

**ORDINANCE 2015-5 OF THE TOWNSHIP OF BERLIN, COUNTY OF CAMDEN,
AND STATE OF NEW JERSEY, REVISING, AMENDING AND SUPPLEMENTING
CHAPTER 340 OF THE CODE OF THE TOWNSHIP OF BERLIN ENTITLED
“ZONING”**

WHEREAS, Chapter 340 of the Code of the Township of Berlin, entitled “Zoning,” regulates, inter alia, permitted uses in the Highway Commercial Zones within the Township of Berlin; and

WHEREAS, the Township Engineer and Code Enforcement Officer of the Township of Berlin have made recommendations for an amendment to the current regulations governing the proximity of different motor vehicle rental, sales and storage businesses to each other within the C-1, C-2, C-2RD and C-3 zoning districts; and

WHEREAS, pursuant to N.J.S.A. 40:48-2, the Governing Body is authorized to enact and amend ordinances as deemed necessary for the preservation of the public health, safety and welfare and as may be necessary to carry into effect the powers and duties conferred and imposed upon the Township by law; and

NOW THEREFORE BE IT ORDAINED, by the Mayor and the Township Council of the Township of Berlin, as follows:

SECTION 1: Chapter 340, entitled “Zoning,” Article IX, entitled "Highway Commercial Zones C-1, C-2, C-2RD and C-3," Section 51, entitled "Permitted uses," Subsection H, is hereby amended, revised and/or supplemented as follows:

§340-51 Permitted uses

(H) Motor vehicle rentals, sales and storage

Any business engaged in the rental, sale, storage or display of new and/or used motor vehicles shall not be any closer than one mile to each such other similar business establishment, as measured from each property line of every property on which each such use is located.

SECTION 2: Except as set forth in Section 1 above, the balance of Chapter 340 shall not be affected by this Ordinance.

SECTION 3: All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 4: 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 5: This Ordinance shall take effect twenty (20) days after final adoption and publication as required by law.

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 April 27, 2015 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 June 22, 2015 at 6:30 p.m. at the Berlin Township Municipal Hall, 135 Route 73 South, West Berlin, NJ.

Catherine Underwood
Township Clerk