

BOROUGH OF AVALON
CAPE MAY COUNTY
NEW JERSEY

ORDINANCE NO. 626-2010

AN ORDINANCE AMENDING CHAPTER 27 (ZONING) OF
THE CODE OF REVISED GENERAL ORDINANCES, 2000
REGARDING RENEWABLE ENERGY SOURCES

WHEREAS, the Planning/Zoning Board of the Borough of Avalon has recommended certain amendments to Chapter 27 (Zoning) of the Code of Revised General Ordinances, 2000 pursuant to Resolution PZ #09-H, adopted December 8, 2009 to facilitate the development of Renewable Energy Sources.

BE IT ORDAINED by the Borough Council of the Borough of Avalon in the County of Cape May and State of New Jersey as follows:

SECTION 1. Chapter 27, Section 27-3 (c), Definitions, shall be amended to include two (2) new definitions which shall read as follows:

27-3 c. Definitions.

Solar Energy System. A complete design or assembly consisting of a solar energy collector, an energy storage facility (where utilized) and components for the distribution of transformed energy.

Wind Turbine. A complete system, along with ancillary equipment, whose primary purpose is to convert wind energy into electrical power and provide for the collection, storage and distribution of same.

SECTION 2. Chapter 27, Section 27-6.1 (f), Zoning District Regulations, shall be amended to include a new subsection (6) which shall read as follows:

6. Wind Turbines, except in the P-U (Public Use) District.

SECTION 3. Chapter 27, Section 27-7.3, Supplemental Regulations, shall be amended to include a new subsection (v) which shall read as follows:

v. Solar Energy Systems. Solar Panels in conjunction with Solar Energy Systems may be situated on roof tops only and may not extend into any required yard setback areas. Solar panels may not extend past the maximum height limit of the zone. Solar energy storage units and distribution components may not occupy required yard setback areas. Solar Energy Systems are permitted in all districts except for the P-C (Public Conservation) District.

SECTION 4. REPEALER. All Ordinances or parts of Ordinances which are in conflict or inconsistent herewith are hereby repealed to the extent of such inconsistency or conflict only.

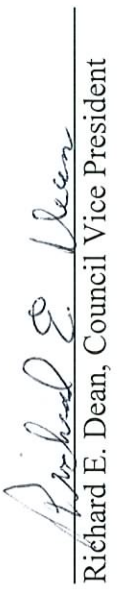
SECTION 5. SEVERABILITY. If any section, paragraph, subdivision, subsection, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, subsection, clause or provision declared invalid and the remainder of this Ordinance shall remain in full force and effect and shall be enforceable.

SECTION 6: EFFECTIVE DATE: The amendments to Chapter 27 (Zoning) shall become effective upon final passage, publication as required by law.

Motion: Councilman Ellenberg


Charles P. Covington, Council President

Seconded: Councilwoman Hudanich


Richard E. Dean, Council Vice President

Dated: February 24, 2010


David B. Ellenberg, Councilman


Amy W. Kleuskens
Borough Clerk


Nancy M. Hudanich, Councilwoman


Joseph V. Tipping, Councilman

ROLL CALL VOTE:

AYES----- Dean, Ellenberg, Hudanich, Tipping, Covington

NAYES----- None

ABSTAINING----- None

ABSENT----- None

NOTICE OF PENDING ORDINANCE

The Ordinance published herewith was introduced and passed on first reading of the Municipal Council of the Borough of Avalon on January 27, 2010. It will be further considered for final passage after public hearing thereon, at a meeting of said Municipal Council to be held in the Municipal Building in said Borough on February 24, 2010 at 7:15 o'clock P.M., and during the week prior to 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 Municipal Building to the members of the general public who shall request the same.

AMY W. KLEUSKENS
Borough Clerk

BOROUGH OF AVALON
CAPE MAY COUNTY
NEW JERSEY

ORDINANCE NO. 626-2010

NOTICE OF ADOPTION

AN ORDINANCE AMENDING CHAPTER 27
(ZONING) OF THE CODE OF REVISED GENERAL
ORDINANCES, 2000 REGARDING RENEWABLE
ENERGY SOURCES

Motion: Councilman Ellenberg


Charles P. Covington, Council President

Seconded: Councilwoman Hudanich


Richard E. Dean, Council Vice President

Dated: February 24, 2010


Amy W. Kleuskens,
Borough Clerk


David B. Ellenberg, Councilman


Nancy M. Hudanich, Councilwoman


Joseph V. Tipping, Councilman

ROLL CALL VOTE:

AYES----- Dean, Ellenberg, Hudanich, Tipping, Covington
NAYES----- None
ABSTAINING----- None
ABSENT----- None

NOTICE OF ADOPTION

The aforementioned ordinance was duly passed by the Borough Council of the Borough of Avalon, Avalon, New Jersey, on first reading at a meeting of said Council held on the 27th day of January, 2010 and was taken up for second reading, final passage and was adopted at a meeting of said Council held on the 24th day of February, 2010 in the Meeting Room of the Municipal Building, Avalon, New Jersey at 7:15 p.m. Said ordinance was approved by the Mayor on February 24, 2010.

AMY W. KLEUSKENS
Borough Clerk

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ORDINANCE NO. 626-2010

Passed by Council of the Borough of Avalon, New Jersey

February 24, 2010

Attest:  Borough Clerk

Attest:  President of Council

Presented by me to the Mayor of the Borough of Avalon,

New Jersey February 24, 2010
 Borough Clerk

Approved and signed by me February 24, 2010

 Mayor
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