

TOWNSHIP OF WALL

ORDINANCE NO. 14-2016

AMENDING CHAPTER 140, ARTICLE III, SECTION 17 AND AMENDING CHAPTER 140 ATTACHMENT 2 OF THE TOWNSHIP CODE TO DEFINE 'GROUP HOMES' AS A PERMITTED USE PURSUANT TO THE NEW JERSEY MUNICIPAL LAND USE LAW

WHEREAS, the Township of Wall municipal code defines "Group Homes" pursuant to the 1997 North American Industry Classification System (NAICS) which does not limit the number of residents permitted in each Group Home; and,

WHEREAS, the Township of Wall desires to define "Group Homes" pursuant to the New Jersey Municipal Land Use Law (NJMLUL) which limits the number of residents per Group Home; and,

WHEREAS, the 1999 Wall Township Master Plan, 2005 Master Plan Re-examination Report, and the 2015 Master Plan Re-examination Report all include as a goal and objective that Wall Township's land use regulations promote the establishment of appropriate population densities in concentrations that will contribute to the wellbeing of persons, neighborhoods, and the region, and the preservation of the environment; and,

WHEREAS, the Wall Township Committee is of the opinion that population control as articulated in the NJMLUL conforms with the goals of the Wall Township Master Plan; and,

WHEREAS, the Wall Township Committee has determined that it would be appropriate, proper and in the best interests of the residents of the Township of Wall to amend Chapter 140, Article III, Section 17 and amend Chapter 140 Attachment 2: Land Use and Development Regulations of the Township Code.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Wall as follows:

Section 1. Chapter 140, Article III: Definitions and Word Usage

Section 17: Definitions:

For the purpose of this chapter, certain terms or words used herein shall be interpreted or defined as follows unless the context clearly indicates a different meaning:

(NEW DEFINITION) Group Home – Any "group home," "community residence for the developmentally disabled," "community shelter for victims of domestic violence," "community residence for persons with head injuries," or "community residence for the terminally ill," as defined at N.J.S.A. 40:55D-66c, N.J.S.A. 40:55D-66.1 and N.J.S.A. 40:55D-66.2.

Section 2. Chapter 140, Attachment 2: Land Use and Development Regulations. Township of Wall Schedule of Permitted and Conditional Uses for Residential Zone Districts:

AMEND SCHEDULE AS FOLLOWS: Eliminate NAICS code reference number 62399 to Group homes; add a superscript of "4" next to Group homes to indicate a use not classified by NAICS in the Wall Township Municipal Code.

Section 3. All Ordinances, or parts thereof, inconsistent with the provisions of this Ordinance, be and the same are hereby repealed to the extent of such inconsistency.


Section 4. The Mayor, Clerk, and such other Township officials are hereby authorized to take such ministerial actions as are necessary to effectuate the purposes of this Ordinance.


Section 5. Should any section, paragraph, clause or any other portion of this Ordinance be adjudged by a Court of competent jurisdiction to be invalid, such judgment shall not affect or impair the remainder of this Ordinance.

Section 6. This Ordinance shall take effect upon final passage and publication as provided by law.

Introduced on: November 22, 2016

Adopted: December 28, 2016

Attest: 
Roberta M. Lang, RMC
Township Clerk

Approve: 
Ann Marie Conte
Mayor