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**CITY OF VENTNOR CITY
ORDINANCE NO. 2011-01**

**AN ORDINANCE CREATING CHAPTER 129, GAMES OF CHANCE,
IN THE VENTNOR CITY CODE AND DELEGATING AUTHORITY FOR
ISSUING RAFFLE & BINGO LICENSES TO THE MUNICIPAL CLERK**

BE IT ORDAINED by the Board of Commissioners of the City of Ventnor City as follows:

SECTION I. The Code of the City of Ventnor City is hereby supplemented by the addition of the following:

Chapter 129, GAMES OF CHANCE

Chp. 129.1 Bingo and Raffle Licensing.

The Municipal Clerk is hereby delegated the authority to act as the “issuing authority” to approve the granting of bingo and raffle licenses in accordance with the Bingo Licensing Law and Raffles Licensing Law, as administered by the New Jersey Legalized Games of Chance Control Commission.

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 All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.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 January 20, 2011

PUBLICATION January 24, 2011

PUBLIC HEARING &
ADOPTION February 17, 2011

**CITY OF VENTNOR CITY
ORDINANCE NO. 2011-02**

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 214 -32
OF THE CODE OF THE CITY OF VENTNOR CITY TO ADD 15 MINUTE PARKING
ON WYOMING AVE AT THE NE CORNER OF WYOMING AND VENTNOR AVES

BE IT ORDAINED by the Board of Commissioners of the City of Ventnor City that Chapter 214-32 of the Code of the City of Ventnor City shall be amended and supplemented as follows:

SECTION I. Section 214-32 Schedule IV: Time Limit Parking. The following is added:

Name of Street	Side	Hours	Max. Time (Minutes)	Location
Wyoming Avenue	East	8:00 A.M to 12:00 Midnight	15	From a point 25 feet north of Ventnor Avenue to a point 22 feet north 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 All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.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 January 20, 2011

PUBLICATION January 24, 2011

PUBLIC HEARING &
ADOPTION February 17, 2011

CITY OF VENTNOR CITY
ORDINANCE 2011-03

AN ORDINANCE REGULATING THE STATUTORY AUTHORITY OF VERIZON NEW JERSEY INC., ITS SUCCESSORS AND ASSIGNS TO USE THE VARIOUS PUBLIC STREETS, ROADS, AVENUES, HIGHWAYS AND OTHER PUBLIC WAYS IN THE CITY OF VENTNOR, ATLANTIC COUNTY, NEW JERSEY, FOR ITS LOCAL AND THROUGH LINES AND OTHER COMMUNICATIONS FACILITIES AND PRESCRIBING THE CONDITIONS THEREOF.

BE IT ORDAINED by the Board of Commissioners of the CITY of VENTNOR, ATLANTIC County, New Jersey that:

SECTION 1: Pursuant to the provisions of N.J.S.A. 48:17-10, N.J.S.A. 48:17-11, and N.J.S.A. 48:17-12, permission and consent is hereby granted to Verizon New Jersey Inc., (the "Company"), its successors and assigns, to install, operate, inspect, maintain, repair, replace and remove its communications facilities and other transmission or process equipment, including underground facilities, such as conduits, manholes, cables, wires, and all other facilities appurtenant thereto, and above-ground facilities, such as cables, wires, antennas, poles, posts, supports, guys, pedestals, cable termination and distribution cabinets and all other facilities appurtenant thereto, in, through, upon, along, over, under, and across all of the various public streets and ways, which include the roads, avenues, right-of-way, sidewalks, highways, bridges, waterways, and other public places, and parts thereof, throughout their entire length, and to effect the necessary street openings and lateral connections to curb poles, property lines and other facilities in the City of VENTNOR (the "City") for said Company's local and through lines and other communications facilities in connection with the transaction of its business. In the event that any public street or way where the Company has facilities is vacated by the City, the City agrees to reserve unto said Company the rights granted the Company by the present Ordinance.

SECTION 2: All poles, posts, pedestals, cabinets, or other facilities shall be located and placed back of the curb lines where shown on the official map(s) of the City; the poles and posts, however, shall be located within eighteen (18) inches of the face of such curb line or as may otherwise be mutually agreed by both parties, or at the points or places now occupied by the poles, posts, pedestals, cabinets, or other facilities of the Company, its successors and assigns, and where there are no curb lines, at other convenient points or places in, upon, along, adjacent, or across the public streets and ways as may be mutually agreed upon between the parties.

SECTION 3: The Company may bury its local and through communications facilities such as cables, conduit, manholes and associated equipment, fixtures, process equipment and appurtenances within the right-of-way of the various public streets and ways and at such locations as shall be mutually agreed upon by the parties for said Company's local and through lines and communications facilities. Underground conduits and associated facilities, as aforementioned, shall be placed at least eighteen (18) inches below the surface of said public streets and ways and with the exception of lateral branches to curb poles and property lines and other facilities, the same shall generally not be constructed more than ten (10) feet from the curb line, unless obstructions make it necessary to deviate from such course or unless the parties mutually agree to another location. Manholes shall be located at such points along the line of underground conduits as may be necessary or convenient for placing, maintaining, and operating the facilities, as aforementioned, which the Company may from time to time use in connection with its underground conduit system and shall be so constructed as to conform to the cross-sectional and longitudinal grade of the surface so as not to interfere with the safety or convenience of persons or vehicles.

SECTION 4: Before proceeding with any new construction or relocation work in an area covered by this Ordinance, the Company shall give prior notice in writing thereof to the City, through its designated representative, of its intention to perform such work. The Company shall obtain such street opening or excavation permits as may be lawfully required by any applicable ordinances regulating such openings or excavations. Any such area affected by the Company in constructing its facilities shall be restored to as good condition as it was before the commencement of work thereon. No public streets or ways shall be encumbered for a period longer than shall be reasonable to execute the work.

SECTION 5: The Company agrees to indemnify and save harmless the City from and against all claims and liabilities resulting from any injury or damage to the person or property of any person, firm or corporation caused by or arising out of road conditions resulting from any negligent or faulty excavations, installation or maintenance connected with the work or equipment of said Company, and not attributable to the fault or negligence of the City, except that if such injury or damage shall be caused by the joint or concurring negligence or fault of the Company and the City, the same shall be borne by them to the extent of their respective fault or negligence.

SECTION 6: Whenever a curb line shall be established on streets where one does not now exist or where an established curb line shall be relocated in order to widen an existing street in conjunction with road construction being performed by the City, the Company shall change the location of its above-ground facilities covered by this Ordinance in accordance with applicable law, so that the same shall be back of, and adjacent to, the new curb line so long as the City has acted in accordance with applicable law and with reasonable care in establishing the new curb line and providing notice thereof.

SECTION 7: Any company or corporation having legal authority to place its facilities in the public streets and ways of the City may jointly use the Company's poles, posts, pedestals or other structures for all lawful purposes, provided the Company consents to such use, on terms and conditions acceptable to the Company and not inconsistent with the provisions of the present Ordinance.

SECTION 8: The Company shall provide space, to the extent available, on its poles so long as said poles are occupied by the Company and space, to the extent available, in its main conduits existing on the date of passage of this Ordinance, but not exceeding one (1) duct of standard size, for the sole benefit of the City during the pendency of

this Ordinance. Such space shall be provided for the exclusive use of the City which use shall be limited to accommodating the wires or electrical conductors required for one-way signal control in connection with municipal police patrol, fire alarm signal control and traffic signal control systems only; but for no other uses or purposes, either alone or in conjunction therewith; nor for circuits for the supply of electrical energy for traffic or other signals; nor for wires, conductors, cable or the equivalent which provide a means of transmitting any signal to a private, commercial or residential location, and which is normally provided by a nongovernmental supplier; provided, further, that no such use or attachment by the City shall interfere with the plant or facilities of or the use thereof by the Company. All costs or expenses incurred by the Company in connection therewith shall be paid by the City. It shall be the obligation of the City to attach its wires to the poles or place its electric conductors in the conduits or manholes of the Company, provided that before proceeding with said work, either by itself or by a person, firm or corporation engaged to perform such work, the City shall give the Company thirty (30) days prior notice in writing. All such work shall be performed under the supervision of said Company. The City will indemnify and save harmless the Company from and against all claims, liabilities or demands arising in any manner in connection with the City's wires or facilities or their installation, maintenance, operation or removal, or the City's use or enjoyment of the Company's plant or facilities provided under this Section 8.

SECTION 9: If any or all of the said streets or ways are later taken over by the County of ATLANTIC or the State of New Jersey, such County or State shall have such rights and privileges and be subject to the same terms, conditions and limitations of use as apply herein to the City, provided, however, that satisfactory prior arrangements as may be necessary are made with the City and the Company for the full protection of the respective interest of each.

SECTION 10: The term "City" as used in this Ordinance shall be held to apply to and include any form of municipality or government into which the City or any part thereof may at any time hereafter be changed, annexed, or merged.

SECTION 11: The permission and consent hereby granted shall apply to and cover all communications facilities of the Company existing at any time, and related structures, process equipment, and appurtenances heretofore or hereafter erected, constructed, reconstructed, removed, located, relocated, replaced, maintained, repaired, or operated by the Company, its predecessors, successors, or assigns within the City. This Ordinance shall cancel and supersede all prior consent ordinances between the City and the Company regarding the subject matter hereof.

SECTION 12: The Company shall maintain its property within the City and shall comply with applicable law for the provision of safe, adequate and proper service at just and reasonable rates, and safeguard the public interest in continuous and uninterrupted service within the City.

SECTION 13: In the event that any provision herein shall for any reason be illegal or unenforceable under applicable law, such illegality or unenforceability shall not affect any other provisions of this Ordinance, and this Ordinance shall be construed as if such illegal or unenforceable provision(s) had never been contained herein.

SECTION 14: The Company shall pay the expenses incurred for advertising required in connection with the passage of this Ordinance, after the date of its first reading, within thirty (30) days after the Company has received a bill for said advertising from the publisher. Following final passage of this Ordinance, the City Clerk shall provide the Company with written notice thereof by certified mail. As provided by applicable law, this Ordinance, and any subsequent amendments, shall not become effective until acceptance thereof by the Company and approval thereof by the Board of Public Utility Councilors.

INTRODUCTION: March 17, 2011

PUBLICATION: March 21, 2011

PUBLIC HEARING &
ADOPTION April 21, 2011

**CITY OF VENTNOR CITY
ORDINANCE NO. 2011-04**

**AN ORDINANCE AMENDING CHP 132, GARBAGE, RUBBISH & REFUSE,
TO PROHIBIT PLACEMENT OF RESIDENTIAL TRASH IN CITY OWNED RECEPTICLES**

BE IT ORDAINED by the Board of Commissioners of the City of Ventnor City as follows:

SECTION I. Chp. 132, Article IV is hereby amended and supplemented to read:

Chp. 132-13. City owned containers prohibited.

No person, owner, lessee, tenant, or agent shall place or cause to be placed any domestic garbage, recyclable material, non-recyclable material, or any other waste, garbage, rubbish or refuse intended for collection into any City of Ventnor public container.

Chp. 132-13 shall be re-numbered 132-14.

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 March 17, 2011

PUBLICATION March 21, 2011

PUBLIC HEARING &
ADOPTION April 21, 2011

ORDINANCE NO. 2011-05

ESTABLISHING 2011 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 Civil Service and 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
00003	Account Clerk Typing	\$20,000	\$51,700
	Attendants-Fishing Pier	\$5.25/hr	\$9.50/hr
	Attendants- Tennis	\$5.25/hr	\$10.70/hr
	Beach Cleaner	\$5.25/hr	\$9.50/hr
	Beach Fee Checker	\$5.25/hr	\$9.50/hr
	Captain, Beach Patrol	\$9.50/hr	\$27.05/hr
00970	Carpenter	\$20,000	\$51,600
07451	Chief Financial Officer	\$24,000	\$76,500
	Chief, Beach Patrol	\$13.50/hr	\$32.00/hr
01228	City Attorney	\$60.00/hr	\$135.00/hr
01229	City Clerk	\$24,000	\$65,500
01268	Clerk Typist	\$20,000	\$46,900
01290	Commissioner	\$ 7,500	\$10,000
06096	Construction Official/Building Sub-Code Official	\$20,000	\$81,400
01509	Deputy City Clerk	\$20,000	\$25,000
01506	Deputy Fire Chief	\$61,400	\$101,058
07796	Deputy Municipal Court Administrator	\$20,000	\$25,500
05046	Electrical Sub-Code Official	\$ 3,000	\$10,000
01746	Equipment Operator	\$20,000	\$50,150
01836	Fire Captain	\$61,000	\$91,900
01837	Fire Chief	\$61,000	\$111,130
01839	Fire Fighter	\$27,800	\$75,950
01843	Fire Lieutenant	\$57,700	\$83,600
05200	Fire Sub-Code/Plumbing Sub-Code Official	\$ 7,500	\$16,200
06818	General Supervisor Traffic Maintenance	\$20,000	\$59,120
02071	Housing Inspector	\$15,000	\$57,120
02219	Judge of Municipal Court	\$15,000	\$25,000
02248	Laborer	\$20,000	\$44,300
	Lieutenant, Beach Patrol	\$9.50/hr	\$21.00/hr
02297	Lifeguard	\$9.50/hr	\$15.45/hr
02428	Mayor	\$ 8,500	\$10,000
02434	Mechanic	\$23,900	\$52,500
02456	Mechanic's Helper	\$20,000	\$43,200
02519	Municipal Administrator	\$ 5,000	\$15,000
07795	Municipal Court Administrator	\$20,000	\$45,900
05079	Municipal Emergency Management Coordinator	\$15,000	\$71,300
07305	Parking Enforcement Officer	\$20,600	\$26,100
02604	Park Maintenance Worker	\$15,000	\$48,300
	Pier Master	\$250/wk	\$485/wk
05056	Plumbing Sub-Code Official	\$ 3,000	\$15,200
02718	Police Captain	\$69,984	\$107,400
02719	Police Chief	\$77,000	\$116,200
02727	Police Lieutenant	\$64,650	\$97,600
	Police Lieutenant, Assigned Detective	\$69,984	\$107,400

02728	Police Officer	\$26,592	\$80,700
	Police Officer, Assigned Detective	\$59,723	\$88,800
02739	Police Sergeant	\$59,723	\$88,800
	Police Sergeant, Assigned Detective	\$64,650	\$97,600
02534	Prosecutor	\$10,000	\$31,000
01296	Public Safety Telecommunicator	\$24,500	\$56,000
06229	Public Safety Telecommunicator Trainee	\$24,500	\$45,150
02936	Public Works Superintendent	\$15,000	\$85,700
02495	Pump Station Operator	\$17,050	\$45,000
05674	Receptionist/Telephone Operator Typing	\$15,000	\$46,600
02993	Recreation Leader (Director)	\$ 6,000	\$49,400
02995	Recreation Leader Arts & Crafts	\$12,000	\$34,000
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	\$46,000
03679	Sewer Equipment Operator	\$33,900	\$47,500
05875	Sewer Repairer/Water Repairer	\$31,400	\$48,500
05945	Sewer Superintendent/Water Superintendent	\$25,000	\$71,950
06895	Special Law Enforcement Officer	\$15,000	\$24,700
03805	Street Sweeper	\$15,000	\$48,800
06724	Supervising Mechanic	\$15,000	\$59,200
06707	Supervisor Sewer/Supervisor Water	\$15,000	\$54,900
04120	Tax Assessor	\$15,000	\$56,000
04124	Tax Collector	\$24,000	\$73,900
53099	Technician, Management Information Systems	\$30,000	\$44,130
04189	Traffic Maintenance Worker	\$15,000	\$44,400
05742	Water Meter Reader/Water Meter Repairer	\$31,400	\$53,800

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, 2011.

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 Civil Service 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.

Medical Benefits: The City agrees to continue to provide health insurance coverage at least equal to health insurance coverage as currently in effect for all employees and the dependents of those employees currently covered by this agreement at the City's expense. Employees will be responsible for payment of fifty (50%) percent of any annual increase in the administrative cost incurred for a self-insured medical benefit plan to provide said coverage for all employees and their respective dependents, or fifty (50%)

percent of any annual increase in the premium cost for any carrier provided plan, up to a maximum annual contribution increase of \$100.00.

Benefit Waiver: The City agrees to pay a health benefit waiver stipend of \$6,500.00 per year if an employee covered herein agrees to waive participation in the City's health benefit plan provided said employee agrees to be excluded for the entire calendar year and can document that the employee's spouse has health benefit coverage. Employees waiving participation shall receive payment in 12 equal monthly installments to be paid at the end of each month. Employees and their covered dependants may re-enter the city health benefit plan at any time with no re-enrollment penalty or delay if spouse's coverage is eliminated involuntarily.

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.

Date of Introduction: April 21, 2011

Publication: April 25, 2011

Public Hearing:
& Adoption: May 19, 2011

ORDINANCE 2011-06

CALENDAR YEAR 2011 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (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 up to 2.0% 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 Board of Commissioners of the City of Ventnor in the County of Atlantic finds it advisable and necessary to increase its CY 2011 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 1.5% increase in the budget for said year, amounting to \$303,276 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 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, in the County of Atlantic, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2011 budget year, the final appropriations of the City of Ventnor shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$707,644, and that the CY 2011 municipal budget for the City of Ventnor be approved and adopted in accordance with this ordinance.

BE IT FURTHER ORDAINED that any 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.

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 5 days of introduction.

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

FIRST READING April 21, 2011

PUBLICATION April 25, 2011

PUBLIC HEARING
& ADOPTION May 19, 2011

ORDINANCE NO. 2011-07

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 214 -32
OF THE CODE OF THE CITY OF VENTNOR CITY TO ADD 15 MINUTE PARKING
ON VENTNOR AVE AT THE SW CORNER OF VENTNOR AND NEWPORT AVES

BE IT ORDAINED by the Board of Commissioners of the City of Ventnor City that Chapter 214-32 of the Code of the City of Ventnor City shall be amended and supplemented as follows:

SECTION I. Section 214-32 Schedule IV: Time Limit Parking. The following is added:

Name of Street	Side	Hours	Max. Time (Minutes)	Location
Ventnor Avenue	South	8:00 A.M to 12:00 Midnight	15	From a point 25 feet west of Newport Avenue to a point 28 feet west 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 May 19, 2011

PUBLICATION May 23, 2011

PUBLIC HEARING
& ADOPTION June 16, 2011

ORDINANCE 2011-08

ORDINANCE OF THE CITY OF VENTNOR CITY, COUNTY OF ATLANTIC, NEW JERSEY
CANCELING CERTAIN FUNDED APPROPRIATION BALANCES HERETOFORE
PROVIDED FOR WATER/SEWER UTILITY IMPROVEMENTS AND
REAPPROPRIATING SUCH FUNDED APPROPRIATION BALANCES FOR OTHER
WATER/SEWER UTILITY PROJECTS

BACKGROUND

WHEREAS, the City of Ventnor City, County of Atlantic, New Jersey ("City") duly and finally adopted Bond Ordinances listed below in Section 1 (collectively, the "Bond Ordinances") for water/sewer utility improvements; and

WHEREAS, the City, having completed the water/sewer utility projects authorized under the Bond Ordinances, has remaining balances in a total amount of \$378,685.13;

WHEREAS, the City is desirous of canceling and reappropriating certain funded balances for the completion of various water/sewer utility improvements.

NOW, THEREFORE, BE IT ORDAINED, BY THE BOARD OF COMMISSIONERS OF THE CITY OF VENTNOR CITY, COUNTY OF ATLANTIC, NEW JERSEY (NOT LESS THAN TWO-THIRDS OF ALL THE MEMBERS THEREOF AFFIRMATIVELY CONCURRING), PURSUANT TO THE PROVISIONS OF THE LOCAL BOND LAW, CHAPTER 169 OF THE LAWS OF 1960 OF THE STATE OF NEW JERSEY, AS AMENDED AND SUPPLEMENTED ("LOCAL BOND LAW"), AS FOLLOWS:

Section 1. The following appropriations, remaining as balances in the Bond Ordinances, are hereby cancelled:

	<u>Ordinance</u>	<u>Amount of Funded Appropriation to be Cancelled</u>	<u>Amount of Unfunded Appropriation to be Cancelled</u>
A.	Ordinance 2009-15(a)	\$1,325.88	\$0.00
B.	Ordinance 2009-15(b)	287,359.25	0.00
C.	Ordinance 2009-15(f)	90,000.00	0.00

Section 2. The sum of \$378,685.13, which represents the funded appropriations cancelled in Section 1 hereof, is hereby reappropriated from the Bond Ordinances for the acquisition and replacement of batteries for Water Meters, together with the acquisition of all materials and equipment and completion of all work necessary therefor all as more particularly described in the records on file and available for inspection in the office of the City Clerk (collectively, the "Improvements").

Section 3. The period of usefulness of the Improvements referred to in Section 2, within the limitations of the Local Bond Law and according to the reasonable life thereof, is not less than fifteen (15) years.

Section 4. The Water/Sewer Utility Budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith, and the resolution promulgated by the Local Finance Board showing full detail of the amended Water/Sewer Utility Budget as approved by the Director of the Division of Local Government Services, is on file with the City Clerk and available for inspection.

Section 5. The Improvements authorized hereby are not current expenses and are sewer/water utility improvements that the City may lawfully make. No part of the cost of the improvements authorized hereby has been or shall be specially assessed on any property specially benefited thereby.

Section 6. All ordinances or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 7. This ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

FIRST READING May 19, 2011

PUBLICATION May 23, 2011

PUBLIC HEARING
& ADOPTION June 16, 2011

ORDINANCE NO. 2011-09

BOND ORDINANCE AUTHORIZING THE CONSTRUCTION OF VARIOUS IMPROVEMENTS TO THE WATER/SEWER UTILITY SYSTEM AND THE ACQUISITION OF WATER/SEWER UTILITY EQUIPMENT FOR THE CITY OF VENTNOR CITY, COUNTY OF ATLANTIC, NEW JERSEY; APPROPRIATING THE SUM OF \$2,300,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE CITY OF VENTNOR CITY, COUNTY OF ATLANTIC, NEW JERSEY, IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$2,185,000 MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

BE IT ORDAINED by the Board of Commissioners of the City of Ventnor City, County of Atlantic, New Jersey (not less than two-thirds of all the members thereof affirmatively concurring), pursuant to the provisions of the Local Bond Law, Chapter 169 of the Laws of 1960 of the State of New Jersey, as amended and supplemented ("Local Bond Law"), as follows:

Section 1. The purposes described in Section 7 hereof are hereby authorized as general improvements to be made or acquired by the City of Ventnor City, County of Atlantic, New Jersey ("City").

Section 2. It is hereby found, determined and declared as follows:

- (a) the estimated amount to be raised by the City from all sources for the purposes stated in Section 7 hereof is \$2,300,000; and
- (b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$2,185,000.
- (c) a down payment in the amount of \$115,000 for the purposes stated in Section 7 hereof is currently available in accordance with the requirements of Section 11 of the Local Bond Law, N.J.S.A. 40A:2-11.

Section 3. The sum of \$2,185,000, to be raised by the issuance of bonds or bond anticipation notes, together with the sum of \$115,000, which amount represents the required down payment, are hereby appropriated for the purposes stated in this bond ordinance ("Bond Ordinance").

Section 4. The issuance of negotiable bonds of the City in an amount not to exceed \$2,185,000 to finance the costs of the purposes described in Section 7 hereof is hereby authorized. Said bonds shall be sold in accordance with the requirements of the Local Bond Law.

Section 5. In order to temporarily finance the purposes described in Section 7 hereof, the issuance of bond anticipation notes of the City in an amount not to exceed \$2,185,000 is hereby authorized. Pursuant to the Local Bond Law, the Chief Financial Officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver the same to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their date to delivery thereof. The Chief Financial Officer is hereby directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this Bond Ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 6. The amount of the proceeds of the obligations authorized by this Bond Ordinance which may be used for the payment of interest on such obligations, accounting, engineering, legal fees and other items as provided in Section 20 of the Local Bond Law, N.J.S.A. 40A:2-20, shall not exceed the sum of \$460,000.

Section 7. The improvements hereby authorized and the purposes for which said obligations are to be issued; the estimated costs of each said purpose; the amount of available grants for each said purpose; the amount of down payment for each said purpose; the maximum amount obligations to be issued for each said purpose and the period of usefulness of each said purpose within the limitations of the Local Bond Law are as follows:

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A. Replacement of water meter batteries throughout the City, together with the acquisition of all materials and equipment and completion of all work necessary therefore, or related thereto, all as more particularly described in the records on file and available for inspection in the office of the City Clerk.	\$500,000	\$25,000	\$475,000	5 years
B. Renovations to and rehabilitation of a water tower within the City, together with the acquisition of all materials and equipment and completion of all work necessary therefore, all as more particularly described in the records on file and available for inspection in the office of the City Clerk.	950,000	47,500	902,500	20 years
C. Renovations to and rehabilitation of House No. 10 within the City, together with the acquisition of all materials and equipment and completion of all work necessary therefore, all as more particularly described in the records on file and available for inspection in the office of the City Clerk.	150,000	7,500	142,500	15 years
D. Acquisition of a generator, together with the acquisition of all materials and equipment and completion of all work necessary therefore, or related thereto.	\$100,000	\$5,000	\$95,000	15 years
E. Acquisition of remote meter reader antennae and network interface, together with the acquisition of all materials and equipment and completion of all work necessary therefore, or related thereto.	180,000	9,000	171,000	7 years
F. Acquisition of a utilities installation directional drill, together with the acquisition of all materials and equipment and completion of all work necessary therefore, or related thereto.	420,000	21,000	399,000	15 years
Total	\$2,300,000	\$115,000	\$2,185,000	

Section 8. The average period of useful life of the several purposes for the financing of which this Bond Ordinance authorizes the issuance of bonds or bond anticipation notes, taking into consideration the respective amounts of bonds or bond anticipation notes authorized for said several purposes, is not less than 14.26 years.

Section 9. Grants or other monies received from any governmental entity, if any, will be applied to the payment of, or repayment of obligations issued to finance, the costs of the purposes described in Section 7 above.

Section 10. The supplemental debt statement provided for in Section 10 of the Local Bond Law, N.J.S.A. 40A:2-10, was duly filed in the office of the Clerk prior to the passage of this Bond Ordinance on first reading and a complete executed duplicate original thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. The supplemental debt statement shows that the gross debt of the City, as defined in Section 43 of the Local Bond Law, N.J.S.A. 40A:2-43, is increased by this Bond Ordinance by \$2,185,000 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 11. The full faith and credit of the City are irrevocably pledged to the punctual payment of the principal of and interest on the bonds or bond anticipation notes authorized by this Bond Ordinance, and to the extent payment is not otherwise provided, the City shall levy ad valorem taxes on all taxable real property without limitation as to rate or amount for the payment thereof.

Section 12. The applicable Capital Budget of the City is hereby amended to conform with the provisions of this Bond Ordinance to the extent of any inconsistency therewith, and the resolution promulgated by the Local Finance Board showing full detail of the amended applicable Capital Budget and Capital Program as approved by the Director of the Division of Local Government Services, is on file with the Clerk and available for inspection.

Section 13. The City hereby declares its intent to reimburse itself from the proceeds of the bonds or bond anticipation notes authorized by this Bond Ordinance pursuant to Income Tax Regulation Section 1.150-2(e), promulgated under the Internal Revenue Code of 1986, as amended ("Code"), for "original expenditures", as defined in Income Tax Regulation Section 1.150-2(c)(2), made by the City prior to the issuance of such bonds or bond anticipation notes.

Section 14. The City hereby covenants as follows:

(a) it shall take all actions necessary to ensure that the interest paid on the bonds or bond anticipation notes authorized by the Bond Ordinance is exempt from the gross income of the owners thereof for federal income taxation purposes, and will not become a specific item of tax preference pursuant to Section 57(a)(5) of the Code;

(b) it will not make any use of the proceeds of the bonds or bond anticipation notes or do or suffer any other action that would cause the bonds or bond anticipation notes to be "arbitrage bonds" as such term is defined in Section 148(a) of the Code and the Regulations promulgated thereunder;

(c) it shall calculate or cause to be calculated and pay, when due, the rebatable arbitrage with respect to the "gross proceeds" (as such term is used in Section 148(f) of the Code) of the bonds or bond anticipation notes;

(d) it shall timely file with the Ogden, Utah Service Center of the Internal Revenue Service, such information report or reports as may be required by Sections 148(f) and 149(e) of the Code; and

(e) it shall take no action that would cause the bonds or bond anticipation notes to be "federally guaranteed" within the meaning of Section 149(b) of the Code.

Section 15. The improvements authorized hereby are not current expenses and are improvements that the City may lawfully make. No part of the cost of the improvements authorized hereby has been or shall be specially assessed on any property specially benefited thereby.

Section 16. All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 17. In accordance with the Local Bond Law, this Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

FIRST READING	<u>May 19, 2011</u>
PUBLICATION	<u>May 23, 2011</u>
PUBLIC HEARING & ADOPTION	<u>June 16, 2011</u>

ORDINANCE NO. 2011-10

CREATING CHAPTER 195, STORM SEWERS, OF THE CODE OF THE CITY OF VENTNOR CITY FOR PRIVATE STORM DRAIN INLET RETROFITTING

SECTION I. Purpose:

An ordinance requiring the retrofitting of existing storm drain inlets which are in direct contact with repaving, repairing, reconstruction, or resurfacing or alterations of facilities on private property, to prevent the discharge of solids and floatables (such as plastic bottles, cans, food wrappers and other litter) to the municipal separate storm sewer system(s) operated by the City of Ventnor City so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

SECTION II. Definitions:

For the purpose of this ordinance, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this Chapter 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.

a. Municipal separate storm sewer system (MS4)– a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) that is owned or operated by [insert name of municipality] or other public body, and is designed and used for collecting and conveying stormwater.

b. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

c. Storm drain inlet- an opening in a storm drain used to collect stormwater runoff and includes, but is not limited to, a grate inlet, curb-opening inlet, slotted inlet, and combination inlet.

d. Waters of the State – means the ocean and its estuaries, all springs, streams and bodies of surface or ground water, whether natural or artificial, within the boundaries of the State of New Jersey or subject to its jurisdiction.

SECTION III. Prohibited Conduct:

No person in control of private property (except a residential lot with one single family house) shall authorize the repaving, repairing (excluding the repair of individual potholes), resurfacing (including top coating or chip sealing with asphalt emulsion or a thin base of hot bitumen), reconstructing or altering any surface that is in direct contact with an existing storm drain inlet on that property unless the storm drain inlet either:

1. Already meets the design standard below to control passage of solid and floatable materials;
or
2. Is retrofitted or replaced to meet the standard in Section IV below prior to the completion of the project.

SECTION IV. Design Standard:

Storm drain inlets identified in Section III above shall comply with the following standard to control passage of solid and floatable materials through storm drain inlets. For purposes of this paragraph, “solid and floatable materials” means sediment, debris, trash, and other floating, suspended, or settleable solids. For exemptions to this standard see Section V.3 below.

1. Design engineers shall use either of the following grates whenever they use a grate in pavement or another ground surface to collect stormwater from that surface into a storm drain or surface water body under that grate:

a. The New Jersey Department of Transportation (NJDOT) bicycle safe grate, which is described in Chapter 2.4 of the NJDOT Bicycle Compatible Roadways and Bikeways Planning and Design Guidelines (April 1996); or

b. A different grate, if each individual clear space in that grate has an area of no more than seven (7.0) square inches, or is no greater than 0.5 inches across the smallest dimension.

Examples of grates subject to this standard include grates in grate inlets, the grate portion (non-curb-opening portion) of combination inlets, grates on storm sewer manholes, ditch grates,

trench grates, and grates of spacer bars in slotted drains. Examples of ground surfaces include surfaces of roads (including bridges), driveways, parking areas, bikeways, plazas, sidewalks, lawns, fields, open channels, and stormwater basin floors.

3. Whenever design engineers use a curb-opening inlet, the clear space in that curb opening (or each individual clear space, if the curb opening has two or more clear spaces) shall have an area of no more than seven (7.0) square inches, or be no greater than two (2.0) inches across the smallest dimension.

3. This standard does not apply:

- a. Where the municipal engineer agrees that this standard would cause inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm drain inlets that meet these standards;

- b. Where flows are conveyed through any device (e.g., end of pipe netting facility, manufactured treatment device, or a catch basin hood) that is designed, at a minimum, to prevent delivery of all solid and floatable materials that could not pass through one of the following:

- i. A rectangular space four and five-eighths inches long and one and one-half inches wide (this option does not apply for outfall netting facilities); or
- ii. A bar screen having a bar spacing of 0.5 inches.

- c. Where flows are conveyed through a trash rack that has parallel bars with one-inch (1") spacing between the bars; or

- d. Where the New Jersey Department of Environmental Protection determines, pursuant to the New Jersey Register of Historic Places Rules at N.J.A.C. 7:4-7.2(c), that action to meet this standard is an undertaking that constitutes an encroachment or will damage or destroy the New Jersey Register listed historic property.

SECTION V. Enforcement:

This ordinance shall be enforced by the Police Department and/or Municipal Code Enforcement Official of the City of Ventnor City

SECTION VI. Penalties:

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine not to exceed \$1,000 for each storm drain inlet that is not retrofitted to meet the design standard.

SECTION VII. Severability:

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

SECTION VIII. Effective date:

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

FIRST READING	June 16, 2011
PUBLICATION	June 20, 2011
PUBLIC HEARING & ADOPTION	July 21, 2011

ORDINANCE NO. 2011-11

BOND ORDINANCE AUTHORIZING THE ACQUISITION OF VARIOUS PIECES OF CAPITAL EQUIPMENT AND THE CONSTRUCTION AND COMPLETION OF VARIOUS CAPITAL IMPROVEMENTS IN AND FOR THE CITY OF VENTNOR CITY, COUNTY OF ATLANTIC, NEW JERSEY; APPROPRIATING THE SUM OF \$1,700,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE CITY OF VENTNOR CITY, COUNTY OF ATLANTIC, IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$1,615,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

BE IT ORDAINED by the Board of Commissioners of the City of Ventnor City, County of Atlantic, New Jersey (not less than two-thirds of all the members thereof affirmatively concurring), pursuant to the provisions of the Local Bond Law, Chapter 169 of the Laws of 1960 of the State of New Jersey, as amended and supplemented ("Local Bond Law"), as follows:

Section 1. The purposes described in Section 7 hereof are hereby authorized as general improvements to be made or acquired by the City of Ventnor City, County of Atlantic, New Jersey ("City").

Section 2. It is hereby found, determined and declared as follows:

- (a) the estimated amount to be raised by the City from all sources for the purposes stated in Section 7 hereof is \$1,700,000;
- (b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$1,615,000; and
- (c) a down payment in the amount of \$85,000 for the purposes stated in Section 7 hereof is currently available in accordance with the requirements of Section 11 of the Local Bond Law, N.J.S.A. 40A:2-11.

Section 3. The sum of \$1,615,000, to be raised by the issuance of bonds or bond anticipation notes, together with the sum of \$85,000, which amount represents the required down payment, are hereby appropriated for the purposes stated in this bond ordinance ("Bond Ordinance").

Section 4. The issuance of negotiable bonds of the City in an amount not to exceed \$1,615,000 to finance the costs of the purposes described in Section 7 hereof is hereby authorized. Said bonds shall be sold in accordance with the requirements of the Local Bond Law.

Section 5. In order to temporarily finance the purposes described in Section 7 hereof, the issuance of bond anticipation notes of the City in an amount not to exceed \$1,615,000 is hereby authorized. Pursuant to the Local Bond Law, the Chief Financial Officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver the same to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their date to delivery thereof. The Chief Financial Officer is hereby directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this Bond Ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 6. The amount of the proceeds of the obligations authorized by this Bond Ordinance which may be used for the payment of interest on such obligations, accounting, engineering, legal fees and other items as provided in Section 20 of the Local Bond Law, N.J.S.A. 40A:2-20, shall not exceed the sum of \$350,000.

Section 7. The improvements hereby authorized and the purposes for which said obligations are to be issued; the estimated costs of each said purpose; the amount of available grants for each said purpose; the amount of down payment for each said purpose; the maximum amount obligations to be issued for each

said purpose and the period of usefulness of each said purpose within the limitations of the Local Bond Law are as follows:

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A. Financing of the City's share of the replenishment of City beaches and dunes, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto, all as more particularly described in the records on file and available for inspection in the office of the City Clerk	\$720,000	\$36,000	\$684,000	15 years
B. Repairs and replacements to beach walkovers within the City, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto, all as more particularly described in the records on file and available for inspection in the office of the City Clerk	300,000	15,000	285,000	5 years
C. Acquisition of lumber and fasteners for repairs to the boardwalk within the City, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto, all as more particularly described in the records on file and available for inspection in the office of the City Clerk	325,000	16,250	308,750	5 years
D. Improvements to various parks and playgrounds throughout the City, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	355,000	17,750	337,250	15 years
Total	\$1,700,000	\$85,000	\$1,615,000	

Section 8. The average period of useful life of the several purposes for the financing of which this Bond Ordinance authorizes the issuance of bonds or bond anticipation notes, taking into consideration the respective amounts of bonds or bond anticipation notes authorized for said several purposes, is not less than 11.32 years.

Section 9. Grants or other monies received from any governmental entity, if any, will be applied to the payment of, or repayment of obligations issued to finance, the costs of the purposes described in Section 7 above.

Section 10. The supplemental debt statement provided for in Section 10 of the Local Bond Law, N.J.S.A. 40A:2-10, was duly filed in the office of the Clerk prior to the passage of this Bond Ordinance on first reading and a complete executed duplicate original thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. The supplemental debt statement shows that the gross debt of the City, as defined in Section 43 of the Local Bond Law, N.J.S.A. 40A:2-43, is increased by this Bond Ordinance by \$1,615,000 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 11. The full faith and credit of the City are irrevocably pledged to the punctual payment of the principal of and interest on the bonds or bond anticipation notes authorized by this Bond Ordinance, and to the extent payment is not otherwise provided, the City shall levy ad valorem taxes on all taxable real property without limitation as to rate or amount for the payment thereof.

Section 12. The applicable Capital Budget of the City is hereby amended to conform with the provisions of this Bond Ordinance to the extent of any inconsistency therewith, and the resolution promulgated by the Local Finance Board showing full detail of the amended applicable Capital Budget and Capital Program as approved by the Director of the Division of Local Government Services, is on file with the Clerk and available for inspection.

Section 13. The City hereby declares its intent to reimburse itself from the proceeds of the bonds or bond anticipation notes authorized by this Bond Ordinance pursuant to Income Tax Regulation Section 1.150-2(e), promulgated under the Internal Revenue Code of 1986, as amended ("Code"), for "original

expenditures", as defined in Income Tax Regulation Section 1.150-2(c)(2), made by the City prior to the issuance of such bonds or bond anticipation notes.

Section 14. The City hereby covenants as follows:

(a) it shall take all actions necessary to ensure that the interest paid on the bonds or bond anticipation notes authorized by the Bond Ordinance is exempt from the gross income of the owners thereof for federal income taxation purposes, and will not become a specific item of tax preference pursuant to Section 57(a)(5) of the Code;

(b) it will not make any use of the proceeds of the bonds or bond anticipation notes or do or suffer any other action that would cause the bonds or bond anticipation notes to be "arbitrage bonds" as such term is defined in Section 148(a) of the Code and the Regulations promulgated thereunder;

(c) it shall calculate or cause to be calculated and pay, when due, the rebatable arbitrage with respect to the "gross proceeds" (as such term is used in Section 148(f) of the Code) of the bonds or bond anticipation notes;

(d) it shall timely file with the Internal Revenue Service, such information report or reports as may be required by Sections 148(f) and 149(e) of the Code; and

(e) it shall take no action that would cause the bonds or bond anticipation notes to be "federally guaranteed" within the meaning of Section 149(b) of the Code.

Section 15. The improvements authorized hereby are not current expenses and are improvements that the City may lawfully make. No part of the cost of the improvements authorized hereby has been or shall be specially assessed on any property specially benefited thereby.

Section 16. All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 17. In accordance with the Local Bond Law, this Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

FIRST READING June 16, 2011
PUBLICATION June 20, 2011
PUBLIC HEARING
& ADOPTION July 21, 2011

ORDINANCE NO. 2011-12

AN ORDINANCE AMENDING AND SUPPLEMENTING CHP 102 – DEVELOPMENTAL REGULATIONS OF THE CODE OF THE CITY OF VENTNOR CITY AS IT RELATES TO FRONT AND REAR YARD SETBACKS IN THE R-7 ZONING DISTRICT

BE IT ORDAINED by the Board of Commissioners of the City of Ventnor City that Chapter 102 of the Code of the City of Ventnor City shall be amended and supplemented as follows:

SECTION I. The following modifications shall be made in Section 102-62. Area and Bulk Requirements:

-Paragraph E. shall be changed to read 12 feet instead of 8 feet

-Paragraph G. shall be changed to read 12 feet where 10 feet is indicated

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.

Date of Introduction: June 16, 2011
Publication: June 20, 2011
Public Hearing &
Adoption July 21, 2011

ORDINANCE NO. 2011-13

AN ORDINANCE RENEWING CONSENT AND PERMISSION TO THE SOUTH JERSEY GAS COMPANY, A CORPORATION OF THE STATE OF NEW JERSEY, TO FURNISH GAS FOR LIGHT, HEAT AND POWER IN THE CITY OF VENTNOR IN THE COUNTY OF ATLANTIC AND STATE OF NEW JERSEY

BE IT ORDAINED by the Board of Commissioners of the City of Ventnor City that:

SECTION 1. That exclusive and perpetual consent and permission to furnish gas for light, heat and power in the City of Ventnor, County of Atlantic, State of New Jersey, is hereby given and granted to South Jersey Gas Company, a corporation of the State of New Jersey, subject to approval of such consent and permission by the Board of Public Utilities of the State of New Jersey.

SECTION 2. That exclusive consent and permission is hereby given to South Jersey Gas Company to lay and construct its pipes and mains and related appurtenances and facilities within the streets, alleys, squares and public places within the City of Ventnor in the manner required by R.S. 48:9-21, and subject to reasonable regulations imposed by ordinance or resolution with respect to the opening of streets and public places, subject to approval of such consent and permission by the Board of Public Utilities.

SECTION 3. The consents granted in Sections 1 and 2 are granted for the entire geographical area of the City of Ventnor and extend to the boundaries of the City of Ventnor.

SECTION 4. The said South Jersey Gas Company shall within thirty (30) days after the passage of this ordinance file with the City Clerk a bond in the amount of One Thousand Dollars (\$1,000.00) conditioned upon the restoration of any street or public place which may be opened by in a manner satisfactory to the Director of the Department of Public Works.

SECTION 5. This Ordinance shall take effect after its final passage and publication according to law.

FIRST READING August 18, 2011

PUBLICATION August 22, 2011

PUBLIC HEARING &
ADOPTION September 15, 2011

**CITY OF VENTNOR CITY
ORDINANCE NO. 2011-14**

AN ORDINANCE AMENDING/CORRECTING CHP 102-118.7, SIGNS,
TO INCLUDE TEMPORARY SIGNS OF CONTRACTORS, BUILDERS & ARTISANS

BE IT ORDAINED by the Board of Commissioners of the City of Ventnor City as follows:

SECTION I. Chp. 102-118.7, Signs, is hereby amended and supplemented to read:

- A. (17) Temporary signs of contractors, builders and artisans, provided that:
 - (a) Such signs shall be erected only on the property where such work is being performed.
 - (b) The size of such signs shall not exceed four (4) square feet.
 - (b) Such signs shall not be placed before the work commences and shall be removed within one (1) week of completion of work.
 - (c) At no time shall there be more than one (1) temporary sign permitted on the property regardless of the number of trades performing work.

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	<u>October 20, 2011</u>
PUBLICATION	<u>October 24, 2011</u>
PUBLIC HEARING	<u>November 17, 2011</u>

**ORDINANCE NO. 2011-15
AN ORDINANCE AMENDING SECTION 214-32
OF THE CODE OF THE CITY OF VENTNOR
RELATING TO TIME LIMIT PARKING**

WHEREAS, State statute allows municipalities to establish time limit parking on certain streets contained within the municipality; and

WHEREAS, the Commissioners of the City of Ventnor are desirous of establishing a two (2) hour parking limitation on a certain portion of Lafayette Avenue.

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. Section 214-32 of the Code of the City of Ventnor shall be amended by adding the following additional time limit parking restriction:

<u>Name of Street</u>	<u>Side</u>	<u>Hours</u>	<u>Maximum Time (minutes)</u>	<u>Location</u>
Lafayette Avenue	West	8:00a.m. to 4:00 p.m. Monday through Friday	120	From a point 25 feet north of the intersection of Lafayette Avenue and Balfour Avenue to a point 25 feet south of the intersection of Lafayette Avenue and Essex Court

SECTION II. This Ordinance authorizes the posting of signs in conformity with all State regulations including the Manual of Uniform Traffic Control Devices for Streets and Highways as adopted by the Commissioner of Transportation.

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	<u>November 17, 2011</u>
PUBLICATION	<u>November 21, 2011</u>
PUBLIC HEARING & ADOPTION	<u>December 15, 2011</u>

ORDINANCE NO. 2011-16

**AN ORDINANCE AMENDING SECTION 214-43 OF THE CODE
OF THE CITY OF VENTNOR RELATING TO U-TURNS**

WHEREAS, pursuant to State statute, municipalities have the right to establish certain regulations, in conjunction with the Commissioner of Transportation, governing the flow of traffic within municipal borders; and

WHEREAS, the Commission of the City of Ventnor is desirous of establishing a portion of Lafayette Avenue as an area where u-turns are prohibited; and

WHEREAS, the Code of the City of Ventnor must be amended to establish the same.

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. Section 214-43 of the Code of the City of Ventnor shall be amended by adding the following prohibition concerning u-turns:

<u>Name of Street</u>	<u>Location</u>
Lafayette Avenue	From Fulton Avenue to Balfour Avenue

SECTION II: A copy of this Ordinance will be forwarded to the Commissioner of Transportation for any appropriate approval.

SECTION III: No u-turn signs are authorized to be posted in said location upon final adoption and passage of this Ordinance pursuant to law. Said signs must be in conformity with all laws and regulations, including but not limited to, the Manual of Uniform Traffic Control Devices for Streets and Highways as adopted by the Commissioner of Transportation.

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

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

FIRST READING November 17, 2011

PUBLICATION November 21, 2011

PUBLIC HEARING
& ADOPTION December 15, 2011