

**ORDINANCE NO. 2013 - 02**

**ORDINANCE OF THE TOWNSHIP COMMITTEE  
OF THE TOWNSHIP OF BARNEGAT, COUNTY OF  
OCEAN, STATE OF NEW JERSEY, AMENDING  
AND SUPPLEMENTING SECTION 55-117 OF THE  
TOWNSHIP CODE TO REQUIRE SUBMISSION OF  
AN ENVIRONMENTAL PRELIMINARY  
ASSESSMENT AS A PART OF MAJOR  
DEVELOPMENT APPLICATIONS**

**NOW, THEREFORE, BE IT ORDAINED**, by the Township Committee of the Township of Barnegat, County of Ocean, State of New Jersey, as follows:

**SECTION 1.** The Township Committee hereby amends and supplements Section 55-117 of the Township Code, entitled "Preliminary Plat," to add the following provision as a new subsection D(4):

- (4) A Preliminary Assessment of the proposed development site is required to be submitted as part of any application for development, excluding minor site plans and minor subdivisions, which requires approval of either the Planning Board or the Zoning Board. The Preliminary Assessment shall be prepared in accordance with the protocols of the New Jersey Department of Environmental Protection, including the regulations set forth in N.J.A.C. 7:26E-3.1. The Boards may submit the Preliminary Assessment for review to the Environmental Commissions and to such other governmental bodies or agencies as it may deem appropriate. The Boards shall take the Preliminary Assessment into consideration upon its review of the development application to the fullest extent permitted by law.

**SECTION 2.** All other provisions of the Township Code, except as set forth herein, shall remain unchanged.

**SECTION 3.** All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

**SECTION 4.** If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

**SECTION 5.** This ordinance shall become effective after second reading and publication as required by law.

**NOTICE**

**NOTICE IS HEREBY GIVEN** that the foregoing ordinance was introduced and passed by the Township Committee on first reading at a meeting of the Township Committee of the Township of Barnegat held on the 18<sup>th</sup> day of March, 2013, and will be considered for second reading and final passage at a regular meeting of the Township Committee to be held on the 6<sup>th</sup> day of May, 2013 at 6:30 p.m., at the Municipal Building located at 900 West Bay Avenue, Barnegat, New Jersey, at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.




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**SHARON L. AUER**

Acting Township Clerk, Township of Barnegat

**CERTIFICATION**

I, **SHARON AUER**, Acting Township Clerk of the Township of Barnegat, do hereby certify that the foregoing ordinance was duly adopted on second reading by the Township Committee of Barnegat Township at a meeting held on the 6<sup>th</sup> day of May, 2013.



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**SHARON AUER**

Acting Township Clerk, Township of Barnegat