

TOWNSHIP OF MILLBURN

ORDINANCE NO. 2332-09

AN ORDINANCE TO AMEND AND SUPPLEMENT THE
"DEVELOPMENT REGULATIONS AND ZONING
ORDINANCE" OF THE TOWNSHIP OF MILLBURN

BE IT ORDAINED by the Township Committee of the Township of Millburn, in the County of Essex and the State of New Jersey, as follows:

Section 1. Article 3 Definitions of the Development Regulations and Zoning Ordinance of the Township of Millburn is hereby amended in its entirety to read as follows:

"ARTICLE 3

DEFINITIONS

- 300 Any word or term not defined shall be understood in the context of standard usage, or shall be understood as defined in the New Jersey Municipal Land Use Law, as amended.
- 301 Certain phrases and words are herewith defined.
- 301.1 Accessory Building, Structure or Use: A building, structure or use which is customarily associated with and is subordinate and incidental to the principal building, structure or use and which is located on the same lot therewith. An accessory building attached to the principal building shall be considered part of the principal building. See specific zone requirements for permitted accessory uses.
- 301.2 Access Point; Access Drive: The location of the intersection of a driveway with a street.
- 301.3 Addition: An extension or increase in floor area or height of a building or structure.
- 301.4 Administrative Officer: For the Planning Board, the administrative officer shall be the Municipal Engineer; for the Zoning Board of Adjustment, the administrative officer shall be the Zoning Official.
- 301.5 Alteration: As applied to a building or structure, a change or rearrangement in the structural parts or in the means of egress.

- 301.6 Ambulatory Surgery Facility: An out-patient health care facility, licensed by the State of New Jersey, which performs surgical procedures without an overnight stay, with such surgery generally requiring some form of anesthesia and with a post-surgery period of at least one hour. An ambulatory surgery facility shall not be considered to be an office or a medical office.
- 301.7 Apartment: One or more rooms with private bath and kitchen facilities comprising an independent, self-contained dwelling unit.
- 301.8 Building Coverage: The area of a lot covered by all buildings measured on a horizontal plane around the perimeter of the foundation(s) and including the area under the roof of any structure supported by columns, but not having walls, as measured around the edge of the roof above the columns. The first 2 feet of roof and building overhang projections shall be excluded.
- 301.9 Building Height: The vertical distance from the average ground elevation around the foundation to the building's highest point. The average ground elevation shall be calculated by measuring the elevation at 10 foot intervals around the perimeter of the foundation. When measuring to the highest point of the building, the following building elements are to be excluded from the height calculation: chimneys, satellite dishes and antennas, mechanical equipment, elevator towers and flag poles.
- a) The building height shall not exceed the maximum allowed in the zoning district by more than 5 feet from the lowest elevation around the perimeter of the foundation.
 - b) The excluded building elements listed above shall not exceed the permitted building height by more than twelve (12) feet, or the maximum building height specified for a particular zone by more than eight (8) feet.
 - c) Where soil or rock removal lowers the ground elevation around the perimeter of the foundation, the building height calculation shall be based on the lowered elevation.
 - d) Where fill raises the ground elevation around the perimeter of the foundation, building height calculation shall be based on the elevation as it existed prior to the use of fill.
 - e) All roof-top mechanical equipment screening shall be no higher than the equipment being screened.
- 301.10 Camper: A self-propelled vehicle built as one unit on a chassis or a vehicle built on a chassis designed to be towed by another vehicle, designed for temporary

living containing cooking, sleeping, and/or sanitary facilities; or a vehicular portable structure built on a chassis designed as a trailer with a flat top not more than 4 feet above the ground which can be converted into a temporary tent erected above the 4-foot level for camping activities. See also Trailer definition.

- 301.11 Change of Use: a change of the use category of a building or portion thereof.
- 301.12 Commercial Off Premises Outdoor Advertising Signs: Any structure or portion thereof on which lettered or pictorial matter is displayed for advertising purposes and that is located on a site other than the building or site to which the advertising relates.
- 301.13 Complete Application: Submission of an application form and checklist provided by the Township and completed by the applicant together with all accompanying documents required by this Ordinance and the Planning Board's or Zoning Board of Adjustment's Rules and Regulations for approval of the application for development, including where applicable, but not limited to, a site plan or subdivision plat. The Township's checklists are set forth in Appendix A to this Ordinance and hereby made a part hereof. The approving authority may require additional information not specified in the Ordinance, and revisions in the accompanying documents, as are reasonably necessary to make an informed decision as to whether the requirements necessary for consideration of the application for development have been met. The application shall not be deemed incomplete for lack of any such additional information or any revisions in the accompanying documents so required by the approving authority. An application shall be certified as complete immediately upon the meeting of all requirements specified in the Ordinance, the applicable checklist and the rules and regulations of the approving authority, and shall be deemed complete as of the day it is so certified by the administrative officer for purposes of the commencement of the time period for action by the approving authority.
- 301.14 Dwelling Unit: A room or series of connected rooms containing living, kitchen, sleeping, and private bath facilities for one family.
- 301.15 Dwelling, Attached: One dwelling unit in a building containing 3 or more dwelling units, with each dwelling unit extending from the ground to the roof and having individual outside access and no interior rooms or hallways shared with other dwelling units.
- 301.16 Dwelling, Multiple: A building containing more than 2 dwelling units.
- 301.17 Dwelling, Single Family: A detached building containing one dwelling unit.

- 301.18 Dwelling, Two Family: A building containing 2 dwelling units.
- 301.19 Family: A person or a group of persons occupying a dwelling unit as a single housekeeping unit. There shall be no more than 6 persons comprising said group who are not related by blood, marriage, civil union or adoption.
- 301.20 Fence: Any structure or partition enclosing a parcel of land, or dividing a parcel of land into portions, or separating contiguous lots.
- 301.21 Financial Institutions: Establishments operating primarily to provide financial services to the public on-site. Establishments providing financial services that do not primarily provide such services on site shall be deemed offices for the purposes of this Ordinance. Security and commodity brokers, dealers, exchanges and similar entities shall be considered offices, not financial institutions unless they primarily deal with the public ON SITE.
- 301.22 Floor Area Ratio Residential: The area on the first and second floors of a building computed by using the outside dimensions of the exterior walls of the building, not including basements and uninhabitable attics, compared to the total lot area. In addition, habitable attics and floors above garages shall be included in the calculation if the habitable portion is more than 50% of the area of the floor immediately below. Habitable areas shall be areas having a ceiling height greater than 6'6". Deviation from this standard shall require variance relief under MLUL 40:55D-70(d) (4).
- 301.23 Garage: A structure used to store vehicles, and other items associated with residential structures. A garage shall not include kitchen, sleeping, or private bath facilities.
- 301.24 Gross Floor Area – Non-Residential: The sum of the area of all floors of a building or structure compared to the total lot area. The area of all floors shall be computed by using the outside dimension of the exterior walls of the building or structure. Deviation from this standard shall require variance relief under MLUL 40:55D-70(c).
- 301.25 Gross Leasable Area (GLA): The total floor area designed for tenant occupancy and exclusive use, including basements, mezzanines, and upper floors, expressed in square feet and measured from the centerline of joint partitions and from outside wall faces. It is the space for which tenants pay rent, including sales areas and integral stock areas. Basement areas which are included in the lease but are nevertheless devoted exclusively to tenant storage and/or utility space shall not be included in GLA. Included in GLA is any common space that is temporarily rented or occupied by a tenant.

- 301.26 Hotel: A commercial establishment offering temporary lodging. Hotels may include accessory uses customarily associated with and incidental to such principal use, such as restaurants and other facilities for the consumption of food and beverages on the premises, public meeting rooms, retail facilities, indoor health and recreational facilities, provided that the aforesaid accessory uses shall be contained within the hotel building. Outdoor health and recreational facilities shall also be permitted as an accessory use, however, outdoor tennis courts and an outdoor swimming pool at said establishment shall not be considered in computing the gross floor area – non residential.
- 301.27 House of Worship: A church, synagogue, temple, mosque or other facility that is used for prayer and other religious observances by persons of similar beliefs and that is architecturally designed and particularly adapted for the primary use of conducting formal religious services on a regular basis.
- 301.28 Loading Space: An off-street berth on the same lot with a building or group of buildings for the temporary parking of a vehicle while loading or unloading.
- 301.29 Lot Area: The area contained within the lot lines but not including any portion of a street. The minimum lot area of a lot fronting on a street proposed to be widened in the Master Plan shall be the minimum area required for the district in which it is located plus the additional area needed for the future widening of the street.
- 301.30 Lot Coverage: That portion of the area of a lot covered by paved and/or impervious surfaces, accessory uses, buildings, or any other structure, expressed as a percentage lot area. For the purposes of this Ordinance, gravel driveways, gravel parking areas, and pavers made of brick, stone, concrete or similar materials shall be considered by be paved and/or impervious surfaces.
- 301.31 Lot Depth: The shortest horizontal distance between the front lot line and a line drawn parallel to the front lot line through the midpoint of the rear lot line.
- 301.32 Lot Frontage: The distance between the side lot lines measured along the street line. The minimum lot frontage shall be the same as the lot width except that on curved alignments with an outside radius of less than 500 feet, the lot frontage may be reduced to not be less than 75 percent of the required minimum lot width. In the case of a corner lot, the lot frontage and front yard setback shall be met from all streets.

301.33	<u>Lot Line</u> : Any line forming a portion of the exterior boundary of a lot. The front lot line is the same as the street line for any portion of a lot abutting a street. Lot lines extend vertically in both directions from ground level.
301.34	<u>Lot Width</u> : The horizontal distance between side lot lines measured at the minimum required building setback from the street line.
301.35	<u>Lot Corner</u> : A lot at the junction of, and having frontage on, 2 or more intersecting streets, or a lot bounded on 2 or more sides by the same street, provided the angle of intersection is less than 135 degrees.
301.36	<u>Major Site Plan</u> : A site plan not defined as "minor" or "exempt".
301.37	<u>Major Subdivision</u> : Any subdivision not classified as a "minor subdivision".
301.38	<u>Medical Office</u> : The office of a licensed medical or health care practitioner providing health care services to a person for the purpose of maintaining or restoring a person's physical or mental health, including but not limited to a physician, dentist, chiropractor, podiatrist, osteopath, acupuncturist, bodywork therapist, optometrist, orthotist, prosthetist, pharmacist, physician assistant, physician or surgeon, physical, occupational or speech therapist, psychologist, registered nurse, licensed practical nurse, a home health aide or nurse's aide, marriage or family therapist, massage therapist, advanced practice nurse, respiratory therapist, social worker, or somatic therapist. The term "licensed" is defined in the New Jersey Administrative Code. The medical office may include an accessory medical testing laboratory.
301.39	<u>Minor Site Plan</u> : a site plan for a development or building alteration or building addition requiring less than 10 parking spaces, containing less than 2,500 square feet of new floor area, and having less than 50% building coverage.
301.40	<u>Minor Subdivision</u> : A subdivision of land that does not involve: (a) the creation of one or more new lots; (b) a planned development; (c) any new street; or (d) the extension of any off-tract improvement, the cost of which is to be prorated pursuant to N.J.S.A. 40:55D-42.
301.41	<u>Multifamily housing development</u> : Means a building containing three or more dwelling units occupied or intended to be occupied by persons living independently of each other, or a group of such buildings.
301.42	<u>Office</u> : A place for conducting the affairs of a business, profession other than those covered by Section 301.38, service, industry or government and generally furnished with desks, tables, files and communication equipment, but where no

retail sales or retail services are offered, and no manufacturing, assembling, or fabricating takes place.

- 301.43 Parking Space: A space within a structure or in the open for parking motor vehicles. The width and length of each space shall be measured perpendicular to each other regardless of the angle of the parking space to the access aisle or driveway.
- 301.44 Portable Storage Container: Any container, storage unit or portable structure (commonly known as PODS) designed to be used on a temporary basis and without a foundation for the purpose of storing tangible property and not for occupancy by persons.
- 301.45 Principal Use: The main purpose for which any lot, structure, or building or portion thereof is used.
- 301.46 Private School: A privately owned or operated educational institution of elementary or high school grade operating as a day school and accredited by the New Jersey Department of Education. Nursery schools offering educational instruction with qualified teachers shall be considered private schools for the purpose of this Ordinance, regardless of whether they also serve as day-care centers. Day-care centers without the educational component as set forth herein for nursery schools are not to be considered as private schools.
- 301.47 Public Purpose: The use of land by a municipal, county, state, or federal agency or authority.
- 301.48 Rear Yard-Unoccupied: That portion of the rear yard not covered by driveways, parking areas, patios, sidewalks, paved surfaces, accessory uses, buildings, or any other structure on or above the surface of the land.
- 301.49 Recycling Area: The space allocated for collection and storage of source separated recyclable materials.
- 301.50 Restaurant: An establishment primarily serving food and drink for consumption at seating tables and counters on premises. Sales for off-site consumption are permitted if subordinate and incidental to the principal use.
- 301.51 Restaurant, Fast Food: An establishment whose principal business is the sale of pre-prepared or rapidly prepared food directly to the customer in a ready to consume state for consumption either within the restaurant building or off the premises.

- 301.52 Retail Food Establishment: An establishment in which food or drink is offered or prepared primarily for retail sale in packages or in bulk for off-premises consumption. Sales for on-site consumption are permitted if subordinate and incidental to the principal use.
- 301.53 Retail Sales: Establishments engaged in selling goods or merchandise to the general public for personal or household consumption and rendering services incidental to the sale of such goods.
- 301.54 Retail Services: Establishments primarily engaged in providing services involving the care of a person or his or her personal goods or apparel, such as laundry, cleaning and garment services; photographic portrait studios; beauty and barber shops; and shoe repair shops. Retail services shall not include those uses defined under "Medical Office" as defined in this Ordinance.
- 301.55 Right-of-Way: The total width and length of the course of a street, watercourse, utility alignment, or other way within which improvements and rights of access are confined.
- 301.56 Roadway: The hard or paved surface portion of a street customarily used by vehicles. Where there are curbs, the roadway includes only that portion between the curbs. Where there are no curbs, the roadway is that portion between the edges of the paved width.
- 301.57 Setback: The distance between a street line or lot line and that portion of the lot where structures are located, based on the setback requirements of this Ordinance. All setbacks from public streets shall be measured from the proposed right-of-way or as shown on the official tax map. Roof overhangs may project a maximum of 2' beyond a required setback line except as otherwise provided in this Ordinance.
- 301.58 Sight Triangle: The portion of a lot restricted in its use to assure clear sight distance for motorists.
- 301.59 Signs: Any street graphic, announcement, declaration, demonstration, billboard, display, illustration, or insignia used to promote or advertise the interests of any person, group of persons, services, or product when placed, erected, attached, painted, or printed for public viewing.
- 301.60 Site Plan Exempt:
- a) Site Plan approval shall not be required for single family and two family dwellings, unless such uses involve a home professional office.

- b) Building alterations which do not involve a change of use, additional parking, change in number of tenants or additional gross floor area – non residential shall be site plan exempt.
- c) Changes of use which require additional parking or which generate a vehicular traffic increase of more than ten percent in excess of the previous user during any of the following time periods shall not be exempt: 24 hour daily traffic, A.M. Peak Street Hour of adjacent street traffic; P.M. Peak Street Hour of adjacent street traffic; or Saturday peak hour of generator. Parking requirements shall be based on the off-street parking standards set forth in this Ordinance. Estimates of the number of vehicular trips shall be determined by use of the data and the statistics relating to use-generated traffic by the Institute of Transportation Engineers “Trip Generation Manual” 5th Edition.
- d) Changes of tenancy without a change of use shall be site plan exempt.
- e) The use and access, through, over and across lands located within the Township of Millburn in order to gain access to and from an existing or proposed nonresidential use located outside and beyond the borders and boundaries of the Township of Millburn shall not be exempt and shall require site plan review and approval consistent with the terms and standards of this Ordinance.

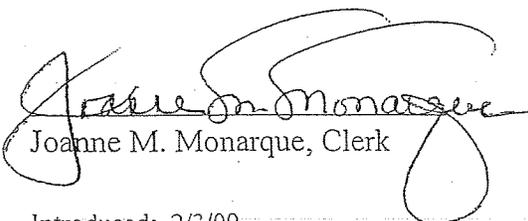
- 301.61 Story: That portion of a building between a floor and the floor or roof above it.
- 301.62 Street Graphic: Any letter, symbol, number, or display which can be seen from the right-of-way of a street, including signs, other than public information signs. Ground graphic is a street graphic erected on the ground. Wall graphic is a street graphic on the wall of a building.
- 301.63 Street Line: The edge of any street right-of-way, as proposed or shown on the official tax map.
- 301.64 Swimming Pool: As defined in the Code of the Township of Millburn as a “pool”.
- 301.65 Theaters: Buildings used for the presentation of legitimate live or recorded productions.
- 301.66 Trailer: A portable vehicular structure on a chassis which can be used as a temporary dwelling for travel, recreation, or other short-term uses and may contain kitchen, sleeping, private bath, and general living facilities. See also Camper definition.

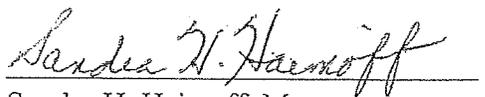
- 301.67 Utility: Services including, but not limited to, sewage treatment, water supply, gas, electricity, telephone, and cable TV.
- 301.68 Yard: Space unoccupied, except as permitted in this Ordinance, extending between any building and a lot line or street line. See also Setback definition.
- 301.69 Yard, Front: The area extending across the full width of a lot between the street line and the nearest point of the building to the street, extending to the side lot lines from such point in lines parallel or concentric to the street line. For corner lots, there shall be (two) 2 front yards. The division line for the 2 front yards shall be a line from the intersection or radius point (if applicable) of the front yard setback lines to the point of intersection (of tangents) of the street lines.
- 301.70 Yard, Rear: The area extending across the full width of a lot between the rear lot line and the nearest point of the principal building to the rear lot line, extending to the side lot lines from such point in lines parallel or concentric to the street line. See Corner Lots and Rear Yard-Unoccupied definition.
- 301.71 Yard, Side: The area lying between each side lot line and the nearest point of the principal building to each side lot line, excluding front and rear yards. For single family dwellings in the R-3 through R-6 districts, certain side yard standards relate to the height of building segments. For the purpose of this provision, the height of a building segment shall be the vertical distance from the average ground elevation to the highest portion of the building which lies between the minimum setback for building segments up to 18 feet in height, as regulated in this Ordinance. The average ground elevation shall be calculated by measuring the ground elevation at 10 foot intervals around the perimeter of the foundation of the portion of the building which lies in closest proximity to the side lot line.”

Section 2. This ordinance shall take effect after final passage and publication as provided by law.

ATTEST:

MILLBURN TOWNSHIP


Joanne M. Monarque, Clerk

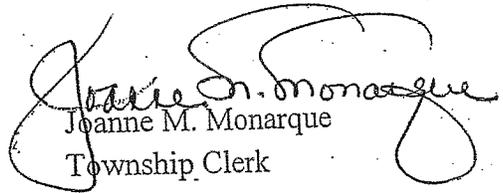
By: 
Sandra H. Haimoff, Mayor

Introduced: 2/3/09
Tabled: 3/17/09
Adopted: 4/21/09
Published: 4/30/09

CERTIFICATION

I, JOANNE M. MONARQUE, Clerk of the Township of Millburn, in the County of Essex, New Jersey, do hereby certify that the foregoing is a true and correct copy of an ordinance duly adopted by the Township Committee of said Township at a regular meeting held on the 21st day of April, 2009.

IN WITNESS WHEREOF I have hereunto set my hand and affixed the seal of said Township this 22nd day of April, 2009.


Joanne M. Monarque
Township Clerk



TOWNSHIP OF MILLBURN
ORDINANCE NO. 2338-09

AN ORDINANCE TO AMEND AND SUPPLEMENT THE DEVELOPMENT REGULATIONS AND ZONING ORDINANCE OF THE TOWNSHIP OF MILLBURN IN ORDER TO AMEND BULK CONTROLS AS TO CERTAIN PROPERTIES WITHIN THE B-3 ZONE DISTRICT.

BE IT ORDAINED by the Township Committee of the Township of Millburn as follows:

Section 1. The Development Regulations and Zoning Ordinance of the Township of Millburn, Article 6, entitled Zoning Provisions, Section 606.6.1, entitled Neighborhood Business B-3, paragraph e., entitled Area and Setback Requirements, subparagraph 2, entitled Maximums, shall be amended to read as follows:

"2. Maximums

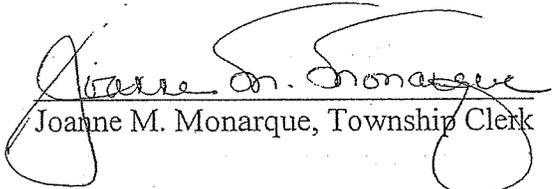
- | | |
|----------------------------|-------|
| a) Building coverage | 50% * |
| b) Floor area-ratio | .75 * |
| c) Lot coverage | .75 * |
| d) Building height-ft. | 32 |
| e) Building height-stories | 2 |

* In the area located on the south side of Millburn Avenue, between the Township of Springfield boundary and Short Hills Avenue the maximum building coverage shall be 80%, the maximum floor area ratio shall be 1.60, and the maximum lot coverage shall be 100%.

Section 2. This Ordinance shall take effect after passage and publication as required by law.

Attest:

TOWNSHIP OF MILLBURN
IN THE COUNTY OF ESSEX


Joanne M. Monarque, Township Clerk

By 
Sandra H. Haimoff, Mayor

Introduced: 4/21/09
Adopted: 5/19/09
Effective: 5/28/09

CERTIFICATION

I, Joanne M. Monarque, Clerk of the Township of Millburn, in the County of Essex, New Jersey, do hereby certify that the foregoing is a true and correct copy of an ordinance duly adopted by the Township Committee of said Township at a regular meeting held on this ¹⁴ day of *may*, 2009.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Township this ^{8th} day of *may*, 2009.


Joanne M. Monarque
Township Clerk

TOWNSHIP OF MILLBURN
ORDINANCE NO. 2333-09

AN ORDINANCE TO AMEND AND SUPPLEMENT THE
"DEVELOPMENT REGULATIONS AND ZONING
ORDINANCE" OF THE TOWNSHIP OF MILLBURN

WHEREAS, the Township Committee of the Township of Millburn is in receipt of the Year End Report of the Millburn Township Zoning Board of Adjustment which recommends in part that the notice requirements for applications on land use matters under the Development Regulations and Zoning Ordinance be amended; and

WHEREAS, the Township Committee has determined that it is in the public interest to expand the class of applications for which notice is to be given as permitted in and pursuant to the Municipal Land Use Law;

NOW THEREFORE BE IT ORDAINED by the Township Committee of the Township of Millburn, in the County of Essex and the State of New Jersey, as follows:

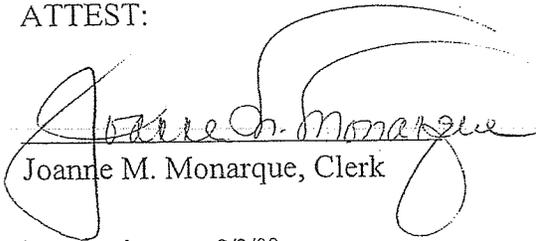
Section 1. Article 4 of the Development Regulations and Zoning Ordinance entitled "General Provisions" is hereby amended by the addition of a new Section 424 as follows:

424 Notice

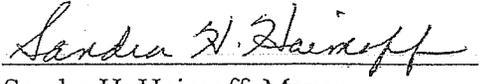
"Notice shall be given in the manner provided in N.J.S.A. 40:55D-12 for all applications requiring site plan approval and minor subdivisions as well as all others requiring notice pursuant to the Municipal Land Use Law and shall also be required for appeals from determinations of administrative officers pursuant to N.J.S.A. 40:55D-70(a), requests to the Zoning Board of Adjustment for interpretation of the zoning map or ordinance pursuant to N.J.S.A. 40:55D-70(b) and applications to the Zoning Board of Adjustment pursuant to N.J.S.A. 40:55D-68 for the issuance of a certificate certifying that a use or structure existed before the adoption of the ordinance which rendered the use or structure nonconforming."

Section 2. This ordinance shall take effect after final passage and publication as provided by law.

ATTEST:


Joanne M. Monarque, Clerk

MILLBURN TOWNSHIP

By: 
Sandra H. Haimoff, Mayor

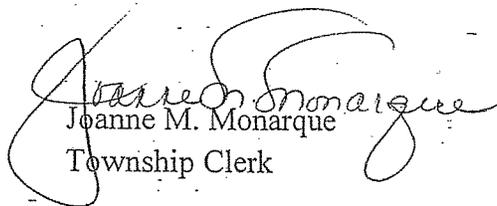
Introduced: 2/3/09
Amended: 2/24/09

Adopted: 3/17/09
Published: 3/26/09

CERTIFICATION

I, JOANNE M. MONARQUE, Clerk of the Township of Millburn, in the County of Essex, New Jersey, do hereby certify that the foregoing is a true and correct copy of an ordinance duly adopted by the Township Committee of said Township at a regular meeting held on the 17th day of March, 2009.

IN WITNESS WHEREOF I have hereunto set my hand and affixed the seal of said Township this 18th day of March, 2009.


Joanne M. Monarque
Township Clerk

**TOWNSHIP OF MILLBURN
ORDINANCE NO. 2344-09**

**AN ORDINANCE TO AMEND AND SUPPLEMENT
THE "DEVELOPMENT REGULATIONS AND ZONING ORDINANCE"
OF THE TOWNSHIP OF MILLBURN**

WHEREAS, the Township Committee of the Township of Millburn is in receipt of the 2008 Year End Report of the Millburn Township Board of Adjustment which recommends various amendments to the Development Regulations and Zoning Ordinance; and

WHEREAS, the Township Committee recognizes that this amendment to the Development Regulations and Zoning Ordinance is deemed necessary at this time to properly regulate development.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Millburn in the County of Essex and State of New Jersey as follows:

Section 1. Article 5, Section 515 entitled, "Non-Conforming Structures" of the Development Regulations and Zoning Ordinance of the Township is hereby amended to replace existing Subsection 515.1 with the following:

"515.1 Any existing structure on a nonconforming lot, or any existing structure on a conforming lot which violates any yard requirements, may have additions to the principal building or construct an accessory building without an appeal for a variance, provided the accessory building or the addition to the principal building does not violate any requirements of this Ordinance, and does not extend or increase any existing nonconformity."

Section 2. Conflicts and Severability

- a. Conflicts. All other ordinances, parts of ordinances, or other local requirements that are inconsistent or in conflict with this ordinance are hereby superseded to the extent of any inconsistency or conflict, and the provisions of this ordinance apply.
- b. Severability.
 1. This Ordinance shall be so construed as not to conflict with any provision of New Jersey or Federal law.
 2. Notwithstanding that any provision of this Ordinance may be held invalid or unconstitutional by a court of competent jurisdiction, all

remaining provisions of the Ordinance shall continue to be in full force and effect.

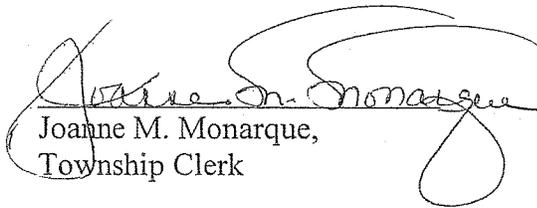
3. The provisions of this Ordinance shall be cumulative with, and not in substitution for, all other applicable zoning, planning and land use regulations.

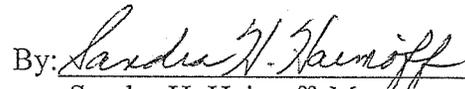
Section 3. This ordinance may be renumbered for purposes of codification.

Section 4. This ordinance shall take effect after final passage and publication as provided by law.

ATTEST:

MILLBURN TOWNSHIP


Joanne M. Monarque,
Township Clerk

By: 
Sandra H. Haimoff, Mayor

Introduced: 9/15/09
Adopted: 10/20/09

CERTIFICATION

I, Joanne M. Monarque, Clerk of the Township of Millburn, in the County of Essex, New Jersey, do hereby certify that the foregoing is a true and correct copy of an ordinance duly adopted by the Township Committee of said Township at a regular meeting held on this 20th day of October, 2009.

IN WITNESS WHEREOF I have hereunto set my hand and affixed the seal of said Township this 21st day of October, 2009.


Joanne M. Monarque
Township Clerk