

TOWNSHIP OF NEPTUNE
NOTICE OF FINAL ADOPTION OF ORDINANCE
ORDINANCE NO. 11-17

AN ORDINANCE AMENDING AND SUPPLEMENTING SECTION
411.09 OF THE LAND DEVELOPMENT ORDINANCE OF THE
TOWNSHIP OF NEPTUNE AS IT RELATES TO THE STORAGE OF
RECREATIONAL VEHICLES AND BOATS

Approved on First Reading: March 28, 2011

Approved, passed and adopted on final reading: April 11, 2011

TOWNSHIP OF NEPTUNE
NOTICE OF FINAL ADOPTION OF ORDINANCE
ORDINANCE NO. 11-18

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII OF THE
CODE OF THE TOWNSHIP OF NEPTUNE BY DELETING A
HANDICAPPED PARKING ZONE ON EMBURY AVENUE

Approved on First Reading: March 28, 2011

Approved, passed and adopted on final reading: April 11, 2011

**TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE
PUBLIC NOTICE
BOND ORDINANCE NO 11-19 STATEMENTS AND SUMMARY**

The bond ordinance, the summary terms of which are included herein, has been finally adopted by the Township Committee of the Township of Neptune, in the County of Monmouth, State of New Jersey on April 11, 2011 and the twenty (20) day period of limitation within which a suit, action or proceeding questioning the validity of such ordinance can be commenced, as provided in the Local Bond Law, has begun to run from the date of the first publication of this statement. Copies of the full ordinance are available at no cost and during regular business hours, at the Clerk's office for members of the general public who request the same. The summary of the terms of such bond ordinance follows:

Title: BOND ORDINANCE PROVIDING FOR VARIOUS ROADWAY IMPROVEMENTS, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$600,000 THEREFOR (INCLUDING A GRANTS RECEIVED OR EXPECTED TO BE RECEIVED IN THE AMOUNT OF \$279,060) AND AUTHORIZING THE ISSUANCE OF \$304,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

Purpose(s): Various roadway improvements to various roads, including but not limited to, Green Grove Road, such improvements shall include but are not limited to, as applicable, milling, paving, reconstruction and resurfacing the roadways, the repairing and/or installation of curbs, sidewalks and driveway aprons, drainage work, roadway painting, landscaping and aesthetic improvements.

Appropriation: \$600,000

Bonds/Notes Authorized: \$304,000

Grants Appropriated: \$279,060 received or expected to be received from NJDOT

Section 20 Costs: \$80,000

Useful Life: 10 years

**RICHARD J. CUTTRELL,
Clerk of the Township of Neptune**

NOTICE
ORDINANCE NO. 11-20
Township of Neptune
County of Monmouth

NOTICE is hereby given that at a regular meeting of the Township Committee of the Township of Neptune on the 11th day of April, 2011, the following Ordinance was introduced and passed on first reading.

Said Township Committee will meet on Monday, the 25th day of April, 2011, at the Neptune Municipal Complex, Township Committee Meeting Room – 2nd Floor, 25 Neptune Blvd. Neptune, New Jersey at 7:00 p.m. to further consider this ordinance for final passage and to give all interested persons an opportunity to be heard concerning this ordinance. Copies of the ordinance published herewith are available for inspection by the members of the general public who shall request same at the office of the Township Clerk located at the above address. The ordinance is also posted on the Township web site at www.neptunetownship.org.

ORDINANCE NO. 11-20

AN ORDINANCE TO AMEND VOLUME I, CHAPTER IV, SECTION 4-28 OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY AMENDING THE PROVISIONS REGULATING CLOTHING DONATION BINS

BE IT ORDAINED, by the Township Committee of the Township of Neptune that Volume I, Chapter IV, Section 4-28 of the Code of the Township of Neptune is hereby amended as follows:

4-28.1(B) Definitions - shall be amended as follows:

B. Appropriate Municipal Agency – means the Zoning Officer **or Code Enforcement Department** of Neptune Township who shall be responsible to enforce compliance with the provisions of this ordinance and issue notices and violations for non-compliance with this ordinance.

4-28.2. Requirements for Placement, Use of Clothing Bins for Solicitation Purposes - shall be amended by adding the following:

Clothing bins on any property shall be limited to a maximum of one (1) clothing bin per every fifty (50) marked parking stalls, or part thereof. In no instance shall the number of clothing bins exceed three (3) clothing bins per property.

4-28.4 Receipt, Investigation of Complaints Relative to Donations of Clothing Bin – shall be amended as follows:

A. The appropriate municipal agency or office shall receive and investigate, within thirty (30) days, any complaints from the public about an existing bin. Whenever it appears that a person has engaged in, or is engaging in any act or practice in violation of this ordinance the person who placed the bin shall be issued a warning stating that if the violation is not rectified or a hearing with the appropriate municipal agency or office is not requested within **fifteen (15) days** (was forty-five (45) days), the bin will be seized and removed at the expense of the person who placed the bin and any clothing or other donations collected via the bin will be sold at public auction or otherwise disposed of. In addition to any other means used to notify the person who placed the bin, such warning shall be affixed to the exterior of the bin itself.

B. In the event the person who placed the bin does not rectify the violation or request a hearing within **fifteen (15) days** (was forty-five (45) days) of the posting of the warning, the appropriate municipal agency or office may seize the bin and remove it or have it removed at the expense of the person who placed the bin and sell at public auction or otherwise dispose of any clothing or any other donations collected via the bin. Any proceeds from the sale of the donations collected by the bin shall be paid to the Chief Financial Officer of Neptune Township.

C. In the event that the person who placed the bin cannot be contacted after due diligence by the appropriate municipal agency and a violation of this ordinance mandates the removal of the clothing bin, the owner of the property on which the clothing bin is located shall be responsible for the removal of the clothing bin or the expense of the cost of removal by the appropriate municipal agency.

BE IT FURTHER ORDAINED, that this Ordinance shall take effect upon final adoption and publication of Notice of Adoption as required by law.

Richard J. Cuttrel,
Municipal Clerk

NOTICE
ORDINANCE NO. 11-21
Township of Neptune
County of Monmouth

NOTICE is hereby given that at a regular meeting of the Township Committee of the Township of Neptune on the 11th day of April, 2011, the following Ordinance was introduced and passed on first reading.

Said Township Committee will meet on Monday, the 25th day of April, 2011, at the Neptune Municipal Complex, Township Committee Meeting Room – 2nd Floor, 25 Neptune Blvd. Neptune, New Jersey at 7:00 p.m. to further consider this ordinance for final passage and to give all interested persons an opportunity to be heard concerning this ordinance. Copies of the ordinance published herewith are available for inspection by the members of the general public who shall request same at the office of the Township Clerk located at the above address. The ordinance is also posted on the Township web site at www.neptunetownship.org.

ORDINANCE NO. 11-21

AN ORDINANCE TO ADD VOLUME I, CHAPTER IV, SECTION 4-29
OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY
ESTABLISHING PROVISIONS FOR THE PURCHASE OF
PRECIOUS METALS AND PREVIOUSLY OWNED JEWELRY

BE IT ORDAINED, by the Township Committee of the Township of Neptune that Volume I, Chapter IV, Section 4-29 of the Code of the Township of Neptune is hereby added as follows:

SECTION 1.

4.29 – PRECIOUS METALS AND PREVIOUSLY OWNED JEWELRY

4-29.1 – Registration Required.

No person shall engage in the business of purchasing precious metals or items comprised of precious metals, gems and all forms of previously owned jewelry, either as a primary business or in connection with another business in the Township of Neptune without having first obtained a registration from the Township Mercantile Officer.

4-29.2 – Application; investigation; denial; appeal

An applicant for a registration under this chapter shall complete the application form available from the Township Mercantile Officer who shall thereafter refer such application to the Neptune Township Police Department, which shall conduct such investigation of the applicant's

background as is necessary for the protection of the public welfare. The investigation shall include, but not be limited to, a criminal background check utilizing the applicant's fingerprints. The investigation shall be concluded within thirty (30) days after receipt of the application from the applicant and the Police Department shall return the application to the Mercantile Officer with the recommendation of the Police Department as to whether the registration shall be approved or denied. If the recommendation of the Police Department is to deny the registration, then the grounds for such denial shall be stated. A recommendation of denial shall be given if the applicant has been convicted of any offense involving dishonesty, fraud, deceit, or misrepresentation. Upon receipt of the recommendation of the Police Department, the Mercantile Officer shall issue or deny the registration accordingly. Any applicant for a registration under this chapter aggrieved by a denial may appeal to the Township Committee by appeal filed in writing thirty (30) days after such denial. The Township Committee shall conduct the appeal hearing at a public meeting within thirty (30) days after receipt of a written appeal and may thereafter affirm or reverse the denial.

4-29.3 – Identification; information required.

All persons regulated by this chapter shall require any person offering an item for sale to produce two (2) forms of identification, of which one (1) form shall be a photo identification, such as a passport, driver's license, voter registration card or similar form of identification (which shall be photocopied by the registration holder) and to sign a receipt for the item for sale which shall contain the person's name, address, sex, date of birth, social security number (if used as one of the two forms of identification required above) telephone number and physical description. A prototype form for this purpose shall be available from the Mercantile Officer or Police Department. It shall be unlawful for any item regulated in this chapter to be purchased from any person under the age of eighteen (18) years.

4-29.4 – Records

All persons regulated by this chapter shall maintain records for each sale which shall contain a description of the item purchased, any identifying markings or numbers, an instant or digital picture of the item and a copy of the signed receipt referred to in Section 4-29.3 of this chapter. A registration holder pursuant to this chapter shall deliver copies of the records required in this chapter to the Police Department on the first and fifteenth day of each month. No item purchased by a registration holder pursuant to this chapter shall be sold, transferred or otherwise disposed of for a period of thirty (30) days following the purchase of such item and such item shall remain at the registration holder's place of business during such thirty (30) day period. Any item purchased by a registration holder shall be subject to inspection by the Police Department during business hours upon receipt.

4-29.5 – Fees

The application fee for the registration shall be the sum of two hundred fifty (\$250) which shall cover the cost of processing the application. Section 4-12 of this chapter shall be amended to include the following under the heading "Schedule of Additional Fees":

"P"

Precious Metals and Previously Owned Jewelry – Initial application \$250

After a registration is issued, the annual renewal fee shall be as indicated in Section 4-12.

4-29.6 – Exception to Applicability

Applicability of this Chapter shall not affect persons or entities selling items that have been purchased, manufacturers or wholesalers who are normally in the business of manufacturing and/or selling items. It also does not cover the sale of items at garage sales, special events and temporary displays and estate sales as defined by other sections of the Neptune Township Code. This Chapter does cover persons or entities purchasing items from the general public for resale or use but not where precious metals, gems and all forms of previously owned jewelry are not the primary business of the merchant and represents 20% or less of the items sold by the merchant.

4-29.7 – Violation and Penalty

Any person violating the provisions of this chapter shall be subject to the violation and penalty provisions of the Code of the Township of Neptune and each day that a violation occurs and continues under this chapter shall be deemed to be a separate violation.

SECTION 2.

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

SECTION 3.

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

SECTION 4. This Ordinance shall take effect upon its passage and publication according to law.

Richard J. Cuttrell
Municipal Clerk

NOTICE
ORDINANCE NO. 11-22
Township of Neptune
County of Monmouth

NOTICE is hereby given that at a regular meeting of the Township Committee of the Township of Neptune on the 11th day of April, 2011, the following Ordinance was introduced and passed on first reading.

Said Township Committee will meet on Monday, the 25th day of April, 2011, at the Neptune Municipal Complex, Township Committee Meeting Room – 2nd Floor, 25 Neptune Blvd. Neptune, New Jersey at 7:00 p.m. to further consider this ordinance for final passage and to give all interested persons an opportunity to be heard concerning this ordinance. Copies of the ordinance published herewith are available for inspection by the members of the general public who shall request same at the office of the Township Clerk located at the above address. The ordinance is also posted on the Township web site at www.neptunetownship.org.

ORDINANCE NO. 11-22

AN ORDINANCE TO ADD VOLUME I, CHAPTER III, SECTION 3-30 OF THE CODE OF THE TOWNSHIP OF NEPTUNE BY ESTABLISHING PROVISIONS FOR SOLICITATIONS ON ROADWAYS FOR CHARITABLE ORGANIZATIONS

BE IT ORDAINED, by the Township Committee of the Township of Neptune that Volume I, Chapter III, Section 3-30 of the Code of the Township of Neptune is hereby added as follows:

SECTION 1.

3-30 – SOLICITATIONS ON ROADWAYS

3-30.1 – When permitted.

The Township of Neptune shall permit charitable organizations as defined in N.J.S.A. 45:17A-20 to solicit contributions in roadways situate in the Township of Neptune in accordance with the provisions contained herein.

3-30.2 – Application for permit

All charitable organizations as defined in N.J.S.A. 45:17A-20 who desire to solicit contributions in roadways situate in the Township of Neptune shall file an application for a permit with the Neptune Township Police Department on a form supplied by said Police Department specifying the following information:

- A. Name of applicant organization.
- B. Address of applicant organization.
- C. Telephone number of applicant organization.
- D. Contact person of applicant organization.
- E. Specific location or locations of proposed charitable solicitation.
- F. Dates and times of proposed charitable solicitation.
- G. If said request pertains to a location or locations on any county highway, or intersection of a county highway said application shall include a copy of an authorization from the Monmouth County Board of Chosen Freeholders to permit said charitable solicitation.
- H. If said request pertains to a location or locations on any state highway, or intersection of a state highway said application shall include a copy of an authorization from the Commissioner of the Department of Transportation of the State of New Jersey to permit said charitable solicitation.
- I. Identity the manner in which the motorist solicitation will be conducted and the procedures to be used to ensure the safety of the members of the public who will be traveling the roadways situate in the Township of Neptune.

3-30.3 – Approval of denial of application.

Upon the filing of a complete application in accordance with the provisions of this chapter, the Neptune Township Police Department shall review said application and make a recommendation of approval or denial to the Municipal Clerk. The Municipal Clerk shall present same to the Township Committee of the Township of Neptune at the next regular meeting of the Township Committee or as soon thereafter as the matter may be reached for their review and consideration, after which the Township Committee shall grant or deny the applicant's request. In the event the Township Committee grants the applicant's request, the Municipal Clerk shall issue a permit to the applicant which shall be subject to the representations contained in the applicant's application and any conditions imposed by the Township Committee.

3-30.4 – Minors Prohibited

In no event shall any charitable organization requesting authorization from the Township of Neptune for said charitable solicitation use any individual under the age of eighteen (18) years of age to perform any function or task associated with the said charitable solicitation in any roadway.

3-30.5 – Compliance with state statutes required

Any charitable organization requesting authorization from the Township of Neptune for said charitable solicitation shall comply with all of the terms and conditions of N.J.S.A. 39:4-60, as amended by P.L. 1997, Chapter 82, approved April 30, 1997.

3-30.6 – Township not liable

Notwithstanding any provision of law to the contrary, the Township of Neptune shall not be liable in any civil action for damages for property damage or personal injury resulting from a motor vehicle accident arising from or out of or in the course of roadway solicitations for the purpose of soliciting contributions, conducted by charitable organizations as defined pursuant to N.J.S.A. 45:17A-20.

SECTION 2.

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

SECTION 3.

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

SECTION 4. This Ordinance shall take effect upon its passage and publication according to law.

Richard J. Cuttrell
Municipal Clerk

NOTICE
ORDINANCE NO. 11-23
Township of Neptune
County of Monmouth

NOTICE is hereby given that at a regular meeting of the Township Committee of the Township of Neptune on the 11th day of April, 2011, the following Ordinance was introduced and passed on first reading.

Said Township Committee will meet on Monday, the 25th day of April, 2011, at the Neptune Municipal Complex, Township Committee Meeting Room – 2nd Floor, 25 Neptune Blvd. Neptune, New Jersey at 7:00 p.m. to further consider this ordinance for final passage and to give all interested persons an opportunity to be heard concerning this ordinance. Copies of the ordinance published herewith are available for inspection by the members of the general public who shall request same at the office of the Township Clerk located at the above address. The ordinance is also posted on the Township web site at www.neptunetownship.org.

ORDINANCE NO. 11-23

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII OF THE
CODE OF THE TOWNSHIP OF NEPTUNE BY ADDING
HANDICAPPED PARKING ZONES ON PILGRIM PATHWAY

BE IT ORDAINED, by the Township Committee of the Township of Neptune that the Code of the Township of Neptune is hereby amended as follows:

SECTION 1

Volume I, Chapter VII, Section 7-21.2 - Handicapped Parking Spaces on Public Roads - Locations Designated, is hereby amended by adding the following:

| <u>Name of Street</u> | <u>No. of Spaces</u> | <u>Location</u> |
|-----------------------|----------------------|--|
| Pilgrim Pathway | 4 | West side of Pilgrim Pathway beginning 110 feet south of the southwest intersection of Pilgrim Pathway and Bath Avenue and continuing 95 feet. |

SECTION 2

This ordinance shall take effect upon publication in accordance with law.

Richard J. Cuttrell,
Municipal Clerk

TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE

PUBLIC NOTICE
NOTICE OF PENDING BOND ORDINANCE NO. 11-24 AND SUMMARY

The bond ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the Township Committee of the Township of Neptune, in the County of Monmouth, State of New Jersey, on April 11, 2011. It will be further considered for final passage, after public hearing thereon, at a meeting of the Township Committee to be held at Township Municipal Complex, 25 Neptune Boulevard, Neptune, New Jersey, on April 25, 2011 at 7:00 p.m. During the week prior to and up to and including the date of such meeting copies of the full ordinance will be available at no cost and during regular business hours, at the Clerk's office for the members of the general public who shall request the same. The summary of the terms of such bond ordinance follows:

Title: BOND ORDINANCE PROVIDING FOR THE WESLEY LAKE WALL RECONSTRUCTION – PHASE II, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$350,000 THEREFOR (INCLUDING A GRANT RECEIVED OR EXPECTED TO BE RECEIVED IN THE AMOUNT OF \$250,000) AND AUTHORIZING THE ISSUANCE OF \$95,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

Purpose(s): Wesley Lake Wall Reconstruction – Phase II, including but not limited to, the reconstruction of the bulkhead wall

Appropriation: \$350,000

Bonds/Notes Authorized: \$95,000

Grants Appropriated: \$250,000 grant received or expected to be received from Monmouth County Open Space Grant Program

Section 20 Costs: \$100,000

Useful Life: 15 years

RICHARD J. CUTTRELL,
Clerk of the Township of Neptune

TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE
PUBLIC NOTICE
NOTICE OF PENDING BOND ORDINANCE NO. 11-25 AND SUMMARY

The bond ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the Township Committee of the Township of Neptune, in the County of Monmouth, State of New Jersey, on April 11, 2011. It will be further considered for final passage, after public hearing thereon, at a meeting of the Township Committee to be held at

Township Municipal Complex, 25 Neptune Boulevard, Neptune, New Jersey, on April 25, 2011 at 7:00 p.m. During the week prior to and up to and including the date of such meeting copies of the full ordinance will be available at no cost and during regular business hours, at the Clerk's office for the members of the general public who shall request the same. The summary of the terms of such bond ordinance follows:

Title: BOND ORDINANCE PROVIDING FOR VARIOUS ROADWAY IMPROVEMENTS, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$400,000 THEREFOR (INCLUDING A GRANT RECEIVED OR EXPECTED TO BE RECEIVED IN THE AMOUNT OF \$244,151) AND AUTHORIZING THE ISSUANCE OF \$148,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

Purpose(s): Various roadway improvements to the entire lengths or portions, as applicable various roads, including but not limited to, reconstruction and resurfacing of Millbrook Avenue and various drainage improvements in the Brockton Estates area, such improvements shall include but are not limited to, as applicable, milling, paving, reconstruction and resurfacing the roadways, the repairing and/or installation of curbs, sidewalks and driveway aprons, drainage work, various storm drainage improvements, roadway painting, landscaping and aesthetic improvements.

Appropriation: \$400,000

**Bonds/Notes
Authorized:** \$148,000

**Grants
Appropriated:** \$244,151 TTF Grant received or expected to be received

Section 20 Costs: \$60,000

Useful Life: 10 years

**RICHARD J. CUTTRELL,
Clerk of the Township of Neptune**