TOWNSHIP OF RARITAN
COUNTY OF HUNTERDON, NEW JERSEY

ORDINANCE #18-30

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 16.64 OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF RARITAN ENTITLED "GENERAL DESIGN AND USE REGULATION" BY AMENDING PARAGRAPH 8 OF SUBSECTION C ENTITLED "PROHIBITED USES" OF SECTION 16.64.010 ENTITLED "SCHEDULE OF CONTROLS;" AMENDING AND SUPPLEMENTING CHAPTER 8.12 ENTITLED "COLLECTION BINS" BY REPEALING AND REPLACING SAME WITH NEW CHAPTER 8.12 ENTITLED "RESERVED;" AND AMENDING AND SUPPLEMENTING CHAPTER 5.49 ENTITLED "CHARITABLE CLOTHING BINS" BY REPEALING AND REPLACING SECTION 5.49.070 ENTITLED "DISPLAY OF PERMIT" WITH NEW CHAPTER 5.49.070 ENTITLED "DISPLAY OF PERMIT"

WHEREAS, because of the incongruity between Section 15:9-4, Chapter 8.12 and Chapter 5.94 of the Revised General Ordinances of the Township of Raritan which, taken together, both prohibit the placement of clothing donation bins in the Township and permits and regulates same, the Township Committee of the Township of Raritan has deemed it necessary to amend the Township's Code; and

WHEREAS, the Township Committee has deemed it advisable to remove clothing donation bins from the list of prohibited uses within the Township.

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey, as follows:

Section 1. Chapter 16.64 entitled "General Design and Use Regulations" is hereby amended and supplemented through the revision of Paragraph 8 of Subsection C entitled "Prohibited Uses" of Section 16.64.010 entitled "Schedule of Controls" as follows:

> 8. [Collection bins of the type typically placed by organizations for the collection of used clothing, toys or other personal property; with the exception of the collection bins which the Township has placed at the Township Recycling Center for the orderly collection and disposition of such type of item] Reserved.;

Section 2. Chapter 8.12 entitled "Collection Bins" is hereby repealed and replaced with new Chapter 8.12 entitled "Reserved."

Section 3. Section 5.49.070 entitled "Display of Permit" of Chapter 5.49 "Charitable Clothing Bins" is hereby repealed and replaced with new Section 5.49.070 entitled "Display of Permit" as follows:

The following information shall be clearly and conspicuously displayed on the exterior of the donation clothing bin:

A. The name and address of the registered person that owns the bin, and any other entity which may share or profit from any clothing or donations collected via the bin;

B. The telephone number of the person's bona fide office and, if applicable, the telephone number of the bona fide office of any other entity which may share or profit from any clothing or other donations collected via the bin;

C. In cases when any entity other than the person who owns the bin may share or profit from any clothing or other donations collected via the bin, a notice, written in clear and easily understandable manner, indicating that clothing or other donations collected via the bin, their proceeds, or both, may be shared, or given to, an entity other than the person who owns the bin, and identifying all such entities which may share or profit from such donations; and

D. A statement, consistent with the information provided to the Township in the most recent permit renewal application, indicating the manner in which the person anticipates any clothing or other donations collected via the bin would be used, sold, or dispersed, and the method by which the proceeds of the collected donations will be allocated or spent.

Section 4. After introduction, the Township Clerk is hereby directed to submit a copy of this Ordinance to the Planning Board of the Township of Raritan for its review in accordance with N.J.S.A. 40:55D-26 and N.J.S.A. 40:55D-64. The Planning Board is directed to make and transmit to the Township Committee, within thirty-five (35) days after referral, a report including identification of any provisions in the proposed Ordinance which are inconsistent with the Master Plan and recommendations concerning any inconsistencies and any other matter as the Board deems appropriate.

Section 6. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

Section 7. All ordinances or parts of ordinances inconsistent with or in conflict with this Ordinance are hereby repealed to the extent of such inconsistency.

Section 8. This Ordinance shall take effect immediately upon: (i) adoption; (ii) publication in accordance with the laws of the State of New Jersey; and (iii) filing of the final form of adopted Ordinance by the Clerk with the Hunterdon County Planning Board pursuant to N.J.S.A. 40:55D-16.

Note to Codifier: language in brackets [ ] is to be deleted from the original text. Underlined language is new language to the original text.

DATE ADOPTED: December 18, 2018

ATTEST:

Lisa Fania, RMC
Township Clerk

TOWNSHIP COMMITTEE OF THE TOWNSHIP OF RARITAN

Michael Mangin
Mayor