of the surveying and engineering phase of the project; and

WHEREAS, the project requires review and approval from The Pinelands Commission; and

WHEREAS, the project requires coordination with New Jersey Transit; and

WHEREAS, the current pandemic has further delayed the completion of the design of the project; and

WHEREAS, the City Engineer will be completing the plans and specifications and the City will be advertising the project for public bid, however, the project will not be ready for a contract award by May 7, 2020,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Egg Harbor that a six (6) month extension for awarding the contract for the FY2018 State Aid funds for the Atlantic Avenue Transit Path Extension **from** May 7, 2020 **to** November 7, 2020, is hereby requested.

RESOLUTION ADOPTED WITH ALL MEMBERS VOTING "AYE", NO "NAY", NO "ABSTAIN"

## **CITY OF EGG HARBOR**

### **ORDINANCE #9-2020**

#### **AN ORDINANCE AMENDING THE CODE OF THE CITY OF EGG HARBOR TO PROHIBIT SHORT TERM RENTALS OF RESIDENTIAL PROPERTIES**

WHEREAS, the purpose of this Ordinance is to establish a procedure and authorize rules and regulations thereunder for Short Term Rental Property Prohibition in the City of Egg Harbor; and

WHEREAS, the New Jersey Legislature has, pursuant to N.J.S.A. 40:52-1(d) and (n), specifically authorized municipal corporations to regulate “furnished and unfurnished rented housing or living units and all other places and buildings used for sleeping and lodging purposes, and the occupancy thereof” and the “rental of real property for a term of less than one hundred seventy-five (175) consecutive days for residential purposes by a person having a permanent place of residence elsewhere”; and

WHEREAS, the City of Egg Harbor wishes to impose penalties as permitted pursuant to N.J.S.A. 40:49-5 and N.J.S.A. 40:69A-29 for violations of the provisions established herein for short term rental prohibitions; and

WHEREAS, in recent years, there has risen a proliferation of internet and other media advertising often on websites dedicated to the rental of dwelling units for short terms and for a period of 30 days or less; and

WHEREAS, the City’s experience, as well as common experiences, dictates the conclusion that Short Term Rentals frequently result in public nuisance, noise complaints, sanitation issues, overcrowding and illegal parking within the residential neighborhoods of the city, and essentially converted residential dwelling units into illegal de-facto hotels, motels, boarding houses and other commercial enterprises in violation of the City’s zoning and other codes as well as other state statutes; and

WHEREAS, the City wishes to deter the cyber-social phenomenon of any person renting his/her residential dwelling unit on various websites as well as listing of short term rentals by website businesses of any dwelling unit that constitutes an illegal business operating in violation of the city’s zoning code and other public nuisance ordinances; and

WHEREAS, common problems also frequently associated with such short term rentals include overcrowding, excessive noise, unruly behavior, obscene language, fighting littering, parking of vehicles on lawns, public urination, sanitation issues, poor maintenance of the property and grounds and violation of trash collection ordinances.

NOW THEREFORE BE IT ORDAINED by the Mayor and Council of the City of Egg Harbor , County of Atlantic and State of New Jersey that the Code of the City of Egg

Harbor is hereby amended to include Ordinance #2020 \_\_\_\_\_ entitled "Short Term Rental Property Prohibition" in the Code of the City of Egg Harbor, to state the following:

## SHORT TERM RENTAL PROPERTY PROHIBITION

### Section 1. Background and Findings:

- A. The City of Egg Harbor finds that the rental of residential dwellings for short-term occupancy has been identified as a community concern due to the potential for increased traffic, noise, high occupant turnover, and increased density in residential neighborhoods.
- B. The number of individuals occupying such short-term rentals has the potential to exceed standards for the design capacity of such structures and to cause health and safety risks for the occupants, neighbors and nearby properties.
- C. The purpose of this Ordinance is to safeguard the peace, safety and general welfare of the residents of the City and their visitors and guests by eliminating noise, traffic and parking congestion, vandalism, overcrowding, neighborhood uncertainty, high occupant turnover, diminution of neighborhood character, and other secondary effects that have been associated with the short-term rental of residential properties.
- D. The short-term market nationwide has expanded with the use of professional brokers and internet listing services. This increase requires an expansion of enforcement mechanisms to deter parties who facilitate and solicit short term rentals. Because there are numerous homeowners, real estate offices, brokers, and other agencies that actively promote short-term rentals to potential City visitors through the internet and other forms of advertisement, it is necessary to prohibit the promotion and advertisement of short-term rentals.
- E. Therefore, the City adopts the following provisions in order to prohibit short-term residential rentals and enforce said prohibitions.

### Section 2. Definitions

For the purpose of this Ordinance, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

A. **Advertise or Advertisement.** Any written, electronic or oral publication, dissemination, solicitation or circulation which is intended to directly or indirectly induce any person to enter into an agreement for the short-term rental of a dwelling. This definition includes but is not limited to mailings, print advertisements, internet listings, e-mail publications or other oral, printed or electronic media.

**B. Dwelling.** Any single or multi-family residential building or structure in the City, or any part thereof, which is occupied in whole or in part, or intended to be occupied in whole or in part, as a home, residence for sleeping, cooking, gathering and or entertaining of occupants or guests by one or more individuals. This includes an apartment, house, condominium, building, co-operative, converted space, or portions thereof, that is offered to use, made available for use, or is used for accommodations, lodging, cooking, sleeping, gathering, and/or entertaining of occupants and/or guests, for consideration, for a period of 30 days or less.

**C. Facilitate.** A person “facilitates”, if, acting with knowledge that an operator, managing agency or rental agent is renting a dwelling on a short-term basis, the person knowingly provides the operator, managing agency or rental agent with means or opportunity for the commission of said offense.

**D. Housekeeping Unit.** Constitutes a family-type situation, involving one or more persons, living together that exhibit the kind of stability, permanency and functional lifestyle equivalent to that of a traditional family unit, as further described in the applicable reported and unreported decisions of the New Jersey Courts.

**E. Person.** Any entity, individual, corporation, association, firm, partnership, limited liability company, or any combination, who legally uses, possesses, owns, leases, sub-leases or licenses (including an operator, principal, shareholder, director, agent, or employee, individually or collectively) and that has charge, care control or participates in the expenses and/or profit of a dwelling pursuant to a written or unwritten agreement, rental, lease, license, use, occupancy agreement, or any other agreement.

**F. Rent.** The consideration or remuneration charged, whether or not received, for the occupancy or use of a dwelling, whether to be received in money, goods, services, labor, other use of other dwellings, or otherwise.

**G. Rental.** An agreement between persons whereby rent is charged in exchange for the right to occupy or use a dwelling.

**H. Short-term rental.** Any rental of a dwelling for a period of 30 days or less.

**I. Solicit.** A person “solicits”, if, with the intent to promote or facilitate the short-term rental of a dwelling, such person commands, encourages, requests or solicits another person to engage in a short term rental agreement.

### Section 3. Prohibited Conduct

A. No person shall use, possess or occupy a dwelling on a short-term rental basis.

B. No person shall enter a short-term rental agreement for a dwelling.

- C. No person owning, leasing, or having control of a dwelling shall allow it to be used, occupied or possessed as a short term rental.
- D. No person shall advertise, solicit or facilitate a short-term rental agreement for a dwelling.
- E. Nothing in this chapter shall prevent the otherwise lawful occupancy of a dwelling place for a rental period of more than 30 days.
- F. Nothing in this chapter shall prevent the lawful occupancy of a dwelling by a persons who are members of the housekeeping unit of the owner, without consideration, such as houseguests, for a period of 30 days or less.

#### Section 5. Violations and Penalties

- A. Any person who violates any provision of this Ordinance shall be fined as follows:
  - 1. For a first violation-a fine of \$750.00 per day for each violation for each dwelling unit.
  - 2. For a second violation- a fine of not less than \$750.00 and not more than \$1,200.00 per day for each violation for each dwelling unit.
  - 3. For a third or subsequent violation-a fine of not less than \$1,200.00 and not more than \$2,500.00 per day for each violation for each dwelling unit.
- B. Each day that a person violates a provision of this Ordinance shall be considered as a separate and distinct violation.

#### Section 6. Enforceability

This Ordinance may be enforced by the Zoning Official, Building Code or Sub-Code official or by any other City official or employee so designated by the Mayor and Council.

#### Section 7. Severability

If any article, section, sub-section, sentence, clause, or phase of this Ordinance is for any reason deemed to be unconstitutional or invalid by any court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.



Section 8. Effective Date

This Ordinance will take effect upon final passage, publication and adoption as required by law.

Introduced: May 14, 2020

Published: May 20, 2020

Public Hearing: May 28, 2020

Adopted:

---

Meg Steeb, City Clerk

---

Lisa Jiampetti, Mayor

## **CITY OF EGG HARBOR**

### **ORDINANCE #10-2020**

#### **AN ORDINANCE TO AMEND THE GENERAL ORDINANCES OF THE CITY EGG HARBOR, PART II-GENERAL LEGISLATION, CHAPTER 97, TITLED ANIMALS**

WHEREAS, the purpose of this Ordinance is to amend Chapter 97, titled, Animals, of the general regulations of the Code of the City of Egg Harbor pertaining to the keeping of farm animals and wild animals in residences in the City; and

WHEREAS, the Mayor and Council of the City of Egg Harbor find that the same would benefit the health, safety and welfare of the residents of the City.

NOW, THEREFORE, BE IT ORDAINED by the Governing Body for the City of Egg Harbor, County of Atlantic and State of New Jersey, that Chapter 97 is amended as follows:

#### **PART 8. FARM ANIMALS AND WILD ANIMALS**

#### **ARTICLE XV. TYPES OF ANIMALS NOT PERMITTED**

- A. No person shall own, keep or harbor a wolf or wolf hybrid within any residence in the City.
- B. No person shall own, keep or harbor any exotic animal which is covered by the Endangered Species Act within any residence in the City.
- C. No person shall own, keep or harbor any pig, horse or other farm animal greater than 20 pounds in any residence in the City.
- D. No person shall own, keep or harbor any wild animal as a pet in a residence within the City.
- E. No person shall own, keep or harbor any turkeys or wild birds within any residence in the City.
- F. Nothing in this section prohibits the keeping or owning of any domesticated animal kept for pleasure rather than utility or profit which is normally kept within a residence and includes without limitation, gerbils, guinea pigs, hamsters, small reptiles, small birds, turtles and tropical fish.
- G. Nothing in this section shall amend or repeal the definition of Residential Agriculture found in the Code of the City of Egg Harbor. Section 170-17.

#### **ARTICLE XVI. VIOLATIONS AND PENALTIES**

Any person who fails to comply with the provisions of this article shall pay upon conviction thereof and be subject to a fine not to exceed \$50.00. Each and every day such violation continues shall be considered as a separate and specific violation of this article and the penalties herein prescribed shall apply to such separate and specific offenses.

BE IT FURTHER ORDAINED, that if any portion of this Ordinance shall be declared invalid as a matter of law, such declaration shall not affect the remainder of said Ordinance; and

BE IT FURTHER ORDAINED, that this Ordinance shall take effect upon passage and publication.

INTRODUCED: May 14, 2020

PUBLISHED: May 20, 2020

PUBLIC HEARING: May 28, 2020

ADOPTED:

---

Meg Steeb, City Clerk

---

Lisa Jiampetti, Mayor

**CITY OF EGG HARBOR**

**ORDINANCE #6 - 2020**

**ORDINANCE VACATING A PORTION OF 6TH TERRACE  
IN THE CITY OF EGG HARBOR, ATLANTIC COUNTY,  
STATE OF NEW JERSEY**

**WHEREAS**, there has been a request to have the City of Egg Harbor vacate a portion of 6<sup>th</sup> Street Terrace pursuant to Resolution 1-2020 adopted by the City of Egg Harbor Land Use Board on January 21, 2020, in relation to an application for preliminary and final major site plan approval and variance relief in order to construct, establish and maintain a new WAWA food market with fuel dispensing facilities, outside parking, landscaping and related site improvement, said portion being more particularly described in accordance with the description set forth in Schedule A, annexed hereto; and

**WHEREAS**, the matter has been referred to the City Engineer who has recommended that the City proceed with the vacation; and

**WHEREAS**, it was determined by the City of Egg Harbor Land Use Board in its resolution of 1-2020 that the subject property has frontage on four streets, Atlantic Avenue, Philadelphia Avenue, White Horse Pike and Cincinnati Avenue and that 6<sup>th</sup> Street Terrace bisects the property between Atlantic Avenue and the White Horse Pike; and

**WHEREAS**, the Land Use Board specifically recommended that the City Council of Egg Harbor City vacate a portion of 6<sup>th</sup> Street Terrace as indicated on the plans presented to allow for the proposed development and an adoption by City Council of the City of Egg Harbor of a vacation ordinance for this portion of 6<sup>th</sup> Street Terrace was made a condition of approval of the development; and

**WHEREAS**, the Mayor and Council does hereby determine that the afore mentioned portion of the roadway as set forth in the description attached hereto as Schedule A is no longer needed for public purposes; and

**WHEREAS**, pursuant to N.J.S.A. 40: 67-1(b) and N.J.S.A. 40:67-19, the Council of the City of Egg Harbor may by ordinance, vacate any public street or portion thereof dedicated to public use but not accepted by the City whether or not the same or any part has been actually opened or improved; and

**WHEREAS**, the City Council of the City of Egg Harbor is of the opinion that the public interest would be best served by abandoning, vacating, releasing, and extinguishing any and all public rights which the City may have in and to a rights of way and /or paper street known as 6<sup>th</sup> Street Terrace as shown on schedule A attached hereto.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the City of Egg Harbor, Atlantic County, State of New Jersey, as follows:

**SECTION A**

1. The rights of the public and the City of Egg Harbor in and to the portion of 6<sup>th</sup> Street Terrace as described in the attached Schedule A is hereby extinguished and vacated.
2. At least (7) days prior to the time fixed for the consideration of this ordinance for final passage, a copy thereof, together with a notice of the introduction thereof and the time and place when and where the Ordinance will be further considered for final passage, shall be given by the City of Egg Harbor to the owners of all real property as shown on the current tax map, whose property adjoins 6<sup>th</sup> Street Terrace whose land may be affected by this Ordinance. This is notice required by N.J.S.A. 40:67-19 and N.J.S.A. 40:49-6.
3. At least (10) days prior to the time fixed for the consideration of this Ordinance for final passage a copy of this Ordinance ,together with its notice of its introduction and the time and place when and where the ordinance will be further considered for final passage, shall be published at least once in a newspaper published and circulated in the City of Egg Harbor. This is also the notice required by N.J.S.A. 40:49-6 and N.J.S.A. 40:67-19.
4. The City Clerk shall, within sixty (60) days of the effective date of this Ordinance, file a copy of this Ordinance certified by and under the seal of the municipality, to be a true copy thereof, together with proof of publication thereof, in the office of the County Clerk in accordance with the provisions of N.J.S.A. 40: 67-21.

**SECTION B**

All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistencies.

**SECTION C**

If any article, section, subsection, paragraph, phrase or sentence is, for any reason, held to be unconstitutional or invalid, said article, section, subsection, paragraph, phrase or sentence shall be deemed severable.

**SECTION D**

This Ordinance shall take effect immediately upon final passage and publication as provided by law.

Introduced: April 23, 2020  
Publication: April 29, 2020  
Public Hearing: May 14, 2020  
Adoption:

ATTEST:

\_\_\_\_\_  
Meg Steeb  
CITY CLERK

APPROVED BY THE MAYOR: \_\_\_\_\_, 2020

\_\_\_\_\_  
Lisa Jiampetti