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ORDINANCE NO. 2008-01
OF THE CITY OF VENTNOR CITY

AN ORDINANCE FOR PUBLIC CONTRACTING REGARDING
PAY TO PLAY REFORM BASED UPON A MODEL PROVIDED
BY CITIZENS CAMPAIGN

WHEREAS, large political contributions from those seeking to or performing business with a municipality, raises reasonable concerns on the part of taxpayers and residents as to their trust in government contracts;

WHEREAS, pursuant to N.J.S.A. 40:48-2, a municipality is authorized to adopt such ordinances, regulations, rules and by-law as necessary and proper for good government, as well as the public health, safety and welfare; and

WHEREAS, pursuant to P.L.2005, c.271., a municipality is authorized to adopt by ordinance measures limiting the awarding of public contracts to business entities that have made political contributions and limiting the contributions that the holders of a contract can make during the term of a contract; and

WHEREAS, in the interest of good government, the Mayor and Commissioners desire to establish a policy that will avoid the perception of improper influence in local elections,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Commissioners of the City of Ventnor City, in the County of Atlantic, and State of New Jersey, as follow:

Section 1. Prohibition on Awarding Public Contracts to Certain Contributors.

- (a) To the extent that it is not inconsistent with state or federal law, the City of Ventnor City and any of its purchasing agents or departments or instrumentalities of the municipality thereof, as the case may be, shall not enter into any agreement or otherwise contract to procure services from any professional business entity, including those awarded pursuant to any process including a fair and open process, if such professional business entity has solicited or made any contribution of money, or pledge of a contribution, including in-kind contributions as defined in NJAC 19:25-24.1 to (i) a campaign committee of any City of Ventnor City municipal candidate or holder of public office having ultimate responsibility for the award of a contract, or (ii) to any City of Ventnor City or Atlantic County party committee, or (iii) to any political action committee (PAC) that regularly engages in the support of municipal or county elections and/or municipal or county parties, in excess of the thresholds specified in subsection (d) within one calendar year immediately preceding the date of the contract or agreement. Nothing herein shall be construed to restrict volunteerism or membership of a political party or club.
- (b) No professional business entity or vendor who submits a proposal for, enters into negotiations for, or agrees to any contract or agreement (including non-emergency contracts awarded by 40A:11 *et seq* or the "Fair and Open" Process pursuant to 19:44A-20 *et seq* with the Municipality or any departments thereof, for the rendition of professional services, or goods and services, as the case may be, shall knowingly solicit or make any contribution of money, pledge of contribution, including in-kind contributions, to: (i) any City of Ventnor City candidate or holder of public office having ultimate responsibility for the award of a contract, or (ii) to any City of Ventnor City or Atlantic County party committee, or (iii) to any PAC that regularly engages in the support of municipal or county elections and/or municipal or county parties, between the time of first communication between that professional business entity or vendor and the municipality regarding a specific professional services agreement or goods and services agreement, as the case may be, and the later of the termination of negotiations or rejection of any proposal, or the completion of the contract or agreement.
- (c) For purposes of this ordinance, a "professional business entity" and a "vendor" seeking a public contract mean an individual including the individual's spouse, if

any, and any child living at home; person; firm; corporation; professional corporation; partnership; organization; or association. The definition of a business entity and vendor includes all principals who own 10% or more of the equity in the corporation or business trust, partners, and officers [in the aggregate] employed by the entity or vendor, as well as any subsidiaries directly controlled by the business entity or vendor.

- (d) Any individual meeting the definition of "professional business entity" or "vendor" under this section may annually contribute a maximum of \$300 each for any purpose to any candidate, for mayor or governing body, or \$300 to a local municipal party or \$500 to an Atlantic County party committee or to a PAC referenced in this ordinance, without violating subsection (a) of this section. However, any group of individuals meeting the definition of "professional business entity" or "vendor" under this section, including such principals, partners, and officers of the entity or vendor in the aggregate, may not annually contribute for any purpose in excess of \$2,500 to all City of Ventnor City candidates and officeholders with ultimate responsibility for the award of the contract, and all City of Ventnor City or Atlantic County political parties and PACs referenced in this ordinance combined, without violating subsection (a) of this section.
- (e) For purposes of this section, the office that is considered to have ultimate responsibility for the award of the contract shall be:
 - (1) The City of Ventnor City Mayor or Governing body, if the contract requires approval or appropriation from the Mayor or Governing body.
 - (2) The Mayor of the City of Ventnor City, if the contract requires approval of the Mayor, or if a public officer who is responsible for the award of a contract is appointed by the Mayor.

Section 2. Contributions Made Prior to the Effective Date.

No contribution of money or any other thing of value, including in-kind contributions, made by a professional business entity or vendor to any City of Ventnor City candidate for Mayor or Governing Body, or City of Ventnor City or Atlantic County party committee or PAC referenced in this ordinance shall be deemed a violation of this ordinance, nor shall an agreement for property, goods, or services, of any kind whatsoever, be disqualified thereby, if that contribution was made by the professional business entity or vendor prior to the effective date of this ordinance.

Section 3. Contribution Statement by Professional Business Entity and Vendor.

- (a) Prior to awarding any contract or agreement to procure services with any professional business entity and any contract or agreement to procure goods and services from a vendor, the City of Ventnor City or its purchasing agents and departments, as the case may be, shall receive a sworn statement from the professional business entity or vendor, made under penalty of perjury, that the bidder or offer or has not made a contribution in violation of Section 1 of this ordinance.
- (b) The professional business entity and vendor shall have a continuing duty to report any violations of this ordinance that may occur during the negotiation, proposal process or duration of a contract. The certification required under this subsection shall be made prior to entry into the contract or agreement with the City of Ventnor City, or prior to the provision of services or goods, as the case may be, and shall be in addition to any other certifications that may be required by any other provision of law.

Section 4. Return of Excess Contributions.

A professional business entity, vendor, or municipal candidate or officeholder, or City of Ventnor City or Atlantic County party committee or PAC referenced in this ordinance, may cure a violation of Section 1 of this Ordinance, if, within 30 days after the date on which the applicable ELEC Report is published, the professional business entity or vendor notifies the municipality in writing and seeks and receives reimbursement of the contribution from the relevant municipal candidate or officeholder, City of Ventnor City or Atlantic County political party or PAC referenced in this ordinance.

Section 5. Exemptions.

The contribution limitations prior to entering into a contract in Section 1(a) do not apply to contracts which are required by law to be awarded to the lowest bidder.

Section 6. Penalty.

- (a) It shall be a breach of the terms of the City of Ventnor City professional service agreement or agreement for goods or services for a business entity to: (i) make or solicit a contribution in violation of this ordinance; (ii) knowingly conceal or misrepresent a contribution given or received; (iii) make or solicit contributions through intermediaries for the purpose of concealing or misrepresenting the source of the contribution; (iv) make or solicit any contribution on the condition or with the agreement that it will be contributed to a campaign committee of any candidate or holder of the public office of the City of Ventnor City; (v) engage or employ a lobbyist or consultant with the intent or understanding that such lobbyist or consultant would make or solicit any contribution, which if made or solicited by the business entity itself, would subject that entity to the restrictions of this ordinance; (vi) fund contributions made by third parties, including consultants, attorneys, family members, and employees; (vii) engage in any exchange of contributions to circumvent the intent of this ordinance; or (viii) directly or indirectly, through or by any other person or means, do any act which would subject that entity to the restrictions of this ordinance.

- (b) Furthermore, any professional business entity who violates (a) ii-viii shall be disqualified from eligibility for future City of Ventnor City contracts for a period of four calendar years from the date of the violation.

Section 7. Severability.

If any provision of this Ordinance, or the application of any such provision to any person or circumstances, shall be held invalid, the remainder of this Ordinance to the extent it can be given effect, or the application of such provision to persons or circumstances other than those to which it is held invalid shall not be affected thereby, and to this extent the provisions of this Ordinance are severable.

Section 8. Repealer.

All ordinances or parts of ordinances which are inconsistent with any provisions of this ordinance are hereby repealed as to the extent of such inconsistencies.

Section 9. Effective Date.

This Ordinance shall take effect upon adoption and publication according to law.

First Reading: January 17, 2008

Publication: January 21, 2008

Final Reading
& Adoption: February 7, 2008

**ORDINANCE NO. 2008-2
OF THE CITY OF VENTNOR**

ESTABLISHING 2008 SALARIES, COMPENSATION AND SALARY RANGES OF OFFICERS AND EMPLOYEES OF THE CITY OF VENTNOR CITY AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES HERETOFORE ADOPTED, THE PROVISIONS OF WHICH ARE INCONSISTENT HEREWITH.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF VENTNOR CITY, COUNTY OF ATLANTIC, STATE OF NEW JERSEY that:

SECTION I. The following Schedule of Compensation shall be in effect in the City of Ventnor City and all officers and employees shall be paid in accordance with the schedule set forth in Section III hereof.

SECTION II. Titles of officers or positions that have been classified heretofore pursuant to recommendations of the New Jersey Department of Personnel shall be used in accordance with the terms enumerated in said schedule so far as practicable, and any salary herein authorized in excess of any minimum, intermediate or maximum rate of compensation heretofore authorized by Ordinance to that extent only.

SECTION III. The following shall constitute the schedule of salary ranges and compensation referred to hereinabove:

DP CODE	TITLE	SALARY RANGE	
		FROM	TO
00001	Account Clerk	\$19,300	\$59,200
00003	Account Clerk Typing	\$19,300	\$59,200
	Attendants-Fishing Pier	\$5.25/hr	\$9.50/hr
	Attendants-Golf, Tennis	\$5.25/hr	\$10.70/hr
	Beach Cleaner	\$5.25/hr	\$9.50/hr
	Beach Fee Checker	\$5.25/hr	\$9.50/hr
00929	Building Maintenance Worker	\$15,000	\$32,750
06096	Bldg. Sub-Code Off/Construction Official	\$20,000	\$88,500
	Captain, Beach Patrol	\$9.50/hr	\$27.05/hr
00970	Carpenter	\$20,000	\$51,200
07451	Chief Financial Officer	\$24,000	\$91,100
	Chief, Beach Patrol	\$13.50/hr	\$32.00/hr
01228	City Attorney	\$60.00/hr	\$135.00/hr
01229	City Clerk	\$24,000	\$94,600
01268	Clerk Typist	\$15,000	\$43,400
01290	Commissioner	\$7,500	\$10,000
01296	Communications Operator	\$24,525	\$51,900
06229	Communications Operator Trainee	\$24,525	\$51,900
01506	Deputy Fire Chief	\$61,400	\$107,250
01509	Deputy Municipal Clerk	\$15,000	\$63,700
07796	Deputy Municipal Ct Administrator	\$15,000	\$41,000
06902	Draftsman	\$24,000	\$39,400
	Driving Range Manager	\$10,000	\$18,630

05056	Electrical Sub-Code Official	\$3,000	\$16,975
01706	Electrician	\$15,000	\$36,100
01746	Equipment Operator	\$15,000	\$48,800
01749	Equipment Operator/Beach Maintenance	\$15,000	\$48,800
01771	Equipment Operator/Sweeper	\$15,000	\$45,600
01836	Fire Captain	\$61,000	\$98,550
01837	Fire Chief	\$61,000	\$125,960
01839	Fire Fighter	\$27,800	\$83,010
01843	Fire Lieutenant	\$57,700	\$88,100
05013	Fire Protection Sub-Code Official	\$7,500	\$14,000
01881	Garage Superintendent	\$20,000	\$62,475
06818	General Supervisor Traffic Maintenance	\$15,000	\$61,200
02071	Housing Inspector	\$15,000	\$56,560
	Instructor, Beach Patrol	\$9.50/hr	\$21.00/hr
02219	Judge, Municipal Court	\$15,000	\$31,000
02248	Laborer	\$15,000	\$40,700

DP CODE	TITLE	SALARY RANGE	
		FROM	TO
	Lieutenant, Beach Patrol	\$9.50/hr	\$21.00/hr
02297	Lifeguard	\$9.50/hr	\$15.45/hr
02428	Mayor	\$8,500	\$12,000
02434	Mechanic	\$23,900	\$60,100
02456	Mechanic's Helper	\$15,000	\$34,400
02519	Municipal Administrator	\$25,000	\$85,000
07795	Municipal Court Administrator	\$20,000	\$58,100
05079	Municipal Emergency Management Coord.	\$15,000	\$91,920
02531	Municipal Engineer	\$40,000	\$116,000
	Network Administrator	\$30,000	\$43,000
07305	Parking Enforcement Officer	\$20,600	\$32,500
02604	Park Maintenance Worker	\$15,000	\$44,200
	Piermaster	\$250/wk	\$485/wk
05056	Plumbing Sub-Code Official	\$3,000	\$17,100
02718	Police Captain	\$69,984	\$94,365
02719	Police Chief	\$77,000	\$110,565
02727	Police Lieutenant	\$64,650	\$85,785
	Police Lieutenant, Assigned Detective	\$69,984	\$94,365
02728	Police Officer	\$26,592	\$70,895
	Police Officer, Assigned Detective	\$59,723	\$77,985
02729	Police Officer Bilingual in Spanish/Eng.	\$26,592	\$70,895
02739	Police Sergeant	\$59,723	\$77,985
	Police Sergeant, Assigned Detective	\$64,650	\$85,785
	Prosecutor	\$10,000	\$33,100
02736	Public Works Superintendent	\$15,000	\$90,200
02495	Pumping Station Operator	\$17,050	\$53,800
05674	Receptionist/Telephone Operator Typing	\$15,000	\$43,200
02993	Recreation Leader (Director)	\$6,000	\$72,425
02995	Recreation Leader Arts & Crafts	\$12,000	\$33,500
04440	Recreation Leader Tennis	\$200/wk	\$460/wk

03125	School Traffic Guard	\$20.00/day	\$45.00/day
03154	Secretary to the Mayor	\$15,000	\$45,800
03679	Sewer Equipment Operator	\$33,900	\$52,100
05875	Sewer Repairer/Water Repairer	\$31,400	\$56,500
05945	Sewer Superintendent/Water Superintendent	\$25,000	\$75,850
06895	Special Law Enforcement Officer	\$5.25/hr	\$15.00/hr
03805	Street Sweeper	\$15,000	\$44,300
07338	Supervising Maintenance Repairer	\$20,000	\$62,500
06724	Supervising Mechanic	\$15,000	\$61,300
06654	Supervisor of Roads	\$15,000	\$58,200
06707	Supervisor Sewer/Supervisor Water	\$15,000	\$75,850
04120	Tax Assessor	\$15,000	\$30,450
04124	Tax Collector	\$24,000	\$73,600
04189	Traffic Maintenance Worker	\$15,000	\$60,100
05742	Water Meter Reader/Water Meter Repairer	\$31,400	\$56,500

SECTION IV. The compensation indicated above shall be the maximum basic salary per annum within said title, payable in biweekly installments, exclusive of longevity.

SECTION V. The salaries and all rights contained in this Ordinance shall be effective as of January 1, 2008.

SECTION VI. Members of the Ventnor City Police Department and Ventnor City Fire Department will be granted one (1) working day of sick leave per month during the remainder of the first calendar year of employment after initial appointment and fifteen (15) working days of sick leave annually thereafter, or at one half of that rate while working 24 hour shifts, cumulative to the date of retirement. The maximum payment for accumulated sick leave at retirement is limited as specified in the respective employment agreements.

Members of the Ventnor City non-uniform departments will be granted one (1) working day of sick leave per month during the remainder of the first calendar year of employment after initial appointment and fifteen (15) working days of sick leave annually thereafter, cumulative to the date of retirement. Payment shall be calculated based upon the employee's base rate of salary at the termination date of employment, provided that the employee has completed at least twenty (20) years of service. The maximum payment for accumulated sick leave at retirement is limited as specified in the respective employment agreement.

SECTION VII. All permanent, non-uniform, non-contractual, full time employees shall be entitled to the same rights, privileges and benefits including but not limited to longevity, holidays, personal days, vacations, sick leave, maternity leave, jury duty, bereavement leave, leave of absence, educational leave and health insurance as set forth in the current labor contract of the non-uniform Public Works Employees.

All non-uniform employees shall be entitled to health and hospitalization coverage in the City's insurance program if employed as a full time employee. As of January 1, 1996, an employee must have ten (10) years of continuous service with the City of Ventnor City to be eligible for participation in the City's Group Health Insurance plan upon retirement. A full time employee is defined for this section as being employed in a Department of Personnel title set forth within this Ordinance, working no less than thirty-five (35) hours per week and employed for more than ninety (90) consecutive business days.

SECTION VIII. Should death occur during employment to any employee with twenty (20) years or more service to the City of Ventnor City, all benefits accrued by said employee shall be payable to said employee's estate.

SECTION IX. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION X. Reimbursement for business related travel shall be calculated at the standard mileage rate then in effect as determined and published from time to time by the Internal Revenue Service.

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

SECTION XII. This Ordinance shall take effect immediately upon final passage, approval, and publication as required by law.

FIRST READING: January 17, 2008

PUBLICATION: January 21, 2008

PUBLIC HEARING
& ADOPTION February 7, 2008

ORDINANCE NO. 2008-03

**AN ORDINANCE AMENDING AND SUPPLEMENTING
THE NORTHEAST VENTNOR REDEVELOPMENT PLAN
(CHAPTER 180A)**

WHEREAS, and pursuant to Ordinance No 2001-6, the City of Ventnor City adopted and otherwise implemented the Northeast Ventnor Redevelopment Plan as defined in a booklet prepared by Schoor Depalma and Associates, Final Draft dated July 26, 2001, which adoption is codified in Chapter 180A of the Code of the City of Ventnor City captioned "Redevelopment Plans ; and

WHEREAS, in accordance with Ordinance No 2007-14 of the City of Ventnor City, said Plan was revised in accordance with recommendations provided by the Ventnor City Planning Board and accepted by the Governing Body; and

WHEREAS, a request has been formally made to the Governing Body by the Property Owner of Lots 2, 3, and 19 in Block 96 to include said properties within the Commercial/Mixed Use Zoning District of said Redevelopment Plan; and

WHEREAS, said request was forwarded to the Municipal Planning Board for their consideration at their January 09, 2008 Public Meeting; and

WHEREAS, the Municipal Planning Board has determined that the inclusion of said properties within the Commercial/Mixed Use Zoning District would not be inconsistent with the intent and purpose of the Redevelopment Plan; and

WHEREAS, the Municipal Planning Board has recommended that the Redevelopment Plan be amended to include said lots within the Commercial/Mixed Use District.

NOW, THEREFORE, BE IT ORDAINED that the Northeast Ventnor Redevelopment Plan is hereby amended as follows:

SECTION I. The Land Use Plan of the Northeast Ventnor Redevelopment Plan dated October 2007 be amended to include Lots 2, 3, and 19 in Block 96 within the Commercial/Mixed Use Zoning District

SECTION II. The Municipal Engineer is hereby directed to amend said Land Use Plan and placed on file in the Office of the Municipal Clerk

SECTION III. All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION IV. Should any section, clause, sentence, phrase, provision, or application of the Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, such a decision shall not affect, impair, or invalidate the remaining portions of this Ordinance.

SECTION V. This Ordinance shall take effect on final passage, approval, and publication.

FIRST READING: January 17, 2008

PUBLICATION: January 21 & 26, 2008

PUBLIC HEARING
& ADOPTION:

February 7, 2008

CITY OF VENTNOR CITY, NEW JERSEY

ORDINANCE No. 2008-04

**2008 "CAP" ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATIONS LIMITS AND TO
ESTABLISH A CAP BANK FOR THE CALENDAR YEAR 2008
(N.J.S.A. 40A: 4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

WHEREAS, the Cost of Living Adjustment (COLA) for 2008 has been certified by the Director of the Division of Local Government Services in the Department of Community Affairs as 5%; and,

WHEREAS, the Board of Commissioners of the City of Ventnor City in the County of Atlantic finds it advisable and necessary to increase its calendar year 2008 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Board of Commissioners hereby determines that a 3.5% increase in the budget for said year, amounting to \$168,713.88 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Board of Commissioners hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to the final appropriation in either of the next two succeeding years.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the City of Ventnor City, County of Atlantic, New Jersey, a majority of the full authorized membership of the governing body affirmatively concurring, that, in the calendar year 2008 budget year, the final appropriations of the City of Ventnor City shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased to 3.5%, amounting to \$168,713.88, and that the calendar year 2008 municipal budget for the City of Ventnor City be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within five (5) days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with the Director within five (5) days after such adoption.

First Reading: March 06, 2008

Publication: March 10, 2008

Final Reading
& Adoption: March 20, 2008

ORDINANCE No. 2008-05

**AN ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER 214 - VEHICLES AND TRAFFIC
OF THE CODE OF THE
CITY OF VENTNOR CITY**

BE IT ORDAINED by the Board of Commissioners of the City of Ventnor City that **Schedule VIII - One-Way Streets** of Chapter 214 of the Code of the City of Ventnor City shall be amended and supplemented as follows:

SECTION I. Section 214-36. Schedule VIII - One-Way Streets. The following is deleted:

Name of Street	Direction of Travel	Limits
Newark Avenue	South	From Ventnor Gardens Plaza to Atlantic Ave

SECTION II. Section 214-36. Schedule VIII - One-Way Streets. The following are added::

Name of Street	Direction of Travel	Limits
Newark Avenue	South	From Monmouth Avenue to Atlantic Avenue
Newark Avenue	North	From Monmouth Avenue to Ventnor Gardens Plaza

SECTION III. All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

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

SECTION V. This Ordinance shall take effect on final passage, approval, and publication.

First Reading March 06, 2008

Publication March 10, 2008

Public Hearing March 20, 2008 & April 3, 2008

Motion to Hold
Adoption Held: April 3, 2008

Adopted May 29, 2008

ORDINANCE No. 2008-06

AN ORDINANCE AMENDING & SUPPLEMENTING CHAPTER 214
VEHICLES AND TRAFFIC OF THE CODE OF THE CITY OF VENTNOR CITY

BE IT ORDAINED by the Board of Commissioners of the City of Ventnor City that **Schedule I - No Parking** of Chapter 214 of the Code of the City of Ventnor City shall be amended and supplemented as follows:

SECTION I. Section 214-29. Schedule I: No Parking. The following is deleted:

Name of Street	Side	Location
Monmouth Ave	South	From Dudley Ave to Oxford Ave

SECTION II. Section 214-29. Schedule I: No Parking. The following is added:

Name of Street	Side	Location
Monmouth Ave	South	From Dorset Ave to Oxford Ave

SECTION III. All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

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

SECTION V. This Ordinance shall take effect on final passage, approval, and publication.

First Reading: May 1, 2008

Publication: May 5, 2008

Public Hearing
& Adoption: May 15, 2008

ORDINANCE NO. 2008-08

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 158
OF THE CODE OF THE CITY OF VENTNOR CITY
ARTICLE II, MAINTENANCE OF VACANT LOTS

BE IT ORDAINED by the Board of Commissioners of the City of Ventnor City that Chapter 158, Article II of the Code of the City of Ventnor City shall be amended and supplemented to read as follows:

SECTION I. Section 158-4. Findings shall be amended and supplemented to add a second paragraph as follows:

158-4. Findings.

Lots shall be kept at the proper grade level, clear from all debris and maintained with one of the following acceptable coverings:

- A. Top soil, seeded with grass cut on a regular basis.
- B. Clean, processed shells or stones placed at grade level or even with sidewalk to prevent the spreading of shells onto sidewalks or adjacent properties.

Section 158-5 shall be amended and supplemented to read as follows:

- A. Upon examination by the appropriate municipal official of the City of Ventnor City there is determined a need for or application of erosion control measures or the cutting, shearing or removal of vegetation on said vacant lands, an appropriate notice shall be immediately forwarded by the Ventnor City Code Official.
- B. If the work is not completed, the City of Ventnor City will then have the authority to perform the work and assess the lot owners for the work performed.
- C. The assessment shall be based upon the cost for labor and materials which the City has incurred as a result of that work.
- E. Notwithstanding the cost assessed against the property for the work performed on lots under this article, the City of Ventnor City shall have the right to file an ordinance violation against the property owner for failure to maintain the property. Any violation of the provisions of this article shall be subject to a prosecution in the Ventnor City Municipal Court and shall be subject to a fine not to exceed \$1,000.

SECTION II. All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

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

SECTION IV. This Ordinance shall take effect on final passage, approval, and publication.

First Reading June 19, 2008

Publication June 23, 2008

Public Hearing
& Adoption July 17, 2008

ORDINANCE NO. 2008-09

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 158 - 1C
ENTITLED NUISANCES OF THE CODE OF THE CITY OF VENTNOR CITY TO
PROHIBIT THE USE OF GRASS/LEAF BLOWERS EXCEPT IF GRASS OR LEAVES
ARE BLOWN INTO PILES, PICKED UP, BAGGED & CARTED AWAY**

BE IT ORDAINED by the Board of Commissioners of the City of Ventnor City that Section 158-1C. of the Code of the City of Ventnor City shall be amended and supplemented to read as follows:

SECTION I. Section 158-1C. Grass blowers and leaf blowers shall hereinafter be prohibited for use in the City of Ventnor City, New Jersey, except in such instances where the grass or leaves are blown into piles on the property being cut, and immediately vacuumed or manually picked up, bagged and carted away. At no time shall grass or leaves be blown or allowed to be strewn on any private property or public sidewalks, gutters or streets.

SECTION II. All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

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

SECTION IV. This Ordinance shall take effect on final passage, approval, and publication.

First Reading June 19, 2008

Publication June 23, 2008

Public Hearing
& Adoption July 17, 2008

ORDINANCE NO.2008-10

AN ORDINANCE LIMITING EMINENT DOMAIN

WHEREAS, the City of Ventnor is opposed to the use of eminent domain for private gain; and

WHEREAS, the City further wishes to reserve the right to use eminent domain for legitimate projects which serve the public purpose and use.

NOW THEREFORE, BE IT ORDAINED by the Board of Commissioners of the City of Ventnor City, County of Atlantic, New Jersey as follows:

SECTION I. The City of Ventnor shall not take by eminent domain any property for the purpose of transferring the same to a private individual or developer for resale or profit.

SECTION II. The City of Ventnor reserves the right to use eminent domain for a valid public purpose and public use upon the payment of just compensation. Such traditional uses include but are not limited to expansion of streets, city facilities and other legitimate purposes.

SECTION III. All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION IV. Should any section, clause, sentence, phrase, provision, or application of the Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, such a decision shall not affect, impair, or invalidate the remaining portions of this Ordinance.

SECTION V. This Ordinance shall take effect on final passage, approval and publication.

First Reading June 19, 2008

Publication June 23,2008

Public Hearing
& Adoption July 17, 2008

ORDINANCE No. 2008-11

AN ORDINANCE AMENDING & SUPPLEMENTING CHAPTER 217
(VEHICLES, PARKING OF) OF THE CODE OF THE CITY OF
VENTNOR CITY TO PROVIDE THREE HANDICAPPED PARKING SPACES
ON BEACHBLOCK SOMERSET AVE BY C-SURE PARK

BE IT ORDAINED by the Board of Commissioners of the City of Ventnor City that Chapter 217, Article V, On-Street Handicapped Parking Areas, of the Code of the City of Ventnor City shall be amended and supplemented as follows:

SECTION I. Section 217, Article V shall be amended and supplemented to add the follow:

217-19.4. Handicapped parking area on Somerset Avenue.

The designated area for handicapped parking on Somerset Avenue shall be on the east side from a point 272 feet south of Atlantic Avenue to a point 338 feet south thereof.

SECTION II. All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

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

SECTION IV. This Ordinance shall take effect on final passage, approval, and publication.

First Reading July 17, 2008

Publication July 21, 2008

Public Hearing
& Adoption August 21, 2008

ORDINANCE NO. 2008-12

**AN ORDINANCE CREATING CHAPTER 30 OF THE CODE
OF THE CITY OF VENTNOR CITY ENTITLED
“OFFICERS AND EMPLOYEES, INDEMNIFICATION”**

WHEREAS, the City of Ventnor City is desirous of indemnifying its employees, appointees and officials; and

WHEREAS, the intention of the City of Ventnor is to provide indemnification and defense in as broad a manner as is authorized by State statute and common law.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the City of Ventnor City, County of Atlantic, New Jersey that there shall hereby be added Chapter 30, entitled “Officers and Employees, Indemnification” to the Code of the City of Ventnor City which shall state as follows:

SECTION I.

30-1. Indemnification of Officers and Employees.

- A. Pursuant to statutory authority, the City of Ventnor does hereby authorize and provide indemnification to its employees officials and appointees in accordance with indemnification provisions applicable to all public employees within this State.
- B. The City does hereby authorize and provide indemnification to its employees, officials and appointees in accordance with the indemnification provisions of NJSA 59:10-4 as the same may be amended and supplemented.
- C. The intention of the City of Ventnor is to provide indemnification and defense in as broad a manner as is authorized by State statute and common law. This shall include indemnification for exemplary or punitive damages resulting from the employees civil violation of State or Federal Law if, in the opinion of the City Commissioners, the act committed upon which the damages are based did not constitute actual fraud, actual malice willful misconduct or an intentional wrong.

SECTION II. All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

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

SECTION IV. This Ordinance shall take effect on final passage, approval, and publication.

First Reading July 17, 2008

Publication July 21, 2008

Public Hearing
& Adoption August 21, 2008

ORDINANCE NO. 2008-13

**AN ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER 171 OF THE CODE OF THE
CITY OF VENTNOR CITY, ARTICLE III,
ACTS CONSTITUTING DISORDERLY CONDUCT**

BE IT ORDAINED by the Board of Commissioners of the City of Ventnor City that Chapter 171, Article III, of the Code of the City of Ventnor City shall be amended and supplemented as follows:

SECTION I. Section 171-6 B. Prohibitions: The following prohibitions are hereby amended to read as follows:

- B. No person shall consume any kind of alcoholic beverage in any public place or quasi-public area of said City. No person shall have in his or her possession an open container of any kind in which alcoholic beverages are contained in any public place or quasi-public area of said City.

SECTION II. All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

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

SECTION IV. This Ordinance shall take effect on final passage, approval, and publication.

First Reading August 21 , 2008

Publication August 25 , 2008

Public Hearing
& Adoption September 18 , 2008

ORDINANCE NO. 2008-14

AN ORDINANCE AMENDING & SUPPLEMENTING CHAPTER 214
(VEHICLES and TRAFFIC) OF THE CODE OF THE CITY OF VENTNOR CITY
TO REPLACE ZONE INADVERTENTLY OMITTED FROM SCHEDULE (SO NEW HAVEN)
AND AMEND NO PARKING CERTAIN HOURS TO ONE DAY PER WEEK IN
COMMERCIAL DISTRICTS ON ATLANTIC, DORSET & VENTNOR AVENUES

BE IT ORDAINED by the Board of Commissioners of the City of Ventnor City that Chapter 214 of the Code of the City of Ventnor City shall be amended and supplemented as follows:

SECTION I. Section 214-40. Schedule XII: Loading Zones is hereby amended to add the following:

Name of Street	Side	Hours	Location
New Haven Avenue West		7:00 am to 7:00 pm, ex- cept Sunday	From a point 35 feet south of Ventnor Ave to a point 86 feet south thereof

SECTION II. Section 214-30. Schedule II: No Parking Certain Hours shall be amended under **Hours** to reflect a reduction from two days to the day listed:

Name of Street	Side	Hours	Location
Atlantic Avenue	Both	7:00 am to 8:00 am, Tuesday	From Jackson Ave to Somerset Ave
Dorset Avenue	Both	7:00 am to 8:00 am, Monday	From Edgewater Ave to Wellington Ave
Ventnor Avenue	Both	7:00 am to 8:00 am, Monday	From Fredericksburg Ave to Jackson Ave

SECTION III. All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

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

SECTION V. This Ordinance shall take effect on final passage, approval, and publication.

First Reading: August 21, 2008

Publication: August 25, 2008

Public Hearing
& Adoption: September 18, 2008

ORDINANCE No. 2008-15

AN ORDINANCE AMENDING & SUPPLEMENTING CHAPTER 105 OF THE CODE OF
THE CITY OF VENTNOR CITY (DOGS AND OTHER ANIMALS) TO PROHIBIT
THE FEEDING OF WILDLIFE WITHIN THE CITY OF VENTNOR CITY

BE IT ORDAINED by the Board of Commissioners of the City of Ventnor City that Chapter 105 of the Code of the City of Ventnor City shall be amended and supplemented as follows:

SECTION I. Chapter 105 is hereby amended to add the following:

ARTICLE V. Feeding of Wildlife

105-25. Purpose.

The purpose of this Ordinance is to prohibit the feeding of unconfined wildlife in any public park, playground, or on any other property owned or operated by the City of Ventnor City or privately owned lands within the City of Ventnor, so as to protect public health, safety and welfare and to prescribe penalties for failure to comply.

105.26. Definitions.

For the purpose of enforcement, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this article clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future; words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

1. FEED - to give, place, expose, deposit, distribute or scatter any edible material with the intention of feeding, attracting or enticing wildlife. Feeding does not include baiting in the legal taking of fish and/or game.
2. PERSON - any individual, corporation, company, firm, association or political subdivision subject to Municipal jurisdiction.
3. WILDLIFE - all animals that are neither human nor domesticated.

105-27. Prohibited Conduct.

No person shall feed, cause to be fed or provide food for any wildlife on any publicly or privately owned lands within the City of Ventnor City.

105-28. Enforcement.

- a. This Ordinance shall be enforced by a member of the Ventnor City Police, Health, or Code Enforcement Departments.
- b. Any person found to be in violation of this Ordinance shall be ordered to cease the feeding immediately.

105-29. Violations and penalties.

Any person who violates this article shall be deemed contributing to the maintenance of a public health nuisance and shall be subject to the penalty provisions specified in this article. Any individual violating any of the provisions of this article shall be subject to a minimum fine of \$100, with the maximum not to exceed \$1,000, or sentenced to community service within the City of Ventnor with the number of hours not to exceed 20 hours per violation.

SECTION II. All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency. Should any section, subsection,

paragraph, clause, sentence or other portion of this Ordinance be adjudged by a Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of this Ordinance.

SECTION III. This Ordinance shall take effect on final passage, approval, and publication.

First Reading: August 21, 2008

Publication: August 25, 2008

Pubic Hearing September 18, 2008

Adoption on Hold (Pulled 9/18/08):

ORDINANCE No. 2008-16

AN ORDINANCE AMENDING & SUPPLEMENTING CHAPTER 75 OF
THE CODE OF THE CITY OF VENTNOR CITY TO ALLOW BICYCLES
ON BOARDWALK DURING DAYLIGHT HOURS WITH RESTRICTED HOURS
ON SATURDAY & SUNDAY, JULY 1ST TO LABOR DAY

BE IT ORDAINED by the Board of Commissioners of the City of Ventnor City that Chapter 75 of the Code of the City of Ventnor City shall be amended and supplemented as follows:

SECTION I. Section 75-9. Time and place restrictions. is hereby amended to add the following:

A. It shall be unlawful to operate a bicycle, unicycle or adult bicycle upon the Boardwalk or the approaches thereto, except in the designated bicycle path. The aforementioned vehicles shall be permitted to operate in the designated bicycle path during daylight hours except from July 1 to Labor Day on Saturday and Sunday, such vehicles shall only be permitted to operate from 6:00 a.m. to 12:00 noon.

SECTION II. All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

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

SECTION IV. This Ordinance shall take effect on final passage, approval, and publication.

First Reading: August 21, 2008

Publication: August 25, 2008

Public Hearing
& Adoption: September 18, 2008

ORDINANCE 2008-18
AN ORDINANCE AMENDING CHAPTER 197 - STREETS AND SIDEWALKS
OF THE CODE OF THE CITY OF VENTNOR
ATLANTIC COUNTY

BE IT ORDAINED by the Board of Commissioners of the City of Ventnor City that **Chapter 197** of the Code of the City of Ventnor City shall be amended and supplemented as follows:

SECTION I. Paragraphs B(1), (2), and (3) of Subchapter 197-9. Obstructions by Goods or Merchandise. are changed to read as follows:

- (1) Benches, seats, stools, tables, and clothing racks may be placed in or along the public easement sidewalk area only under the following conditions and requirements:
 - (a) For restaurant or food retail uses, no benches, tables, chairs, seats, or stools shall be placed within seven (7) feet of the face of the street curbing nor within four (4) feet of any obstruction (utility pole, tree, light pole, trash receptacle, etc), whichever provides the greater clear open area for pedestrian movement. For non food related commercial operations, no clothing racks, folding tables, or other outdoor goods display will be permitted more than four (4) feet from the face of the building. No cardboard boxes will be permitted at any time.
 - (b) The public easement areas permitted to be occupied shall only be within the sidewalk areas of streets in front of an already mercantiled commercial operation. For businesses on corner lots, occupation of the sidewalk area will be permitted along one street frontage.. For those businesses having corner lots along Ventnor, Atlantic, or Dorset Avenues, no tables and/or chairs will be permitted along any intersecting street sidewalk area.
 - (c) Benches ,seats, stools, tables, and clothing/retail goods display may not be placed within the public easement area prior to 7:30 A.M. and must be completely removed not later than 11:00 P.M. daily. No occupation of the public easement area will be permitted at any time when the business is closed.
 - (d) Occupation shall only be permitted in front of, and for the same width, as established for the adjacent business.
 - (e) All commercial operators must already have a valid mercantile license for the enclosed and adjacent commercial business. In submission of the mercantile for the restaurant/retail food operation, a seating and table chart must be submitted for review and approval with the commercial mercantile license. Failure to comply with the approved seating and table chart shall constitute a violation in accordance with Subchapter 197-14A. Non food related retail sales shall not be required to submit a seating and table chart.
 - (f) A copy of the approved Mercantile License along with the approved seating chart must be placed and maintained in the window of the business and visible from outside of the building structure for enforcement purposes.
 - (g) For restaurant/food operators, no waiting lines will be permitted to occupy any portion of the clear and open area as described in (a) above.
 - (h) The property owner or lessee shall provide to the Municipal Clerk an 'all risk' liability policy in an amount not less than \$500,000.00 with the City of Ventnor as 'additional named insured'. Said policy shall remain in effect for the duration of the occupation.
- (2.) Enforcement of Paragraphs (a) through (g) shall be through the Construction Code Official, Fire Chief, Police Chief, or their respective designated representatives.
- (3) The mercantile holder is hereby noticed that use of the public right of way under this Subchapter is being granted as a privilege and not as a right. There, failure to comply with any of the above paragraphs within this Subchapter can result in rescission of the Mercantile License and prohibition

from further occupation of the public right of way in addition to the penalties as stated in Subchapter 197-14..

SECTION II. Paragraph A. of **Subchapter 197-14 Violations and Penalties; enforcement;** is changed to read as follows:

If any person, or persons, shall violate any of the provisions of Subchapter 197-9, 197-10, 197-13, he or she, or they, upon conviction thereof before the Municipal Court Judge shall be subject to a fine in any sum not exceeding \$1,000.00 at the discretion of the Municipal Court Judge. Second offenses of these sections will be punishable by a mandatory fine of \$1,000.00; and either perform Community Service for a term not exceeding 30 days or lose the privilege to continue to occupy the public right of way; or both, at the discretion of the Municipal Court Judge. Third offenses shall result in the mandatory loss of the privilege to occupy the public sidewalk for the remainder of the effective mercantile license in addition to such fines and /or community service obligations provided for under second offense.

SECTION III. All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

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

SECTION V. This Ordinance shall take effect on final passage, approval, and publication.

FIRST READING October 16, 2008

PUBLICATION October 20 2008

PUBLIC HEARING &
POSSIBLE ADOPTION November 20, 2008