



Borough of Chatham

BOROUGH HALL

54 FAIRMOUNT AVENUE • CHATHAM • NEW JERSEY 07928

ORDINANCE #16-06

ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY ADOPTING THE BOROUGH ZONING MAP, WELL HEAD PROTECTION AREA OVERLAY ZONE MAP, AND HISTORIC DISTRICT MAP

WHEREAS, the Mayor and Council of the Borough of Chatham wish to adopt the Borough's Zoning Map, Well Head Protection Area Overlay Zone Map and Historic District Map by ordinance; and

WHEREAS, the Mayor and Council wish to refer the maps to the appropriate Borough Boards, Commissions, and Officials for their information and records.

NOW THEREFORE BE IT ORDAINED by the Mayor and Council of the Borough of Chatham, County of Morris, and State of New Jersey as follows:

Section 1. Section 165-12 of the Borough Code be and hereby is amended as follows:

§165-12 Zoning Map.

Add new.

- A. The location and boundaries of these districts are hereby established as shown on the map entitled "Official Zoning Map of the Borough of Chatham" dated January 15, 2016 and as amended, which map is attached hereto and made a part of this Chapter. The Official Zoning Map shall be identified by the signature of the Mayor, attested by the Borough Clerk and bearing the seal of the Borough under the following words: "This is to certify that this is the Official Zoning Map referred to in Section 165-12 of the Borough Code of the Borough of Chatham, New Jersey" together with the date of adoption. All notations, references and other information shown on said map are incorporated by reference herein and made a part hereof. The map is on file in the Borough Clerk's office.
- B. If, in accordance with the provisions of this Chapter and the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq., changes are made in the zones and boundaries or other matters portrayed on the Official Zoning Map, such changes shall be made on the Official Zoning Map promptly after the amendment has been approved by the Mayor and Council, together with an entry on the Official Zoning Map as follows: "On (date), by official action of the Mayor and Council, the following change(s) were made in the Official Zoning Map: (brief description of the nature of the change)", which entry shall be signed by the Mayor and attested by the Borough Clerk.
- C. Regardless of the existence of purported copies of the Official Zoning Map which may from time to time be published, the Official Zoning Map shall be located in the office of the Borough Clerk and shall be the final authority as to the current zoning status in the Borough.

Existing Paragraph B of §165-12 shall become new Paragraph D.

Delete Existing Paragraphs C and D of §165-12 and move to Chapter 165 Attachment 1 - Table of Zoning Map Amendments.

Section 2. Section 165-50A of the Borough Code be and hereby is deleted in its entirety and replaced as follows:

§165-50 Establishment of Well Head Protection Areas and Maps.

A. Well Head Protection Areas and Maps:

- (1) The delineations of Well Head Protection Areas for public community wells, as established by the New Jersey Geological Survey of the New Jersey Department of Environmental Protection, are hereby incorporated herein and made a part of this Article.
- (2) The delineations of the Well Head Protection Areas located within the Borough of Chatham are hereby established as shown on the map entitled “Well Head Protection Area Overlay Zoning District of the Borough of Chatham” dated December 15, 2014 and as amended, which map is attached hereto and made a part of this Chapter. The Official Well Head Protection Map shall be identified by the signature of the Mayor, attested by the Borough Clerk and bearing the seal of the Borough under the following words: “This is to certify that this is the Official Well Head Protection Area Overlay Zoning District Map of the Borough of Chatham referred to in Section 165-150 of the Borough Code of the Borough of Chatham, New Jersey” together with the date of adoption. All notations, references and other information shown on said map are incorporated by reference herein and made a part hereof. The map is on file in the office of the Borough Clerk’s office.
- (3) If, in accordance with the provisions of this Chapter and the delineations established by the New Jersey Geological Survey of the New Jersey Department of Environmental Protection, changes are made to the delineations of the Well Head Protection Areas located within the Borough, such changes shall be made on the Official Well Head Protection Map promptly after the amendment has been approved by the Mayor and Council, together with an entry on as follows: “On (date), by official action of the Mayor and Council, the following change(s) were made in the Official Well Head Protection Area Overlay Zoning District Map: (brief description of the nature of the change)”, which entry shall be signed by the Mayor and attested by the Borough Clerk.
- (4) Regardless of the existence of purported copies of the Well Head Protection Area Overlay Zoning District Map which may from time to time be published, the Official Well Head Protection Area Overlay Zoning District Map shall be located in the office of the Borough Clerk and shall be the final authority as to the current delineations of the Well Head Protection Areas located within the Borough.
- (5) Said map shall be considered superimposed over any other established zoning district. Land in a Well Head Protection Area may be used for any purpose permitted in the underlying district, subject to the additional restrictions set forth in this Article.

Section 3. Section 165-60 of the Borough Code be and hereby is deleted in its entirety and replaced as follows:

§165-60 Designation of Historic Sites and Districts.

- A. The Main Street Historic District, as delineated and described in the Master Plan, is hereby designated as a historic district in the Borough.
- B. The location and boundaries of the Main Street Historic District are hereby established as shown on the map entitled “Historic Districts Map of the Borough of Chatham” dated October 22, 2014 and as amended, which map is attached hereto and made a part of this Chapter. The Official Historic Districts Map shall be identified by the signature of the Mayor, attested by the Borough Clerk and bearing the seal of the Borough under the following words: “This is to certify that this is the Official Historic Districts Map of the Borough of Chatham referred to in Section 165-160 of the Borough Code of the Borough of Chatham, New Jersey” together with the date of adoption. All notations, references and other information shown on said map are incorporated by reference herein and made a part hereof. The map is on file in the Borough Clerk’s office.
- C. If, in accordance with the provisions of this Chapter and the Master Plan, changes are made to the location and/or boundaries of historic sites or historic districts located within the Borough, such changes shall be made on the Official Historic Districts Map promptly after the amendment has been approved by the Mayor and Council, together with an entry on as follows: “On (date), by official action of the Mayor and Council, the following change(s) were made in the Official Historic Districts Map of the Borough of Chatham: (brief description of the nature of the change)”, which entry shall be signed by the Mayor and attested by the Borough Clerk.
- D. Regardless of the existence of purported copies of the Historic Districts Map of the Borough of Chatham which may from time to time be published, the Official Historic Districts Map of the Borough of Chatham shall be located in the office of the Borough Clerk and shall be the final authority as to the current status of historic sites and historic districts located within the Borough.
- E. Any additional designated historic sites or historic districts and/or changes in the designation of historic sites or historic districts shall be effectuated by amendment of this Chapter in accordance with the procedures provided for under the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq., and the procedures adopted by the Commission.

Section 4. The Borough Clerk be and hereby is directed to send a copy of this Ordinance, along with copies of the maps referred to herein, to the appropriate Borough Boards, Commissions, and Officials for their information and records.

Section 5. If any section, paragraph, subsection, clause, or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provisions so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective.

Section 6. Any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

Section 7. This Ordinance shall take effect upon passage and publication in accordance with applicable law.

Introduced: July 11, 2016
Adopted: August 8, 2016

BOROUGH OF CHATHAM

MAYOR BRUCE A. HARRIS

Date signed: August 8, 2016

Attest:

Robin R. Kline, MAS, RMC, CMR
BOROUGH CLERK

CERTIFICATION

I, Robin R. Kline, Municipal Clerk of the Borough of Chatham, County of Morris, State of New Jersey, do hereby certify this is a true and correct copy of the Ordinance adopted by the Borough Council at its meeting held on August 8, 2016.

Robin R. Kline, MAS, RMC, CMR