

ORDINANCE 2011-17 OF THE TOWNSHIP OF BERLIN, COUNTY OF CAMDEN, AND STATE OF NEW JERSEY, AMENDING CHAPTER 129 OF THE CODE OF THE TOWNSHIP OF BERLIN ENTITLED "ZONING"

WHEREAS, the Zoning Ordinance of the Township of Berlin ("Township") is codified in Chapter 129 of the Township Code; and

WHEREAS, the Governing Body is authorized under the Municipal Land Use Law, N.J.S.A. 40:55D-62, to amend the Township's land use regulations; and

WHEREAS, the Governing Body has determined that it is in the best interest of the public health, safety and welfare of the Township and its residents to amend Chapter 129;

NOW THEREFORE, be it Ordained by the Mayor and Township Council of the Township of Berlin, County of Camden, State of New Jersey, as follows:

SECTION 1: Section 129-4 contained in Article II ("Definitions and Word Usage") of Chapter 129 of the Code of the Township of Berlin is hereby amended, revised and supplemented to include the following definition:

§ 129-4. General Definitions and word usage.

A. Certain words, phrases and terms in this chapter are defined for the purpose thereof as follows:

KENNEL - a premise or establishment wherein or whereon more than three dogs and/or cats are owned, or the business of boarding or selling dogs and/or cats or breeding dogs and/or cats for sale is carried on, except for a pet shop.

SECTION 2: Article IX ("Highway Commercial Zones, C-1 and C-2, C-2RD and C-3") of Chapter 129 of the Code of the Township of Berlin is hereby amended, revised and supplemented to read as follows:

§ 129-47. Permitted uses.

The following uses shall be permitted in Commercial Zones C-1, C-2, C-2RD and C-3:

A. – M. [NO CHANGE]

N. Kennels

SECTION 3: Article X (“Commercial-Industrial Zone, C-2I) of Chapter 129 of the Code of the Township of Berlin is hereby amended, revised and supplemented to read as follows:

§ 129-47. Permitted uses.

The following uses shall be permitted in the Commercial-Industrial Zone C2-I:

A. [NO CHANGE]

B. Kennels

SECTION 4: Except as set forth in Sections 1-3 above, the balance of Chapter 129 shall not be affected by this Ordinance.

SECTION 5: All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 6: If the provisions of any section, subsection, paragraph, subdivision, or clause of this Ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this Ordinance.

SECTION 7: This Ordinance shall take effect immediately upon final passage and publication in accordance with law.

Introduced: June 13, 2011

Notice is hereby given that the foregoing Ordinance was introduced and passed upon first reading at a meeting of the Mayor and Council of the Township of Berlin, Camden County, New Jersey on June 13, 2011 and the same was ordered published pursuant to statute. Said ordinance will be further considered for final adoption at a meeting of the Mayor and Council of the Township of Berlin on August 8, 2011 at 6:30 p.m. at the Berlin Township Municipal Hall, 135 Route 73 South, West Berlin, NJ.

Catherine Underwood
Township Clerk