

ORDINANCE 1186

ORDINANCE OF THE BOROUGH OF BARRINGTON, COUNTY OF CAMDEN AND STATE OF NEW JERSEY AMENDING ARTICLE I., ADOPTION OF CODE BY BOROUGH COUNCIL, IN CHAPTER 1, GENERAL PROVISIONS, IN THE CODE OF THE BOROUGH OF BARRINGTON

BE IT ORDAINED by the Borough Council of the Borough of Barrington, County of Camden, and State of New Jersey, that Article I., Adoption of Code by Borough Council, in Chapter 1, General Provisions, in the Code of the Borough of Barrington, is amended as follows:

**Article I.
Adoption of Code by Borough Council**

ARTICLE I. ARTICLE I. SECTION 1-4. Code adopted; existing ordinances continued.

Pursuant to N.J.S.A. 40:49-4, the ordinances of the Borough of Barrington of a general and permanent nature adopted by the Mayor and Council of the Borough of Barrington, as revised and codified and consisting of Chapters 1 through 360, together with an Appendix, are hereby approved, adopted, ordained and enacted as the Code of the Borough of Barrington, hereinafter referred to as the "Code." The provisions of the Code, insofar as they are substantively the same as those of the ordinances in force immediately prior to the enactment of the Code by this ordinance, are intended as a continuation of such ordinances and not as new enactments. This ordinance and the Code adopted hereby, shall supersede and replace the 1982 and 1999 Code of the Borough of Barrington, as amended and supplemented.

ARTICLE II. ARTICLE I. SECTION 1-5. Code on file; additions and amendments.

- A. A copy of the Code has been filed in the office of the Borough Clerk and shall remain there for use and examination by the public until final action is taken on this ordinance. Following adoption of this ordinance, such copy shall be certified to by the Clerk of the Borough of Barrington by impressing thereon the Seal of the Borough, as provided by law, and such certified copy shall remain on file in the office of the Borough Clerk, to be made available to persons desiring to examine the same during all times while said Code is in effect.

- B. Additions or amendments to the Code, when adopted in such form as to indicate the intent of the Mayor and Council to make them a part thereof, shall be deemed to be incorporated into such Code so that reference to the "Code of the Borough of Barrington" shall be understood and intended to include such additions and amendments.

ARTICLE III. ARTICLE I. SECTION 1-6. Notice; publication.

The Clerk of the Borough of Barrington shall cause notice of the passage of this ordinance to be given in the manner required by law. The notice of passage of this ordinance coupled with filing of the Code in the office of the Borough Clerk as provided in Section 1-5 shall be deemed, held and considered to be due and legal publication of all provisions of the Code for all purposes.

ARTICLE IV. ARTICLE I. SECTION 1-7. Severability.

Each section of this ordinance and of the Code and every part of each section is an independent section or part of a section, and the holding of any section or part thereof to be unconstitutional, void or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any other sections or parts thereof.

ARTICLE V. ARTICLE I. SECTION 1-8. Repealer.

A. Ordinances or parts of ordinances inconsistent with the provisions contained in the Code adopted by this ordinance are hereby repealed; provided, however, that such repeal shall only be to the extent of such inconsistency, and any valid legislation of the Borough of Barrington which is not in conflict with the provisions of the Code shall be deemed to remain in full force and effect.

B. The following ordinances have been excluded from the Code and are specifically repealed:

(1) Chapter 9, Clerk, Residency Requirement for, of the 1982 Code, adopted August 9, 1988, by Ordinance No. 517.

(2) Chapter 25, Article II, Longevity Payments, of the 1982 Code, adopted April 21, 1983, by Ordinance No. 457.

(3) Chapter 25, Article V, Public Defender, of the 1982 Code, adopted February 14, 1989, by Ordinance No. 531.

(4) Chapter 25, Article VII, Municipal Housing Liaison, of the 1982 Code, adopted July 15, 2008, by Ordinance No. 913.

(5) Chapter 42, Article I, Adult Bookstores, of the 1982 Code, adopted September 13, 1977, by Ordinance No. 356.

(6) Chapter 44, Air Pollution, of the 1982 Code, adopted March 6, 1969, by Ordinance No. 234 (Ch. 8, Art. 1, § 4, of the 1969 Code).

(7) Chapter 51, Coin-Operated Amusement Devices, of the 1982 Code, adopted

September 14, 1982, by Ordinance No. 439.

(8) Chapter 61, Food Establishments, of the 1982 Code, adopted March 6, 1969, by Ordinance No. 234 (Ch. 8, Art. 1, § 3, of the 1969 Code).

(9) Chapter 93, Article II, Solicitation on Roadways, of the 1982 Code, adopted April 8, 2003, by Ordinance No. 772.

(10) Chapter 103, Smoke-Detection Devices, of the 1982 Code, adopted June 13, 1978, by Ordinance No. 364 and amended 2-14-2006 by Ordinance No. 835.

(11) Chapter 110, Tattooing and Body-Piercing Establishments, of the 1982 Code, adopted February 10, 1998, by Ordinance No. 701.

(12) Chapter 118, Article II, Abandoned Ice Boxes, of the 1982 Code, adopted March 6, 1969, by Ordinance No. 234 (Ch. 16, Art. 2, § 8, of the 1969 Code).

ARTICLE VI. ARTICLE I. SECTION 1-9. Ordinances saved from repeal.

The adoption of this Code and the repeal of ordinances provided for in § 1-8 of this ordinance shall not affect the following ordinances, rights and obligations, which are hereby expressly saved from repeal:

- A. Any ordinance adopted subsequent to March 12, 2024.
- B. Any right or liability established, accrued or incurred under any legislative provision prior to the effective date of this ordinance or any action or proceeding brought for the enforcement of such right or liability.
- C. Any offense or act committed or done before the effective date of this ordinance in violation of any legislative provision or any penalty, punishment or forfeiture which may result therefrom.
- D. Any prosecution, indictment, action, suit or other proceeding pending or any judgment rendered prior to the effective date of this ordinance, brought pursuant to any legislative provision.
- E. Any franchise, license, right, easement or privilege heretofore granted or conferred.
- F. Any ordinance providing for the laying out, opening, altering, widening, relocating, straightening, establishing of grade, changing of name, improvement, acceptance or vacation of any right-of-way, easement, street, road, highway, park or other public place or any portion thereof.
- G. Any ordinance or resolution appropriating money or transferring funds, promising or guaranteeing the payment of money or authorizing the issuance and delivery of any bond or other instruments or evidence of the Borough's indebtedness.
- H. Ordinances authorizing the purchase, sale, lease or transfer of property or any lawful contract, agreement or obligation.
- I. The levy or imposition of taxes, assessments or charges or the approval of the municipal budget.

- J. The dedication of property or approval of preliminary or final subdivision plats.
- K. All currently effective ordinances pertaining to the rate and manner of payment of salaries and compensation of officers and employees.
- L. Any ordinance adopting or amending the Zoning Map.
- M. Any ordinance relating to or establishing a pension plan or pension fund for municipal employees.

ARTICLE VII. ARTICLE I. SECTION 1-10. Changes in previously adopted ordinances.

A. In preparing the revision and codification of the Borough's ordinances pursuant to N.J.S.A. 40:49-4, certain minor grammatical and non-substantive changes were made in one or more of said ordinances. It is the intention of the Mayor and Council that all such changes be adopted as part of the Code as if the ordinances so changed had been formally amended to read as such.

B. In addition, the changes, amendments or revisions as set forth in Schedule A attached hereto and made a part hereof are made herewith, to become effective upon the effective date of this ordinance. (Chapter and section number references are to the ordinances as they have been renumbered and appear in the Code.)

C. The following sections are amended to refer to the general penalty in Chapter 1, Article I, General Penalties: §§ 101-10, 104-5A, 112-5A, 123-11, 123-21A, 123-41B, 123-44, 134-9, 145-8, 192-11, 245-25, 281-10, 258-28, 300-31, 300-36, 313-10E and 360-61.

D. Nomenclature changes. Throughout the Code, the following titles and terms are updated as follows:

- (1) "Commissioner of Health and Senior Services" is amended to "Commissioner of Health."
- (2) "Borough Hall" is amended to "Municipal Building."
- (3) "Construction Code Official" is amended to "Construction Official."
- (4) "Park and Recreation Committee" is amended to "Parks and Recreation Committee"
- (5) "Zoning Administrator" and "Zoning Administrative Officer" are amended to "Zoning Officer."
- (6) "Earth satellite station antenna," "earth satellite stations," "satellite earth station antennas," "satellite earth station" and "dish antenna" are amended to "satellite antenna."

ARTICLE VIII. ARTICLE I. SECTION 1-11. Titles and headings; editor's notes.

A. Chapter and article titles, headings and titles of sections and other divisions of the Code are inserted in the Code and may be inserted in supplements to the Code for the convenience of persons using the Code and are not part of the legislation.

B. Editor's notes indicating sources of sections, giving other information or referring to

the statutes or to other parts of the Code are inserted in the Code and may be inserted in supplements to the Code for the convenience of persons using the Code and are not part of the legislation.

ARTICLE IX. ARTICLE I. SECTION 1-12. Altering or tampering with Code; violations; penalties.

It shall be unlawful for anyone to change, alter or tamper with the Code in any manner which will cause the laws of the Borough of Barrington to be misrepresented thereby. Anyone violating this section shall be subject, upon conviction, to one or more of the following penalties: a fine of not more than \$2,000, imprisonment for not more than 90 days or a period of community service not exceeding 90 days, in the discretion of the Judge imposing the same.

ARTICLE X. Severability.

Each section, subsection, sentence, clause, and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause, and phrase, and finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause or reason shall not affect any other portion of this Ordinance.

ARTICLE XI.

This Ordinance shall take effect immediately after its passage and publication in accordance with law.

BOROUGH OF BARRINGTON
Introduced: April 9, 2024
Adopted:

BY: _____
Kyle Hanson, Mayor

ATTEST: _____
Terry Shannon, Borough Clerk

The purpose of this Ordinance is to amend certain general regulations consistent with the overall modernization of the Barrington Code Book. A copy of this Ordinance is available at no charge to the general public between the hours of 8:30 AM to 4:30 PM, Mondays through Thursdays (Legal Holidays excluded), and between the hours of 8:30 AM and 12:00 PM on Fridays (Legal Holidays excluded), at the Office of the Borough Clerk, Barrington Borough Hall, 229 Trenton Avenue, Barrington, New Jersey.