

**ORDINANCE 2023-06**

**AN ORDINANCE OF THE BOROUGH OF CHESTER, COUNTY OF MORRIS, STATE OF NEW JERSEY AMENDING THE BOROUGH CODE OF THE BOROUGH OF CHESTER, CHAPTER 163 (LAND DEVELOPMENT PROCEDURES) ARTICLE IX (ZONING-ZONING REQUIREMENTS) SECTION 69 (SCHEDULES) SCHEDULE 1-PART 1(SCHEDULE OF LOT AREA AND BUILDING REQUIREMENTS) TO REDUCE THE SIDE AND REAR SETBACKS FOR CERTAIN ACCESSORY BUILDINGS, AND ARTICLE XII (ZONING - SIGNS) SECTION 91 (PROHIBITED SIGNS), PARAGRAPH O, TO CLARIFY THE PROHIBITION OF USING VEHICLES FOR ADVERTISING.**

**WHEREAS**, municipalities are empowered to make, amend, repeal, and enforce its ordinances pursuant to statute (N.J.S.A. 40:48-1, et seq.); and

**WHEREAS**, municipalities are required by statute to follow specific procedures for the passage of ordinances (N.J.S.A. 40:49-2 et seq.); and

**WHEREAS**, municipalities are empowered to adopt and amend land use rules and regulations for the orderly development and planning of the municipality via land use and zoning ordinances; and

**WHEREAS**, it appears to the Mayor and Council of the Borough of Chester that Chapter 163 (Land Development Procedures) Article IX (Zoning – Zoning Requirements) Section 69 (Schedules) Schedule 1 - Part 1 (Schedule of Lot Area and Building Requirements) of the Borough code is in need of amendment to reduce the required setbacks for certain accessory buildings in the RHD and RLD residential zones in the Borough of Chester; and

**WHEREAS**, as a result of vehicles with business advertisements thereon are being used to subvert the sign restrictions within the Borough of Chester, and the Mayor and Council wish to clarify such prohibited use of vehicles by amending Chapter 163 (Land Development Procedures) Article XII (Zoning – Signs) Section 91 (Prohibited Signs), Paragraph O of the Borough Code;

**NOW, THEREFORE, BE IT ORDAINED**, by the Mayor and Council of the Borough of Chester, County of Morris, State of New Jersey that the Chester Borough Code is to be amended as follows:

**Section 1.** Chapter 163 (Land Development Procedures) Article IX (Zoning – Zoning Requirements) Section 69 (Schedules) Schedule 1 - Part 1 (Schedule of Lot Area and Building Requirements) is hereby amended by adding footnote number ten (“10”) to the “Accessory Building” subheading in the “Yard Requirements” columns in the “Schedule of Lot Area, Yard and Building Requirements”, thus “Accessory Building<sup>10</sup>”, and by adding footnote 10 to the list of “NOTES” following the Schedule of Lot Area, Yard and Building Requirements, as follows:



**LEGAL NOTICE OF PENDING ORDINANCE**

Notice is hereby given that the Ordinance published herewith was introduced and passed upon first reading at a meeting of the Mayor and Council of the Borough of Chester, in the County of Morris, New Jersey, held on the 16th day of May 2023. It will be further considered for final passage after public hearing thereon, at a meeting of said Mayor and Council to be held in the Chester Borough Hall, 50 North Road, in said Borough, on June 20th, 2023 at 7:00 p.m., and during the week prior and up to and including the date of such meeting, copies of said Ordinance will be made available at the Clerk's office in said Borough Hall building to members of the general public who shall request the same.

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Robin Ghebreel, RMC, Municipal Clerk