

TOWNSHIP OF HAMILTON  
ORDINANCE NO. 1811—2016

AMENDING ARTICLES II AND III OF CHAPTER 269, REGARDING FIVE-YEAR TAX EXEMPTIONS IN THE INDUSTRIAL BUSINESS PARK ZONE, AND CREATING ARTICLES IV THROUGH X REGARDING FIVE-YEAR TAX EXEMPTIONS AND ABATEMENTS IN THE MAYS LANDING HISTORIC DISTRICT.

**WHEREAS**, Article 8, Section 1, Paragraph 6 of the New Jersey Constitution authorizes the State Legislature to enact general laws under which municipalities may adopt ordinances granting exemptions or abatements from taxation on buildings and structures and the land on which they are situate in areas declared in need of rehabilitation.

**WHEREAS**, The State Legislature has adopted the “Five-Year Exemption and Abatement Law”, N.J.S.A. 40A:21-1 et seq., under said constitutional authority for the purpose of providing municipalities the greatest flexibility possible within the constitutional limitations to address problems of deterioration and decay while preserving the salient features of existing tax exemption and abatement programs.

**WHEREAS**, Pursuant to the “Local Redevelopment and Housing Law”, N.J.S.A. 40A:12A-1 et seq., by Resolution dated November 9, 2015, the Township of Hamilton determined that the Mays Landing Historic District is in need of rehabilitation.

**WHEREAS**, The Township of Hamilton finds and declares that a tax exemption and abatement program providing abatements and exemptions incentivizing improvements and construction within the Mays Landing Historic District to the fullest extent authorized by statute is necessary to rehabilitation of the District.

**WHEREAS**, Subject to the requirement of review for each individual project, the Township of Hamilton finds and declares that the investments incentivized will be of such a nature that they will have both short-term and long-term substantial, positive impacts on the local economy.

**WHEREAS**, The Township of Hamilton finds that the existing fees required by Articles II and III of Chapter 269 are not authorized by statute.

**WHEREAS**, The Township of Hamilton finds it advisable and necessary to create the position of Exemption and Abatement Officer to administer the exemptions and abatements provided by Articles II through X.

**WHEREAS**, the Township of Hamilton believes the certain review periods provided for in Articles II and III are of an insufficient length to ensure complete and timely review of exemption and abatement applications and that certain provisions of Article II require clarification.

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Hamilton, County of Atlantic and State of New Jersey, that:

**SECTION I. AMENDMENT OF CODE SECTION 269-7**

(a) Subsection “A” shall be amended to read as follows:

- A. Article 8, Section 1, Paragraph 6 of the New Jersey Constitution authorizes the State Legislature to enact general laws under which municipalities may adopt ordinances granting exemptions or abatements from taxation on buildings and structures and the land on which they are situate in areas declared in need of rehabilitation.

**SECTION II. AMENDMENT OF CODE SECTION 269-9**

(a) The definition of “Construction” is amended to read as follows:

***Construction***

The provision of a new dwelling, multiple dwelling, or commercial or industrial structure, or the enlargement of the volume of an existing multiple dwelling or commercial or industrial structure by more than 30%, but shall not mean the conversion of an existing building or structure to another use.

(b) The definition of “Improvement” is amended to read as follows:

***Improvement***

A modernization, rehabilitation, renovation, alteration or repair which produces a physical change in an existing building or structure that improves the safety, sanitation, decency or attractiveness of the building or structure as a place for human habitation or work, and which does not change its permitted use. In the case of a multiple dwelling, it includes only improvements which affect common areas or elements, or three or more dwelling units within the multiple dwelling. In the case of a multiple dwelling or commercial or industrial structure, it shall not include ordinary painting, repairs and replacement of maintenance items, or an enlargement of the volume of an existing structure by more than 30%. In no case shall it include the repair of fire or other damage to a property for which payment of a claim was received by any person from an insurance company at any time during the three year period immediately preceding the filing of an application pursuant to this act.

(c) A definition is added for the term “Exemption and Abatement Officer” to read as follows:

***Exemption and Abatement Officer***

The individual appointed by the Township Committee pursuant to this Article to administer the five-year exemption and abatement programs provided by this Chapter except where otherwise noted. The phrase “E&A Officer” shall mean Exemption and Abatement Officer.

**SECTION III. AMENDMENT OF CODE SECTION 269-11**

(a) The following shall be added as new subsection “E”:

E. Where a Construction Project consists of an increase in the square footage of an existing structure, but the Project coincides with Improvements to other portions of the structure, the exemption shall only apply to Construction portion of the Project and not to any increased assessment from the coinciding Improvements. For example, where an Owner adds a new wing to an existing structure and also renovates the existing structure the exemption is available for the amount the tax assessment is increased as a result of the interior, four-walled, permanent-roofed space of the new wing and everything therein but is not available for any increase in assessment arising from the renovation.

**SECTION IV. AMENDMENT OF CODE SECTION 269-12**

(a) Subsection “C(4)” shall be amended to read as follows:

C. The application shall set forth:

...

4. Plans or drawings of the Project and a narrative statement of the design of the Project sufficient to fully apprise the Township of the design and structure of the Project, which shall include but not be limited to a full working set of building and architectural plans and, where applicable, an architect or engineer-certified calculation of the volume added to an existing structure showing the existing volume in cubic feet, the volume of the addition in cubic feet, and the percentage increase in volume.

**SECTION V. AMENDMENT OF CODE SECTION 269-13**

(a) The title of § 269-13 shall be amended to read as follows:

§ 269-13      Appointment of Exemption and Abatement Officer; Submission and Approval of Application for Tax Agreement

(b) All uses of the term “Assessor” in this Section shall be replaced with the term “E&A Officer.”

(c) The text of Subsection “A” shall be deleted in full and replaced with the following:

A.      The position of Exemption and Abatement Officer is hereby created for the purpose of administering the Township’s five year exemption and abatement programs under this Chapter. The Township shall appoint the E&A Officer by resolution of the Township Committee at the annual reorganization meeting for a period of one year. The initial E&A Officer shall be appointed by resolution of the Township Committee at its first scheduled meeting following the effective date of this provision and shall serve until the next annual reorganization meeting. The compensation for the E&A Officer shall be set by ordinance.

(d) The text of Subsection “B” is deleted in full and replaced with the follow:

B.      The applicant shall submit eight (8) copies of its application materials to the E&A Officer prior to commencing physical, on-site work on the Project.

(e) Subsection “C” shall be amended to read as follows:

C.      The E&A Officer shall review the application materials within twenty (20) days of receipt. If the application appears complete on its face, the E&A Officer shall provide the application materials to the Township Committee within twenty-four (24) days of receipt. If the application appears incomplete on its face, the E&A Officer shall notify the applicant of the additional materials required within twenty-four (24) days of receipt. An applicant must correct any deficiencies noted by the E&A Officer within sixty (60) days or its application shall be deemed void; if the applicant believes its application complete, within sixty (60) days of the E&A Officer’s notice of incompleteness it may request the E&A Officer forward the application to the Township Committee in the normal course and the E&A Officer shall forward same.

## **SECTION VI. AMENDMENT OF CODE SECTION 269-20**

(a)      Subsection “B” shall be amended to read as follows:

B.      The Township Committee shall report, on or before October 1<sup>st</sup> of each year, to the Director of the Division of Local Government Services in the Department of Community Affairs and to the Director of the Division of Taxation in the Department of the Treasury the total amount of real property taxes exempted and the total amount abated within the municipality in the current tax year for each of the following:

- i.      improvements to dwellings;
- ii.     construction of dwellings;
- iii.    improvements and conversions of multiple dwellings;
- iv.    improvements of commercial or industrial structures
- v.     construction of multiple dwellings under tax agreements; and
- vi.    construction of commercial or industrial structures under tax agreements.

In the case of “v” and “vi” above, the report shall state instead the total amount of payments made in lieu of taxes according to each formula utilized by the municipality, and the difference between that total amount and the total amount of

real property taxes which would have been paid on the project had the tax agreements not been in effect, for the current year.

(b) The following shall be added as new subsection “D”:

- D. The E&A Officer shall be responsible for ensuring the Township’s compliance with the provisions of this section and any additional requirements imposed by statute.

**SECTION VII. AMENDMENT OF CODE SECTION 269-27**

(a) Subsection “D” shall be amended to read as follows:

- D. The applicant shall submit eight (8) copies of its application materials to the Tax Assessor.

(b) Subsection “E” shall be amended to read as follows:

- E. The Assessor shall review the application within twenty (20) days of receipt. The application shall be approved by the Assessor upon his or her determination that the application is consistent with the provisions of this Article, including but not limited to the limitations on the availability of exemptions provided for in § 269-26 of this Article and the Project qualifies as an Improvement under the terms of this Article and the definition of “Improvement” found in N.J.S.A. 40A:21-3.

(c) Subsection “F” shall be amended to read as follows:

- F. Within twenty-four (24) days of the Assessor’s receipt of the application, and upon his or her approval, the Assessor shall forward the application to the Township Committee.

**SECTION VIII. CREATION OF ARTICLE IV OF CHAPTER 269**

Article IV of Chapter 269 of the Township Code is hereby created and shall be as follows:

**Article IV. Five-Year Exemption Program for Construction and Improvement of Commercial and Industrial Structures in the Mays Landing Historic District**

**§ 269-35 Legislative Authority**

This Article is authorized in the manner described in Article II of this Chapter 269.

**§ 269-36 Findings and Purpose**

- A. Pursuant to the “Local Redevelopment and Housing Law”, N.J.S.A. 40A:12A-1 et seq., by Resolution dated November 9, 2015, the Township of Hamilton determined that the Mays Landing Historic District is an area in need of rehabilitation.
- B. The Township of Hamilton finds and declares that a tax exemption and abatement program to the fullest extent authorized by N.J.S.A. 40A:21-1, et seq., including for dwellings, multiple dwellings, and commercial or industrial structures will promote rehabilitation in the areas designated herein by incentivizing investment.
- C. Subject to the requirement of review for each individual project, except as explicitly stated in this Chapter, the Township of Hamilton finds and declares that the investments incentivized will be of such a nature that they will have both short-term and long-term substantial, positive impacts on the local economy.

**§ 269-37 Definitions**

As used in this Article, the definitions provided for in Article II of this Chapter 269 shall apply.

**§ 269-38 Lots for Which Exemptions & Abatements are Available**

The following Lots shall comprise the “area in need of rehabilitation” pursuant to N.J.S.A. 40A:21-3 and the Township’s Resolution of November 9, 2015, providing for same and shall be the only Lots subject to the provisions of this Article:

<b>Block</b>	<b>Lot(s)</b>
730	1-19
732	49-65; 66-82
733	1-12; 16-28
741	1-8; 15
742	1-20
743	1-16; 17.0
744	1-14
745	1-17
747	1-10
748	1-23
749	1-14 (ADD’L Lots 13, 14)
750	1.01-15
751	1-11
752	1-4
753	1-21 (ADD’L Lot 16)
754	1-3
755	4-10
756	1-6
757	1-20 (ADD’L Lot 3)
758	1-8
759	1-5
800	1-5
801	1-5; 14, 15
807	1-6
808	1-3
809	1-5, 103
979	1-5, 5
980	1
985	1-3
986	1, 2.02-9
987	2
988	1-3

**§ 269-39 Exemptions and Abatements for Commercial and Industrial Construction Projects**

The Owner or Owners of a lot identified in § 269-38 shall be entitled a tax exemption for the Construction of a Commercial or Industrial Structure under the terms and conditions established by Article II of Chapter 269 except that:

- i. The Owner or Owners shall additionally be entitled to an abatement of the land value and the value of any pre-existing structures thereon such that the Tax Agreement shall provide that the only payments to be made during the term of the agreement are as follows:
  - In the first full year after completion; no payment;
  - In the second full year after Completion; 20% of taxes otherwise due;
  - In the third full year after Completion; 40% of taxes otherwise due;

- In the fourth full year after Completion; 60% of taxes otherwise due;
  - In the fifth full year after Completion; 80% of taxes otherwise due.
- ii. The limitation set forth in § 269-11E shall not apply such that an Owner or Owners obtaining an exemption and abatement for a Construction Project based on an increase in building volume may obtain an exemption and abatement for coinciding Improvements by separate application.

**§ 269-40 Exemptions for Commercial and Industrial Improvement Projects**

The Owner or Owners of a lot identified in § 269-38 shall be entitled a tax exemption for the Improvement of a Commercial or Industrial Structure under the terms and conditions established by Article III of Chapter 269 except that:

- i. The limitation set forth in Chapter § 269-26A shall not apply such that exemptions are available for Improvements which do not increase the square footage of the structure.
- ii. The limitation set forth in Chapter § 269-26E shall not apply such that exemptions are available for Improvements regardless of the amount of the increase in the full and true assessed value of the property caused by the Improvement.

**§ 269-41 Recording and Reporting Requirements**

- A. The grant of an exemption pursuant this Article shall be recorded and made a permanent part of the official tax record of the Township, which record shall contain a notice of the termination date thereof.
- B. The Township Committee shall meet its reporting obligations under this Article by filing a report as required by §269-20 of this Chapter 269.

**§ 269-42 Effect of Amendment to Article; Automatic Expiration and Required Reauthorization**

- A. This Article may be amended from time to time.
- B. An amendment to this Article, or the adoption of an Ordinance otherwise affecting this Article, shall not affect any exemption and Tax Agreement in force prior to the adoption of the amendment.
- C. No exemption, abatement, or Tax Agreement authorized by this Article shall be applied for, entered into, or take initial effect in the eleventh tax year after this Article is first adopted or in any year thereafter. Except as provided in sub-part D of this section, any such application or Tax Agreement, exemption, or abatement shall be void *ab initio* where it is apparent on the face of the application or Tax Agreement that the exemption, abatement, or Tax Agreement would not take effect until such a year. Except as provided in sub-part D of this section, where it is not apparent on the face of the application and Tax Agreement, but the completion of the Construction or Improvement is delayed such that the exemption, abatement, or Tax Agreement will not take effect until the eleventh tax year after this Article is first adopted or thereafter, the exemption, abatement, or Tax Agreement shall be void on January 1<sup>st</sup> of said eleventh year.
- D. The provisions of this Article may be readopted by ordinance at any time during or after the tenth tax year after this Article is initially adopted. Exemptions, abatements, and Tax

Agreements which on their face will not take effect until the eleventh year after this Article is first adopted, or thereafter, shall not be void *ab initio* if the application for such exemption, abatement, or Tax Agreement is filed after the adoption of an ordinance readopting this Article. Exemptions, abatements, or and Tax Agreements which, by virtue of delayed completion of the Construction or Improvement, do not take effect until the eleventh tax year after this Article is first adopted or thereafter, shall not be void if this Article is readopted during the tenth year after this Article is initially adopted.

- E. Notwithstanding anything in this Article to the contrary, under no circumstances may an application be filed or approved for an exemption, abatement or a Tax Agreement that, on its face, would not take effect until the eleventh tax year after the application is filed.

## **SECTION X. CREATION OF ARTICLE V OF CHAPTER 269**

Article V of Chapter 269 of the Township Code is hereby created and shall be as follows:

### **Article V. Five-Year Exemption Program for Construction and Improvement of Multiple Dwellings in the Mays Landing Historic District**

#### **§ 269-43 Legislative Authority**

This Article is authorized in the manner described in Article II of this Chapter 269.

#### **§ 269-44 Findings and Purpose**

The findings and purposes of this Article shall be those set forth in § 269-36.

#### **§ 269-45 Definitions**

As used in this Article, the definitions provided for in Article II of this Chapter 269 shall apply. The following additional definitions apply:

##### ***Condominium***

A property created or recorded as a condominium pursuant to the “Condominium Act,” 46:8B-1 et seq.

##### ***Cooperative***

A housing corporation or association, wherein the holder of a share or membership interest thereof is entitled to possess and occupy for dwelling purposes a house, apartment, or other unit of housing owned by the corporation or association, or to purchase a unit of housing owned by the corporation or association.

##### ***Cost***

When used with respect to abatements for Dwellings or Multiple Dwellings, means only the cost or fair market value of direct labor and materials used in improving a multiple dwelling, or of converting another building or structure to a Multiple dwelling, or of constructing a Dwelling, or of converting another building or structure to a Dwelling, including any architectural, engineering, and contractor's fees associated therewith, as the owner of the property shall cause to be certified to the governing body by an independent and qualified architect, following the completion of the project.

##### ***Dwelling***

A building or part of a building used, to be used or held for use as a home or residence, including accessory buildings located on the same premises, together with the land upon which such building or buildings are erected and which may be necessary for the fair enjoyment thereof, but shall not mean any building or part of a building, defined as a “multiple dwelling” pursuant to the “Hotel and Multiple Dwelling Law,” 55:13A-1 et seq. A Dwelling shall include, as they are separately conveyed to individual owners, individual residences within a cooperative, if purchased separately by the occupants thereof, and individual residences within a Horizontal Property Regime or a Condominium, but shall not

include “general common elements” or “common elements” of such Horizontal Property Regime or Condominium as defined pursuant to the “Horizontal Property Act, 46:8A-1 et seq., or the “Condominium Act,” 46:8B-1 et seq., or of a Cooperative, if the residential units are owned separately.

***Horizontal Property Regime***

A property submitted to a horizontal property regime pursuant to the “Horizontal Property Act,” 46:8A-1 et seq.

***Multiple Dwelling***

A building or structure meeting the definition of “multiple dwelling” set forth in the “Hotel and Multiple Dwelling Law,” 55:13A-1 et seq., and means for the purpose of improvement or construction the “general common elements” and “common elements” of a Condominium, a Cooperative, or a Horizontal Property Regime.

**§ 269-46      Lots for Which Exemptions & Abatements are Available**

The Lots specified in Article IV of this Chapter 269 shall comprise the “area in need of rehabilitation” pursuant to N.J.S.A. 40A:21-3 and the Township’s Resolution of November 9, 2015, providing for same and shall be the only Lots subject to the provisions of this Article.

**§ 269-47      Exemptions and Abatements for a Multiple Dwelling Construction Projects**

The Owner or Owners of a lot identified in § 269-38 shall be entitled a tax exemption and abatement for the Construction of a Multiple Dwelling under the same terms and conditions established by Article IV of Chapter 269 for Commercial and Industrial Structures.

**§ 269-48      Exemptions and Abatements for a Multiple Dwelling Improvement Projects**

The Owner or Owners of a lot identified in § 269-38 shall be entitled a tax exemption for the Improvement of a Multiple Dwelling under the same terms and conditions established by Article IV of Chapter 269 for Commercial and Industrial Structures except that they shall additionally be entitled to an five-year annual abatement of the land value and the value of any pre-existing structures thereon up to twenty percent (20%) of the total cost of the Improvement.

**§ 269-49      Recording and Reporting Requirements**

- A.      The grant of an exemption pursuant this Article shall be recorded and made a permanent part of the official tax record of the Township, which record shall contain a notice of the termination date thereof.
- B.      The Township Committee shall meet its reporting obligations under this Article by filing a report as required by §269-20 of this Chapter 269.

**§ 269-50      Effect of Amendment to Article; Automatic Expiration and Required Reauthorization**

- A.      This Article may be amended from time to time.
- B.      An amendment to this Article, or the adoption of an Ordinance otherwise affecting this Article, shall not affect any exemption and Tax Agreement in force prior to the adoption of the amendment.
- C.      No exemption, abatement, or Tax Agreement authorized by this Article shall be applied for, entered into, or take initial effect in the eleventh tax year after this Article is first adopted or in any year thereafter. Except as provided in sub-part D of this section, any such application or Tax Agreement, exemption, or abatement shall be void *ab initio* where it is apparent on the face of the application or Tax Agreement that the exemption, abatement, or Tax Agreement would not take effect until such a year. Except as provided



in sub-part D of this section, where it is not apparent on the face of the application and Tax Agreement, but the completion of the Construction or Improvement is delayed such that the exemption, abatement, or Tax Agreement will not take effect until the eleventh tax year after this Article is first adopted or thereafter, the exemption, abatement, or Tax Agreement shall be void on January 1<sup>st</sup> of said eleventh year.

- D. The provisions of this Article may be readopted by ordinance at any time during or after the tenth tax year after this Article is initially adopted. Exemptions, abatements, and Tax Agreements which on their face will not take effect until the eleventh year after this Article is first adopted, or thereafter, shall not be void *ab initio* if the application for such exemption, abatement, or Tax Agreement is filed after the adoption of an ordinance readopting this Article. Exemptions, abatements, or and Tax Agreements which, by virtue of delayed completion of the Construction or Improvement, do not take effect until the eleventh tax year after this Article is first adopted or thereafter, shall not be void if this Article is readopted during the tenth year after this Article is initially adopted.
- E. Notwithstanding anything in this Article to the contrary, under no circumstances may an application be filed or approved for an exemption, abatement or a Tax Agreement that, on its face, would not take effect until the eleventh tax year after the application is filed.

**SECTION X. CREATION OF ARTICLE VI OF CHAPTER 269**

Article VI of Chapter 269 of the Township Code is hereby created and shall be as follows:

**Article VI. Five-Year Exemption Program for Construction and Improvement of Dwellings in the Mays Landing Historic District**

**§ 269-51 Legislative Authority**

This Article is authorized in the manner described in Article II of this Chapter 269.

**§ 269-52 Findings and Purpose**

The findings and purposes of this Article shall be those set forth in § 269-36.

**§ 269-53 Definitions**

As used in this Article, the definitions provided for in Articles II and V of this Chapter 269 shall apply.

**§ 269-54 Exemptions and Abatements for a Dwelling Construction Projects**

- a. The Owner or Owners of a lot identified in § 269-38 who engage in the Construction of a Dwelling shall be entitled to a five-year annual tax exemption of thirty percent (30%) of the Assessors full and true value of the Dwelling constructed.
- b. The Owner or Owners shall additionally be entitled to a five-year annual tax abatement on the value of the land and any pre-existing structures thereon of twenty percent (20%) of the total Cost of the Construction.
- c. The procedure for the application and approval of these exemptions and abatements shall be the same as set forth for Commercial or Industrial Improvements in Article III of this Chapter 269.

**§ 269-55 Exemptions and Abatements for a Dwelling Improvement Projects**

- a. The Owner or Owners of a lot identified in § 269-38 who engage in the Improvement of a Dwelling shall be entitled to a five-year annual tax exemption on the full value of the Improvement up to \$25,000.00.
- b. The Owner or Owners shall additionally be entitled to a five-year annual tax abatement on the value of the land and any pre-existing structures thereon of thirty percent (30%) of the value of the exemption.
- c. The procedure for the application and approval of these exemptions and abatements shall be the same as set forth for Commercial or Industrial Improvements in Article III of this Chapter 269.

**§ 269-56 Recording and Reporting Requirements**

- A. The grant of an exemption pursuant this Article shall be recorded and made a permanent part of the official tax record of the Township, which record shall contain a notice of the termination date thereof.
- B. The Township Committee shall meet its reporting obligations under this Article by filing a report as required by §269-20 of this Chapter 269.

**§ 269-57 Effect of Amendment to Article; Automatic Expiration and Required Reauthorization**

- A. This Article may be amended from time to time.
- B. An amendment to this Article, or the adoption of an Ordinance otherwise affecting this Article, shall not affect any exemption and Tax Agreement in force prior to the adoption of the amendment.
- C. No exemption or abatement authorized by this Article shall be applied for, entered into, or take initial effect in the eleventh tax year after this Article is first adopted or in any year thereafter. Except as provided in sub-part D of this section, any such application, exemption, or abatement shall be void *ab initio* where it is apparent on the face of the application that the exemption or abatement would not take effect until such a year. Except as provided in sub-part D of this section, where it is not apparent on the face of the application, but the completion of the Construction or Improvement is delayed such that the exemption or abatement will not take effect until the eleventh tax year after this Article is first adopted or thereafter, the exemption or abatement shall be void on January 1<sup>st</sup> of said eleventh year.
- D. The provisions of this Article may be readopted by ordinance at any time during or after the tenth tax year after this Article is initially adopted. Exemptions or abatements which on their face will not take effect until the eleventh year after this Article is first adopted, or thereafter, shall not be void *ab initio* if the application for such exemption or abatement is filed after the adoption of an ordinance readopting this Article. Exemptions or abatements which, by virtue of delayed completion of the Construction or Improvement, do not take effect until the eleventh tax year after this Article is first adopted or thereafter, shall not be void if this Article is readopted during the tenth year after this Article is initially adopted.
- E. Notwithstanding anything in this Article to the contrary, under no circumstances may an application be filed or approved for an exemption or abatement that, on its face, would not take effect until the eleventh tax year after the application is filed.

**SECTION XI. SEVERABILITY and REPEALER**

- a. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional, invalid, or enforceable by a court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

- b. Any Ordinance inconsistent with the terms of this Ordinance is hereby repealed to the extent of such inconsistency.

**SECTION XII. EFFECTIVE DATE.**

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

TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF HAMILTON,  
COUNTY OF ATLANTIC, NJ

ATTEST:

\_\_\_\_\_  
RITA MARTINO, RMC,CMR  
DEPUTY TOWNSHIP CLERK

\_\_\_\_\_  
ROGER SILVA, MAYOR

ROLL CALL: GATTO  
GUISHARD  
KURTZ  
SCHENKER  
SILVA

ORDINANCE # 1811-2016 INTRODUCED AND PASSED FIRST READING ON February 1, 2016  
ORDINANCE # 1811-2016 ADOPTED ON