

TOWNSHIP OF SPRINGFIELD

ORDINANCE 2017-08

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 215 OF THE TOWNSHIP CODE ENTITLED “ZONING” AND CHAPTER 164 OF THE CODE ENTITLED “SITE PLAN REVIEW” TO REGULATE ISSUES RELATED TO FARM LABOR HOUSING WITHIN THE TOWNSHIP AND TO ESTABLISH CHAPTER 89 OF THE TOWNSHIP CODE REQUIRING REGISTRATION OF SUCH HOUSING UNITS

WHEREAS, the Township of Springfield has a rich agricultural history and wishes to foster such activities; and

WHEREAS, the economic viability of farming often requires the use of year round and/or seasonal labor that requires temporary or seasonal housing on-site because of the cost of commuting, the availability of affordable housing stock and the hours and energy necessary to produce a bountiful harvest; and

WHEREAS, the Township of Springfield is empowered to regulate land uses under the provisions of the Municipal Land Use Law, N.J.S.A 40:55D-1 et seq., which authorizes municipalities to plan and regulate land use in order to protect public health, safety and welfare.

WHEREAS, the Township Council requested that the Township Planning Board review the Township Code and the Township Master Plan and determine whether or not it was appropriate and consistent to amend and supplement the Township Code to permit farm labor housing standards within certain zones in the Township; and

WHEREAS, the Planning Board performed a detailed analysis of the issue and developed recommendations which have been incorporated into this Ordinance; and

WHEREAS, the Planning Board determines that this Ordinance helps implement the farmland preservation element of the Township Master Plan; and

WHEREAS, this Ordinance amends and supplements the Township Zoning Code and Site Plan Code for consistency; and

WHEREAS, it is important for the Township is register said units on an annual basis to ensure the health, safety and welfare of the individuals residing within the units and to allow for proper notifications to the owner or agent should such notices be required;

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Township Council of the Township of Springfield, in the County of Burlington and the State of New Jersey, that Chapter 215 (“Zoning”) and Chapter 164 (“Site Plan Review”) of the Code of the Township of Springfield be and are hereby amended and supplemented as follows:

Section 1. Amending and Supplementing Chapter 215 of the Code of the Township of Springfield. Chapter 215-96 of the Township Code is amended and supplemented by renaming

the section “Permitted and Accessory Uses” and supplement the section with a new paragraph C to include the following new language:

C. Accessory Uses.

(1) Purpose

The purpose of the ordinance is to:

- (a). Support agricultural economic viability by responding to an emerging need for farm labor housing that is especially important to support the expansion of production agriculture;
- (b). Recognize the importance of farm labor housing to commercial farms, as defined in paragraph (2) of section (C);
- (c). Implement the farmland preservation element of the Township Master Plan, which contains goals related to supporting agriculture and improving the economic viability of the Township’s farms.

(2). Definitions

As used in this ordinance, the following words shall have the following meanings:

“Commercial farm” shall have the same meaning and definition as found in the New Jersey Right to Farm Act, N.J.S.A. 4:1C-3, as may be amended from time to time.

“Farm employee” means any person who earns income from employment on a commercial farm.

“Farm management unit” means a parcel or parcels of land, whether contiguous or noncontiguous, together with agricultural or horticultural buildings, structures and facilities, producing agricultural or horticultural products, and operated as a single enterprise.

“Farm Labor Housing Unit” is a new or existing single family home or duplex occupied year round by a farm employee or employees and their family members, provided at least one occupant works at least twenty-seven (27) weeks per year on the commercial farm. Family members include spouses and domestic partners, dependent adults and children. Dwelling units occupied by the commercial farm owner, his or her spouse or either of their children, parents or siblings are not farm labor housing units.

“Seasonal farm labor housing” means permanent structures occupied by farm employees who are employed during the growing season on the commercial farm where the seasonal farm labor housing is located and vacated at least 90 consecutive days during a twelve month period. Any housing occupied by the landowner or the commercial farm owner or either of their spouses, children, parents or siblings is not considered seasonal farm labor housing.

(3). PERMITTED ACCESSORY USES

(a). Farm labor housing units shall be permitted as an accessory use on commercial farms, subject to compliance with the following requirements:

- (i). The parcel where the farm labor housing unit is located must be qualified for farmland assessment after excluding the land appurtenant to the farm labor housing unit and to all other improvements;
- (ii). The unit must be a permanent structure. Mobile homes, trailers and the like are not permitted;
- (iii). Each farm labor housing unit must have its own septic system;
- (iv.) The farm labor housing unit must comply with the front, rear, side and aggregate side yard setbacks, the height limitation applicable to principal buildings and the impervious coverage and building coverage limitations in the AR-10 zone.
- (v). A minimum of fifty (50) feet of separation must be provided between farm labor housing units and between farm labor housing units and other dwellings.

(b). Seasonal farm labor housing units shall be permitted as an accessory use on commercial farms subject to compliance with the following requirements:

- (i). The parcel where the seasonal farm labor housing unit is located must be qualified for farmland assessment after excluding the land appurtenant to the seasonal farm labor housing unit and to all other improvements;
- (ii.) Each seasonal farm labor housing unit must have its own ~~well and its own~~ septic system;
- (iii). Seasonal farm labor housing units must be set back at least 150 feet from both side and rear property lines. If a twenty-five (25) foot deep landscaped buffer is provided that effectively screens the seasonal unit from the view of adjacent non-agricultural uses this setback may be reduced to seventy-five (75) feet;
- (iv.) Seasonal units must comply with the height limitation applicable to principal buildings, the impermeable cover limit and the building coverage limit applicable in the AR-10 zone;
- (v). Seasonal farm labor housing units shall observe a front yard setback of 150 feet. Foundation plantings to soften the visual impact of the building shall be required.
- (vi.) Absent a compelling agricultural purpose seasonal farm labor housing units shall be located in close proximity to other existing farm infrastructure and/or on the commercial farm's poorer quality soils.

(4). PERFORMANCE STANDARDS APPLICABLE TO FARM LABOR HOUSING UNITS

(a). The use and occupancy of farm labor housing units is limited and restricted to the individuals and family members defined in Section (2). The use and/or occupancy of a farm labor housing unit by any other persons or for any purpose other than providing year round housing for qualified farm employees and their family members on the commercial farm where they are employed is prohibited.

(b). A farm labor housing unit that fails to meet the use and occupancy standards established herein must be vacated and must remain vacant until re-qualified as hereafter provided.

(c). The unauthorized use, occupancy or failure to vacate a farm labor housing unit shall be deemed a violation by the owner of the commercial farm where the farm labor housing unit is located.

(d). Newly constructed farm labor housing units must be inspected and receive Certificates of Occupancy as provided by §67-11 et. seq. of the Township Code prior to occupancy.

(e). Existing single family homes or duplexes converted to farm labor housing units must be inspected and obtain Certificates of Continued Occupancy as provided by §150-1 et. seq. of the Township Code prior to occupancy.

(f). Farm labor housing units must be inspected and obtain Certificates of Continued Occupancy as provided by §150-1 et. seq. of the Township Code prior to a change in occupancy.

(g). In January of every year the commercial farm owner shall be required to

(i). Certify that the unit has not been leased to the employee/occupant or any other resident of the unit and that no resident of the unit enjoys the rights of a “tenant” under the Landlord/Tenant laws of the State of New Jersey and

(ii) Provide proof, through payroll records, that at least one (1) occupant of the farm labor housing unit has been employed on the commercial farm for at least twenty-seven (27) weeks of the previous twelve (12) months.

(a). New farm labor housing units – the commercial farm owner shall not be required to comply with this section until twelve (12) months after the Certificate of Occupancy or Certificate of Continued Occupancy, as the case may be, has been issued for the farm labor housing unit. Twelve (12) months subsequent to the issuance of the Certificate the commercial farm owner must provide proof, through payroll records, that at least one (1) occupant of the farm labor housing unit has been employed on the commercial farm for at least twenty-seven (27) weeks of the previous twelve (12) months. Thereafter, proof shall be provided in

January of every subsequent calendar year that the unit is occupied.

(b). Units to be vacated – The employee/occupant and all other residents must vacate the farm labor housing unit upon the employee/occupant's separation from employment on the commercial farm or because the employee/occupant failed to work the requisite number of weeks on the commercial farm.

(c). New employee/occupants of farm labor housing units – The commercial farmer shall not be required to comply with this section if the farm labor housing unit has been vacated voluntarily and in compliance with this ordinance, either due to employee/occupant's separation from employment or because an employee/occupant failed to work the requisite number of weeks on the commercial farm. Certificates of Continued Occupancy must be obtained when the farm labor housing unit is occupied by a new employee. Twelve (12) months subsequent to the issuance of that Certificate of Continued Occupancy, the commercial farmer must provide proof, through payroll records, that at least one (1) occupant of the unit has been employed on the commercial farm for at least twenty-seven (27) weeks of the previous twelve (12) months. Thereafter, proof shall be provided in January of every subsequent year.

(d). The failure or refusal of a commercial farmer to provide employment records including identification consistent with that accepted by the State of New Jersey for tax filings and Form I-9 filings, as required herein shall be a violation of this ordinance.

(e). No Certificate of Continued Occupancy and no zoning permit shall be issued for a farm labor housing unit that has been vacated due to enforcement action until the commercial farmer certifies to the Zoning Officer that he/she intends to employ the employee/occupant of the farm labor housing unit for at least twenty-seven (27) weeks of the next fifty-two (52) weeks and agrees to provide employment records to the Zoning Officer every four (4) months for the next twelve (12) months and until the January following the expiration of those twelve (12) months documenting that the employee/occupant has been continually employed on the commercial farm for more than half of the weeks since occupying the farm labor housing unit. In the event the commercial farmer fails or refuses to provide employment records as required or fails to employ the employee/occupant of the farm

labor housing unit for the requisite number of weeks the Zoning Officer shall issue a notice to vacate as provided in §8(d)(ii). and, in the event the employee/occupant and his or her family members do not vacate, file charges in the Springfield Township Municipal Court as provided in §8(d)(ii) of this ordinance.

(6). PERFORMANCE STANDARDS APPLICABLE TO SEASONAL FARM LABOR HOUSING UNITS

- (a). No seasonal farm labor housing unit shall be constructed and no existing structure shall be altered, occupied or used as a seasonal farm labor housing unit until a zoning permit authorizing such construction, alteration, occupancy or use is issued by the Zoning Officer.
- (b). The use and occupancy of seasonal farm labor housing units is limited and restricted to the individuals defined in §215-96(C)(2). The use and/or occupancy of a seasonal farm labor housing unit by any other persons or for any purpose other than providing housing for seasonal farm employees on the commercial farm where they are employed is prohibited.
- (c). The unauthorized use or occupancy of a seasonal farm labor housing unit shall be deemed a violation by the owner of the commercial farm where the housing unit is located.
- (d). The commercial farmer must maintain and produce upon the request of the Zoning Officer a list of all the occupants of the seasonal unit together with identification documentation for each occupant. The failure and/or refusal to maintain and/or provide a copy of the list upon request by the Zoning Officer shall be a violation of this ordinance.
- (e). Upon complaint or reasonable suspicion that the use or occupancy of a seasonal farm labor housing unit is not in compliance with the standards and requirements of this ordinance the Zoning Officer may require the commercial farmer to demonstrate through payroll records that some, any or all of the occupants of the seasonal unit are employed on the commercial farm.
- (f). The failure or refusal of a commercial farmer or his representative to provide the payroll records requested by the Zoning Officer shall be a violation of this ordinance. The submission of false information by the commercial farmer or his representative shall be a violation of this ordinance.
- (g). The construction, use and occupancy of seasonal farm labor housing units must comply with all applicable federal and state statutes respecting health, safety, construction and housing and all state and federal regulations governing same. The designated “responsible person” described in subsection (h) of this section shall demonstrate that the seasonal unit has passed all inspections required by the State of New Jersey.
- (h). The commercial farmer who employs the seasonal workers living in the seasonal unit must provide the name and contact information of a “responsible person” to the Zoning Officer and must post the name and contact information of that “responsible person” in a highly visible, easily accessible area of the seasonal unit. Contact information includes but is

not necessarily limited to the individual's physical and email addresses, as well as home, work, cell and fax numbers. The individual must live and work within one hour's drive of the seasonal unit and must be available twenty-four (24) hours a day, seven (7) days a week to produce records, respond to emergencies, official inquires and the like during the months that the seasonal unit is occupied. The failure or refusal of the designated "responsible person" to provide information and/or respond when summoned will be deemed a violation of this ordinance by the commercial farmer.

(8). ENFORCEMENT

- (a). The Zoning Officer shall be responsible for the enforcement of this ordinance.
- (b). The Construction Code Official shall notify the Zoning Officer of the issuance of all Certificates of Occupancy and Certificates of Continued Occupancy for farm labor housing units and seasonal farm labor housing units.
- (c). The failure or refusal of a commercial farmer to provide employment records as required herein shall create a rebuttable presumption that
 - (i). the employee/occupant of the farm labor housing unit has not been employed for the requisite number of weeks on the commercial farm, or
 - (ii). an occupant or occupants of the seasonal unit for whom employment records have not been produced are not employed on the commercial farm where the seasonal unit is located.
- (d). Enforcement Procedures - Farm Labor Housing Units:
 - (i). Upon the failure or refusal of a commercial farmer to provide employment records as required herein the Zoning Officer shall issue a notice of violation affording the commercial farmer an opportunity to produce the required records within thirty (30) days.
 - (ii). Upon the failure or refusal of a commercial farmer to provide employment records as required herein or upon a finding that the employee/occupant of the farm labor housing unit has not been employed on the commercial farm for the requisite number of weeks the Zoning Officer shall issue a notice to the commercial farmer and the employee/occupant to vacate the farm labor housing unit.
 - (iii). The notices required herein shall be sent by certified mail to the commercial farmer at the address of the commercial farm and to the employee/occupant at the address of the farm labor housing unit. Notice shall be deemed received upon mailing.
 - (iv.) If the employee/occupant and all other residents have not vacated the farm labor housing unit within forty-five (45) days of receipt of the notice to vacate the Zoning

Officer shall file charges against the commercial farmer in the Springfield Township Municipal Court for the violation of this ordinance.

(e). Enforcement Procedures – Seasonal Farm Labor Housing Units:

(i). If payroll records fail to demonstrate that one or more occupants of the seasonal unit are not employed on the commercial farm where the seasonal unit is located the Zoning Officer shall issue a notice of violation directing the commercial farmer to remove the non-employee(s) from the seasonal unit.

(ii). Upon the failure or refusal of a commercial farmer to provide employment records and/or identification documentation upon request the Zoning Officer shall issue a notice of violation affording the commercial farmer an opportunity to produce the required records within ten (10) days.

(iii). Upon the failure or refusal of a commercial farmer to produce the required records within the ten (10) day period the Zoning Officer shall issue a notice to the commercial farmer to remove all occupants of the seasonal unit whose employment on the commercial farm has not been demonstrated.

(iv). The failure or refusal of a commercial farmer to remove a non-employee from the seasonal unit shall be a violation of this ordinance. The failure or refusal of a non-employee to vacate the seasonal unit shall be deemed a violation of this ordinance by the commercial farmer.

(v). If the non-employee occupant fails or refuses to vacate or the commercial farmer fails or refuses to remove the non-employee occupant of the seasonal unit within twenty (20) days of receipt of the notice to remove, the Zoning Officer shall file charges against the commercial farmer in the Municipal Court for the violation of this ordinance.

(vi). Each non-employee occupant of a seasonal unit that is not removed or fails or refuses to vacate the seasonal unit shall be deemed a separate violation. Each day that a non-employee occupant of a seasonal unit is not removed or fails or refuses to vacate the seasonal unit shall be deemed a separate violation.

(vii). All notices required herein shall be sent by certified mail to the commercial farmer at the address of the commercial farm and shall be deemed received upon mailing.

(viii). The penalty for violations of this ordinance shall be up to \$100.00 per day each for each violation of this ordinance.

Section 2. Amending and Supplementing Chapter 164 of the Code of the Township of Springfield. Chapter 164 of the Township Code entitled “Site Plan Review” is amended and

supplemented to a new section 164-30 to be entitled “Standards Specific to Seasonal Farm Labor Housing Units” to include the following new language:

§164-30 Standards Specific to Seasonal Farm Labor Housing Units

A. Site plan review and approval shall be required for seasonal farm labor housing units but not for farm labor housing units. Seasonal Farm Labor Housing units that meet the definition of “major development” as that term is defined in §179, “Stormwater Control,” of the Township Code require preliminary and final site plan approval as provided by §164-1 et. seq. of the Township Code. Seasonal Farm Labor Housing units that do not meet the definition of “major development” as the term is defined in §179 “Stormwater Control” shall require minor site plan approval as provided herein.

B. STANDARDS AND CONDITIONS FOR MINOR SITE PLAN APPROVAL OF SEASONAL FARM LABOR HOUSING UNITS

The reviewing board shall grant minor site plan approval if the plan conforms to the following standards:

- (1) The proposal meets all use, bulk and performance standards applicable to seasonal farm labor housing units.
- (2) The proposed development does not negatively impact existing drainage facilities, wetlands, wetland buffers or other environmentally sensitive areas.
- (3) To the maximum extent practicable the plan preserves existing natural resources.
- (4) The plan provides for safe and efficient pedestrian and vehicular circulation.
- (5) The plan satisfies all applicable requirements of the Barrier Free Access Code and provides 1 parking space per every 5 beds for the unit’s maximum number of beds.
- (6) Drive aisles and parking areas must be paved or stoned. Parking spaces must be demarcated with bumper blocks. Paving or depth of stone, drive aisle widths, and parking space dimensions shall conform to the applicable Township design standards.
- (7) A grading plan that complies with the standards set forth in §185-22.
- (8) The plan complies with the requirements of all outside agencies having jurisdiction of the proposed development.
- (9) A lighting plan that provides safety and security for vehicles and pedestrians without causing off-site glare or light pollution.

C. PLAN REQUIREMENTS – MINOR SITE PLANS FOR SEASONAL FARM LABOUR HOUSING UNITS

- (1) The site plan shall be a true and accurate map drawn to a scale of not less than one inch equals 50 feet, minimum sheet size 24 inches by 36 inches, showing the proposed seasonal farm labor housing unit and the surrounding area 200 feet in all directions.
- (2) A key map, at a scale of not less than one inch equals 2,000 feet, showing where, within the Township, the seasonal farm labor housing unit will be located and its relation to major streets, water bodies and political boundaries within the area.

- (3) Certification and signature lines for the Chairman, Secretary and Engineer of the appropriate reviewing board and any other reviewing agency that has jurisdiction of the proposed development.
- (4) Reference meridian.
- (5) Applicable zoning, covenants running with the land, existing deed restrictions and the proposed use of the property shall be clearly shown or exhibited in separate documentation. If additional right-of-way is to be dedicated to the Township, a note stating: "Additional right-of-way dedicated to Springfield Township for road widening purposes" shall appear on the plan, or to the county, if a road is under its jurisdiction.
- (6) Setback dimensions shall be shown on the plan.
- (7) Existing and proposed contours with intervals of one foot where slopes are less than 15% and five feet when they are 15% or more and spot elevations where needed to show the situation properly (indicate datum).
- (8) All buildings, structures, wooded areas, easements, rights-of-way, signs, lights and paving.
- (9) Tax Map sheet, block and lot number for the farm where the seasonal farm labor housing unit will be located, and names of owners and block and lot numbers of lands within 200 feet of the farm.
- (10) Names and addresses of the record owner and the person who prepared the plan.
- (11) The site plan shall show proposed buildings or structures, including dimensions, distances from property lines, corner elevations, first floor elevation, floor areas, front, rear, and side elevations and preliminary architectural plans.
- (12) The location and arrangement of vehicular accessways including the accessway that the facility will use to access the public streets. The location, size and capacity of all parking and loading areas shall also be included.
- (13) Walkways and all other areas devoted to pedestrian use shall be clearly delineated.
- (14) A complete landscape plan, including size and type of all plants, shall be included.
- (15) Location of all utilities shall be shown, including water supply, septic systems, gas and electric services, lighting, illumination and refuse storage area.
- (16) All stormwater management facilities must be shown. The applicant shall provide soil borings in accordance with Appendix E of the New Jersey Best Management Practices to substantiate the stormwater management design. The design of stormwater management facilities shall be in accordance with Chapter 179, Stormwater Control.
 - (a). Soil testing shall be conducted in accord with N.J.A.C. 7:9A to demonstrate that adequate onsite sewage disposal system can be designed and constructed on the project site.
- (17) Parking schedule.
- (18) Pavement or other hard surface (stone) construction detail.
- (19) Locations and details of all signs.

(20) Designs and details of any structures such as retaining walls, headwalls and detention basins. The locations, dimensions, capacity and depth of underground storage tanks along with a detail showing the proposed method of anchoring.

(21) Provisions for soil erosion and sediment control.

(22) Where work is to be done in the municipal right-of-way, a detailed plan at a scale of not less than one inch equals 30 feet, showing the layout of any intersection, including driveways to a municipal road. This plan shall show the following:

(a). Existing elevations of the center line of the municipal road every 25 feet to extend 100 feet beyond the property line or intersection pavement transition.

(b). Proposed elevations of the curb, gutter and top of curb every 25 feet along the municipal road.

(c). Half cross sections every 50 feet and at critical points along the municipal road, and spot elevations of the center line, edge of pavement and proposed curblines along the municipal road.

(d). Pavement markings, signs and traffic control islands and devices.

(e). Proposed structures.

D. DOCUMENTATION REQUIREMENTS

(1) Names and addresses of record owners of tracts within 200 feet of the farm.

(2) Copies of any protective covenants, easements or deed restrictions applying to the land.

(3) Certification from the applicant stating that no record exists of a previous site plan approval which would affect the proposed application.

(4) Certification that the applicant is the owner of the property or the agent of the owner. If the applicant is not the owner of the property, the consent of the owner is required.

(5) Detailed cost estimates for the proposed construction of site improvement for bond calculation purposes.

(6) Written approval of local, county, state or federal organizations, as required.

(7) Certification from the Tax Collector that all taxes are paid to date.

(8) Annual registration of Farm Labor Housing Units to be filed with the Municipal Clerk subject to approval of the Site Plan.

SECTION 3. Chapter 89 of the Code of the Township of Springfield. Chapter 89 of the Township Code be and is hereby created to be entitled "Registration of Farm Labor Housing Units" to read as follows:

§89 Registration of Farm Labor Housing Units.

§ 89-1 REGISTRATION REQUIREMENTS.

Effective October 1, 2016, or thirty (30) days after adoption of this Ordinance, whichever shall occur sooner, the Owner of any property which contains a Farm Labor Housing Unit or Seasonal Unit ("Owner"), as defined in §215-96(C)(2) shall, within thirty (30) calendar days after the securing site plan approval for a Farm Labor Housing Unit or within thirty (30) calendar days after assuming ownership of a property which contains a Farm Labor Housing Units or Seasonal Units; or within ten (10) calendar days of receipt of notice from the municipality, file a registration statement for such Farm Labor Housing Unit or Seasonal Unit with the Township Clerk on forms provided by the Township for such purposes. Any failure to provide notice by the municipality shall not constitute grounds for failing to register the property. A creditor serving a summons and complaint in an action to foreclose on a mortgage on a property in the Township which contains a Farm Labor Housing Unit or Seasonal Unit shall, within ten (10) days of serving the summons and complaint, notify the Township Clerk that an action has been filed on a property and shall provide the creditor's contact information, and shall submit to the registration requirements detailed herein.

- A. Each property having a separate block and lot number as designated in official records of the municipality shall be registered separately.
- B. The registration statement shall include the name, street address, telephone number, and email address (if applicable) of a person twenty-one (21) years or older, designated by the Owner as the authorized agent for receiving notices of code violations and for receiving process in any court proceeding or administrative enforcement proceeding on behalf of such Owner in connection with the enforcement of any applicable code.
- C. The registration statement shall include the name, street address, telephone number, and email address (if applicable) of the firm and the actual name(s) of the firm's individual principal(s) responsible for maintaining the property. The individual or representative of the firm responsible for maintaining the property shall be available by telephone or in person on a twenty-four (24) hour per day, seven-day per week basis. The two (2) entities may be the same or different persons. Both entities shown on the statement must maintain offices in the State of New Jersey or reside within the State of New Jersey.
- D. The registration shall remain valid for one year from the date of registration except for the initial registration which shall be valid through December 31 of the year in which it was filed. The Owner shall be required to renew the registration annually as long as the property maintains a Farm Labor Housing Unit or Seasonal Unit and shall pay a registration or renewal fee of \$25.00 for each Farm Labor Housing Unit or Seasonal Unit registered.
- E. The annual renewal shall be completed by January 1st each year. The initial registration fee shall be pro-rated for registration statements received less than two (2) months prior to that date.
- F. The Owner shall notify the Clerk within fifteen (15) calendar days of any change in the registration information by filing an amended registration statement on a form provided by the Clerk for such purpose. The Owner shall have a continuing obligation to maintain true and accurate registration information with the Township.

G. The registration statement shall be deemed prima facie proof of the statements therein contained in any administrative enforcement proceeding or court proceeding instituted by the Township against the Owner of the Property.

H. The Township Manager or his designee is hereby authorized to create Township forms for the purpose of this registration provision and amend the same from time to time without further action by the Township Council.

§89-2. Enforcement and Penalty.

The Township Manager or his designee shall be the enforcement agent under this ordinance. A violation of this provision shall, upon conviction in court of competent jurisdiction, be punishable by a fine of up to \$2,000, up to 90 days community service and up to 90 days incarceration in the county jail. Each and every day the property remains unregistered shall be deemed a separate violation under this ordinance.

SECTION 4. Repealer, Severability and Effective Date.

- A. Repealer. Any and all Ordinances inconsistent with the terms of this Ordinance are hereby repealed to the extent of any such inconsistencies.
- B. Severability. In the event that any clause, section, paragraph or sentence of this Ordinance is deemed to be invalid or unenforceable for any reason, then the Township Council hereby declares its intent that the balance of the Ordinance not affected by said invalidity shall remain in full force and effect to the extent that it allows the Township to meet the goals of the Ordinance.
- C. Effective Date. This Ordinance shall take effect upon proper passage in accordance with the law.

CERTIFICATION

I HEREBY CERTIFY that the foregoing is a true copy of the ordinance that was introduced after first reading at a meeting of the Springfield Township Council held on October 11, 2017 and adopted after a public hearing at a meeting of the Springfield Township Council held on November 8, 2017.

Patricia Clayton, RMC
Township Clerk

