

2014 ORDINANCES PENDING & ADOPTED

ORDINANCE #	PUBLIC HEARING & ADOPTION
2014-01 AMEND WATER RATES	03-20-14
2014-02 AMEND SEWER RATES	03-20-14
2014-03 AMEND BOND ORDINANCE 2013-10	03-20-14
2014-04 AMEND CHP 61, INCREASE ALCOHOLIC BEVERAGE LICENSE FEES	03-20-14
2014-05 AMEND CHP 81, INCREASE SAILBOAT LICENSE FEE	03-20-14
2014-06 AMEND CHP 105-2, INCREASE DOG LICENSE FEES	03-20-14
2014-07 AMEND CHP 181, INCREASE RENTAL REGISTRATION FEE	03-20-14
2014-08 AMEND CHP 94, INCREASE CERTIFICATE OF LAND USE COMPLIANCE FEE	03-20-14
2014-09 AMEND CHP 149, INCREASE MERCANTILE LICENSE FEES	03-20-14
2014-10 AMEND CHP 173, INCREASE BEACH VENDOR LICENSE FEES	03-20-14
2014-11 2014 SALARY ORDINANCE	03-20-14
2014-12 AMEND CHP 115, FISHING PIER FEES & REGULATIONS	04-17-14
2014-13 AMEND CHP 72, VETERANS BEACH BADGES	04-17-14
2014-14 COLA	04-17-14
2014-15 AMEND CHP 214 VEHICLES AND TRAFFIC, PART 1 PARKING	05-13-14
2014-16 AMEND CHP 217 ON-STREET HANDICAPPED PARKING	05-13-14
2014-17 REFUNDING BOND ORDINANCE (2004 SCHOOL BOND)	06-19-14
2014-18 AMEND 2014 SALARY ORD ADD K-9 OFFICER COMPENSATION	06-19-14
2014-19 AMEND CHP 214, ADD 15 MIN PARKING & NO PARKING @ CH	06-19-14
2014-20 AMEND CHP 214, 15 MIN PARKING HILLSIDE & VENTNOR	07-17-14
2014-21 MANDATE DIRECT DEPOSIT FOR MUNICIPAL EMPLOYEES	08-21-14
2014-22 AMEND CHP 102 – ALLOW LED SIGNS @ HOUSES OF WORSHIP	08-21-14
2014-23 AMEND CHP - SAILBOATS	10-16-14
2014-24 AMEND CHP 102 – BULKHEAD HEIGHTS	09-16-14
2014-25 BOND ORDINANCE, FUND NJEIT PROJECTS	10-16-14
2014-26 W/S BOND ORDINANCE, FUND NJEIT PROJECTS	10-16-14
2014-27 CAPITAL BOND ORDINANCE (\$2.25M)	11-20-14
2014-28 AMEND SALARY ORD TO INCLUDE TITLE OF SECRETARIAL ASSISTANT	11-20-14
2014-29 AMEND ARTICLE III DEFINITIONS AND WORD USAGE CHP 102-11	11-20-14
2014-30 AMEND ARTICLE XIII A CITY COMMERCIAL DISTRICT CHP 102-85	11-20-14

2014-31 AUTHORIZE SPECIAL EMERGENCY APPROPRIATIONS TO FUND COSTS ASSOCIATED WITH PREPARATION OF TAX MAP	11-20-14
2014-32 AMEND CHP 132-16 TO ADD MATERIALS TO MANDATORY SEPARATION	12-18-14
2014-33 CREATION OF TAX EXEMPTION PROGRAM	12-18-14

**ORDINANCE NO. 2014-01**

**AN ORDINANCE AMENDING CHAPTER 220  
OF THE CODE OF THE CITY OF VENTNOR  
AS THE SAME RELATES TO WATER USAGE**

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

SECTION I. Section 220-14 of the Code of the City of Ventnor shall be amended to read as follows:

Section 220-14. Usage Fees. The following rates and fees shall be in effect for the 2014 calendar year.

A. Water - Annual Fixed Amount	\$198.00
B. Variable rate per 1,000 gallons	\$ 1.07
C. Variable rate per 1,000 gallons for the months of July, August and September	\$ 1.32

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

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

FIRST READING January 16, 2014

PUBLICATION January 20, 2014

PUBLIC HEARING &  
ADOPTION: March 20, 2014

**ORDINANCE NO. 2014-02**

**AN ORDINANCE AMENDING CHAPTER 186  
OF THE CODE OF THE CITY OF VENTNOR  
AS THE SAME RELATES TO SEWERS**

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

SECTION I. Section 186-2.1 of the Code of the City of Ventnor shall be amended to read as follows:

B. Sewer Fixed Annual Amount	\$217.00
C. Sewer Variable Rate per 1,000 gallons	\$4.51
D. Sewer Variable rate for the months of July, August, September per 1,000 gallons	\$5.54

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

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

FIRST READING January 16, 2014

PUBLICATION January 20, 2014

PUBLIC HEARING &  
ADOPTION: March 20, 2014

ORDINANCE 2014-03

ORDINANCE OF THE CITY OF VENTNOR CITY, COUNTY OF ATLANTIC, NEW JERSEY CANCELLING CERTAIN FUNDED APPROPRIATION BALANCES HERETOFORE PROVIDED FOR THE ACQUISITION OF VEHICLES FOR PUBLIC WORKS AND REAPPROPRIATING SUCH FUNDED APPROPRIATION BALANCES FOR ACQUISITION OF VARIOUS EQUIPMENT FOR PUBLIC WORKS

BACKGROUND

**WHEREAS**, the City of Ventnor City, County of Atlantic, New Jersey ("City") duly and finally adopted Bond Ordinance 2013-10 ("Bond Ordinance") authorizing appropriations for various general capital improvements; and

**WHEREAS**, the City, having acquired the vehicles for Public Works authorized under the Bond Ordinance, has a remaining balance of \$75,145.00;

**WHEREAS**, the City is desirous of canceling and reappropriating certain funded balances for the acquisition of vehicles for public works authorized pursuant to Section 7(G) of the Bond Ordinance.

**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 appropriation, remaining as a balance in the Bond Ordinance, is hereby cancelled:

	<u>Ordinance</u>	<u>Amount of Funded Appropriation to be Cancelled</u>
A.	Section 7(G)	\$74,145.00

**Section 2.** The sum of \$74,145.00, which represents the funded appropriation cancelled in Section 1 hereof, is hereby reappropriated for acquisition of various pieces of equipment for Public Works including, but not limited to, bleachers, concrete saws, video security systems, paint stripping machines and traffic light computers, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto (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 five (5) years.

**Section 4.** The remaining funded and unfunded appropriation balances as authorized by the Bond Ordinance shall be unaffected by this ordinance and shall remain available for the uses set forth therein.

**Section 5.** The Capital 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 Capital Budget and Capital Program as approved by the Director of the Division of Local Government Services, is on file with the City Clerk and available for inspection.

**Section 6.** The Improvements authorized hereby are not current expenses and are general 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 7.** All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

**Section 8.** This ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

FIRST READING February 20, 2014

PUBLICATION February 24, 2014

PUBLIC HEARING &  
ADOPTION March 20, 2014

ORDINANCE NO 2014-04

AN ORDINANCE AMENDING CHAPTER 61 (ALCOHOLIC BEVERAGES)  
OF THE CODE OF THE CITY OF VENTNOR

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

Section I. Section 61-2 Fees, Classes of Licenses Restricted shall be amended to read as follows:

(A) The sole permissible license for the sale of alcoholic beverages in the City of Ventnor shall be by plenary distribution retail license pursuant to N.J.S.A. 33:1-12(3)(a).

(B) The fee for a plenary distribution retail license shall be \$430 per annum.

(C) All license fees shall be paid by cash or certified check.

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

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

FIRST READING     February 20, 2014

PUBLICATION       February 24, 2014

PUBLIC HEARING &]  
ADOPTION           March 20, 2014

ORDINANCE NO. 2014-05

AN ORDINANCE AMENDING CHAPTER 81 (BOATING)  
OF THE CODE OF THE CITY OF VENTNOR

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

Section 1. Section 81-8 shall be amended as follows:

The sailboat owner's one-year license fee hereunder shall be the sum of \$150 and shall be payable in advance each year.

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

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

FIRST READING      February 20, 2014

PUBLICATION        February 24, 2014

PUBLIC HEARING &  
ADOPTION            March 20, 2014

ORDINANCE NO. 2014-06

AN ORDINANCE AMENDING SECTION 105-2 (DOGS AND OTHER ANIMALS)  
OF THE CODE OF THE CITY OF VENTNOR

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

Section I. Chapter 105-2 License and Registration Fees shall be amended to include the following:

- A. Effective July 1, 2014, the person applying for the license and registration tag of each neutered or spayed dog shall pay the total sum of \$10.00. The person applying for the license and registration tag of each non-neutered or non-spayed dog shall pay the total sum of \$13.00. For each annual renewal, said fee for the license and for the registration tag shall be as for the original license and tag. Said licenses, registration tags and renewals thereof shall expire on the last day of January of each year. Any renewals made after March 1 of any given year will be subject to a \$10.00 late fee and any other penalties as set forth §105-2-10.2. Pursuant to New Jersey state statutes, the New Jersey State Department of Health shall collect from the City of Ventnor City designated fees and/or surcharges for each dog license and registration tag issued by the City of Ventnor City. The amount designated for said fees and/or surcharges and the method of forwarding same to the New Jersey State Department of Health shall be in accordance with New Jersey state law.

Section II . Section 105-10.2 shall be added to read as follows:

Any person or persons violating any of the provisions of this article shall, upon conviction thereof, be subject to a fine not exceeding the sum of \$50. Each and every day such violation continues shall be considered as a separate and specific violation of this article, and the penalties herein prescribed shall apply to such separate and specific offenses. In addition to or as a substitute for the previously mentioned fine, the imposition of community service shall be authorized as an additional penalty, which community service shall not exceed 90 days.

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        February 20, 2014

PUBLICATION        February 24, 2014

PUBLIC HEARING &  
ADOPTION            March 20, 2014

ORDINANCE NO. 2014-07

AN ORDINANCE AMENDING CHAPTER 181 (RENTAL PROPERTY)  
OF THE CODE OF THE CITY OF VENTNOR

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

Section I. Section 181-7 shall be amended as follows:

At the time of filing the registration form, the owner shall pay a fee in the amount of \$50 for each rental unit. Thereafter, an annual license fee of \$50 shall be due. For failure to pay the annual license renewal fee within 30 days of the due date, the owner shall incur a late fee in the amount of \$15 in addition to the annual fee. A late fee shall be assessed for each additional or part of an additional thirty-day period.

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

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

FIRST READING      February 20, 2014

PUBLICATION      February 24, 2014

PUBLIC HEARING &  
ADOPTION      March 20, 2014

ORDINANCE NO. 2014-08

AN ORDINANCE AMENDING CHAPTER 94 (CERTIFICATE OF LAND USE COMPLIANCE) OF THE CODE OF THE CITY OF VENTNOR

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

Section I. Section 94.4 shall be amended as follows:

The fee for applying for a certificate of land use compliance in the City of Ventnor City shall at this time be set in the sum of \$50.

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

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

FIRST READING      February 20, 2014

PUBLICATION        February 24, 2014

PUBLIC HEARING &  
ADOPTION            March 20, 2014

ORDINANCE NO. 2014-09  
AN ORDINANCE AMENDING CHAPTER 149 (MERCANTILE LICENSING)  
OF THE CODE OF THE CITY OF VENTNOR

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

Section I. Section 149-5 shall be amended as follows:

The license fees to be paid annually as above provided to the City of Ventnor City for conducting the businesses herein named at the places to be designated in the license certificate issued therefor or for using any vehicle, stand, store, place or thing or for the type of service herein designated shall be as follows:

Type of Business	Fee
Auction house/store	\$1,000.00
Automatic vending or dispensing machines	\$10.00
Antiques and used wares shop	\$50.00
Alteration, tailor shop, dry cleaning, laundry and shoe repair	\$50.00
Automobile accessories	\$50.00
Automobile garage (with accessories)	\$50.00
Automobile service station (with accessories)	\$75.00
Automobile agency or saleroom	\$150.00
Bakery and pastry shop	\$50.00
Beauty salon/tanning salon/barbershop	\$50.00
Bicycle stores	\$50.00
Boat shop/accessories	\$50.00
Bookstore	\$50.00
Bowling alleys (per alley)	\$15.00
Business offices	\$50.00
Cigars and tobacco shops	\$50.00
Circus	\$1,000.00
Clothing and accessories/jewelry	\$50.00
Confectioners	\$50.00
Craft stores	\$50.00
Department stores	\$350.00
Distributors	\$75.00
Drug stores	\$75.00
Electronics store	\$50.00
Express and freight distribution terminals	\$50.00
Florist	\$50.00
Gas pumps (not connected with garages or service stations) each pump	\$20.00
Groceries, retail	\$50.00
Groceries, meats and poultry, wholesale	\$350.00
Hardware/electrical supplies/painting supplies	\$75.00
Health & Fitness	\$50.00

Home furnishings, blinds, awnings (without electronics)	\$50.00
Home occupancy	\$50.00
Ice cream parlor or stand	\$50.00
Laundry [self-service] per machine	\$50.00
Musical instruments/music store	\$50.00
Newspaper publishers	\$50.00
Optical goods	\$50.00
Peddlers and solicitors	\$150.00
Performing Arts Studios/Galleries	\$50.00
Pinball machines, per machine in conjunction with Ord. No. 4-1948 [see Ch. 63, Art. I]	\$20.00
Print shops	\$50.00
Restaurants/Coffee shops	\$50.00
Seafood stores	\$50.00
Ship and boatyard storage/slip and dock rental/marina	\$75.00
Supermarkets	\$350.00
Skating rink	\$100.00
Sports equipment/clothing	\$50.00
Stationary/books/magazines/novelty stores	\$50.00
Storage warehouse	\$125.00
Stores not classified	\$50.00
Taxicab owner license, each cab (see regulations in Ch. 205, Taxicabs, Licensing and Operation of) [Amended 8-16-1983 by Ord. No. 8329; 11-1-1983 by Ord. No. 8338; 4-3-1984 by Ord. No. 8402; 8-15-1985 by Ord. No. 8514; 6-21-1990 by Ord. No. 9014; 11-5-1992 by Ord. No. 9215; 7-23-1993 by Ord. No. 9311; 8-24-1995 by Ord. No. 9517; 5-19-2004 by Ord. No. 2005-11;	\$150.00
Taxicab, vehicle information change administrative fee [Added 5-19-2004 by Ord. No. 2005-11]	\$30.00
Theaters, each projection screen on premises [Added 8-16-1983 by Ord. No. 8329]	\$150.00
Travel agency	\$50.00
Undertakers	\$50.00
Variety stores	\$50.00

Section II. Section 149-14 Personal Property Sales shall be amended as follows:

Any and all persons, individuals, estates, or entities of similar type who seek to have a personal property sale shall be required to register with the City of Ventnor City and pay a fee of \$3.00 for said registration. Personal property sales shall be limited to those persons who are in fact owners of a residential property or occupants of a residential property selling those personal items located in the facility in which said sale is occupying. The sale shall be limited to those items on the premises and at no time shall any person, individual, estate or entity be permitted to offer for sale any asset that is, in fact, brought to the location in Ventnor City from some other area or jurisdiction. It should be further noted that any such sale shall be limited in duration to two (2)

consecutive days. In addition, at no time shall there be more than two (2) sales per year from any one property in said City.

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>February 20, 2014</u>
PUBLICATION	<u>February 24, 2014</u>
PUBLIC HEARING & ADOPTION	<u>March 20, 2014</u>

ORDINANCE NO. 2014-10

AN ORDINANCE AMENDING CHAPTER 173 (SALES ON PUBLIC BEACHES  
AND BOARDWALK) OF THE CODE OF THE CITY OF VENTNOR

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

Section I. Section 173-8 Fee shall be amended to read as follows:

The annual fee for such license shall be \$50.00.

Section II. Section 173-9 Display of Badge; Deposit shall be amended to read as follows:

Every licensee shall wear and prominently display, while engaged in hawking, peddling or vending, a badge issued by the City of Ventnor City upon the granting of the license, for which the licensee shall deposit the sum of \$ 5.00, which deposit will be returned to him upon the surrendering thereof, provided that in the event that said badge is not surrendered on or before December 31 of the year in which the same is issued and commencing with the year 1950 and each year thereafter, then said deposit shall be forfeited and shall become the property of the City of Ventnor City.

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      February 20, 2014

PUBLICATION        February 24, 2014

PUBLIC HEARING &  
ADOPTION            March 20, 2014

ORDINANCE 2014-11

ESTABLISHING 2014 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
00001	Account Clerk	\$25,000	\$56,200
	Attendants-Fishing Pier	\$5.25/hr	\$10.00/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	\$32.00/hr
00970	Carpenter	\$15,000	\$57,600
07451	Chief Financial Officer	\$24,000	\$96,000
	Chief, Beach Patrol	\$13.50/hr	\$36.00/hr
01229	City Clerk	\$24,000	\$81,200
01290	Commissioner	\$7,500	\$10,000
06096	Construction Official/Building Sub-Code Official	20,000	\$87,300
01509	Deputy City Clerk	\$15,000	\$25,000
01506	Deputy Fire Chief	\$56,400	\$117,900
07796	Deputy Municipal Court Administrator	\$15,000	\$31,040
05046	Electrical Sub-Code Official	\$3,000	\$16,000
01746	Equipment Operator	\$15,000	\$30,000
01836	Fire Captain	\$56,000	\$110,800
01837	Fire Chief	\$56,000	\$131,400
01839	Fire Fighter	\$22,800	\$90,400
01843	Fire Lieutenant	\$52,700	\$98,100

05200	Fire Sub-Code/Plumbing Sub-Code Official	\$7,500	\$27,200
06818	General Supervisor Traffic Maintenance	\$15,000	\$59,120
02071	Housing Inspector	\$15,000	\$63,300
	Flood Plains Manager	\$5,000	\$10,000
	PEOSHA Building Inspector	\$2,000	\$5,000
02219	Judge of Municipal Court	\$15,000	\$25,000
01268	Keyboarding Clerk 1	\$15,000	\$49,500
02248	Laborer	\$22,500	\$50,100
	Lieutenant, Beach Patrol	\$9.50/hr	\$24.00/hr
02297	Lifeguard	\$9.50/hr	\$22.00/hr
01940	Maintenance Worker 1 Grounds	\$20,000	\$54,100
02390	Management Specialist	\$10,000	\$46,800
02428	Mayor	\$8,500	\$10,000
02434	Mechanic	\$22,500	\$58,300
02456	Mechanic's Helper	\$22,500	\$55,000
02519	Municipal Administrator	\$5,000	\$31,200
07795	Municipal Court Administrator	\$15,000	\$49,900
05079	Municipal Emergency Management Coordinator	\$15,000	\$76,530
06328	Municipal Engineer	\$50,000	\$101,800
07305	Parking Enforcement Officer	\$15,600	\$30,200
02604	Park Maintenance Worker	\$15,000	\$54,100
	Pier Master	\$250/wk	\$900/wk
05056	Plumbing Sub-Code Official	\$3,000	\$27,200
02718	Police Captain	\$69,984	\$117,600
02719	Police Chief	\$72,000	\$131,300
02727	Police Lieutenant	\$64,650	\$111,150
	Police Lieutenant, Assigned Detective	\$69,984	\$122,150
02728	Police Officer	\$26,592	\$89,800
	Police Officer, Assigned Detective	\$59,723	\$100,800
02739	Police Sergeant	\$59,723	\$101,000
	Police Sergeant, Assigned Detective	\$64,650	\$110,700
02534	Prosecutor	\$10,000	\$31,000
01296	Public Safety Telecommunicator	\$24,500	\$61,000
02936	Public Works Superintendent	\$15,000	\$96,800
02495	Pump Station Operator	\$22,500	\$50,800
05674	Receptionist/Telephone Operator Typing	\$15,000	\$51,000
02993	Recreation Leader	\$6,000	\$53,900
02995	Recreation Leader Arts & Crafts	\$12,000	\$38,200
04440	Recreation Leader Tennis	\$200/wk	\$840/wk
	Recycling Coordinator	\$2,500	\$5,000
03125	School Crossing Guard	\$20.00/day	\$60.00/day
05875	Sewer Repairer/Water Repairer	\$22,500	\$60,800
05945	Sewer Superintendent/Water Superintendent	\$25,000	\$77,900
06895	Special Law Enforcement Officer	\$10,000	\$25,340
03805	Street Sweeper	\$22,500	\$54,600
06724	Supervising Mechanic	\$22,500	\$65,200
06707	Supervisor Sewer/Supervisor Water	\$22,500	\$60,900
04120	Tax Assessor	\$20,000	\$68,500

04124	Tax Collector	\$24,000	\$79,200
53099	Technician, Management Information Systems	\$25,000	\$65,930
04189	Traffic Maintenance Worker	\$22,500	\$50,200
05742	Water Meter Reader/Water Meter Repairer	\$22,500	\$58,600

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, 2014.

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 Clerical 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. However, employees shall be responsible for payment of 1.5% of their base salary, or any other additional amount required concerning health insurance required by law, through withholding from their pay, as a contribution for health benefit coverage. The term base salary shall mean the salary on which an employee's pension contribution or equivalent defined contribution retirement program salary is based. However, for employees hired after July 2007 for whom

pensionable salary is limited to the salary on which social security contributions are based, the employees' total pensionable salary plus defined contribution retirement program eligible based salary would be used.

Benefit Waiver: The City agrees to pay a health benefit waiver stipend of twenty-five percent (25%) of the amount saved by the City because of the waiver of coverage or Five Thousand Dollars (\$5,000.00), whichever is less, 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.

FIRST READING      February 20, 2014

PUBLICATION      February 24, 2014

PUBLIC HEARING &  
ADOPTION      March 20, 2014

ORDINANCE NO. 2014-12

AN ORDINANCE AMENDING SECTION 115 FEES; FISHING PIER  
REGULATIONS OF THE CODE OF THE CITY OF VENTNOR

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

SECTION I. Chapter 115-1(A) shall be amended to include the following:

- A. Photo identification, membership fees and restrictions. At all times when accessing and using the fishing pier, every member/key holder of the Ventnor City Fishing Pier must have in their possession the official Ventnor City photo identification and key issued to them by the Ventnor City Pier Master. The identification must be on the person visible at all times while on the pier. Individuals without identification are subject to being removed from the pier and fined as set forth more fully herein in §115-3 and §115-4.
- B. Yearly Membership Costs:
  - (1) For senior citizens (senior citizen to be defined as one being 62 years of age and above): \$150 per person per year.
  - (2) For adults 18 years and above and below 62 years of age: \$175 per person per year.
  - (3) For individuals 10 years and over and under the age of 18 years: \$50 per person per year.
  - (4) For spectators with a key: \$50 per person per year.
- C. Weekly Membership Costs:
  - (1) For senior citizens (62 years of age and above): \$25 per week.
  - (2) For adults (18 years to below 62 years of age): \$30 per week.
  - (3) For individuals 10 years and over and under the age of 18 years: \$15 per week.
- D. Daily Membership Costs:
  - (1) For senior citizens (62 years of age and above): \$5 per day
  - (2) For adults (18 years to below 62 years of age): \$10 per day.
  - (3) For individuals 10 years and over and under the age of 18 years: \$5per day.
- E. Individuals who have purchased a weekly or daily membership pursuant to subsection (C) and (D) above, shall be prohibited from using or accessing the pier at any time other than during the hours of operation. Furthermore no individual with a weekly or daily membership shall be issued a key or a photo identification card.

SECTION II. Chapter 115-2 Rules and Regulations for Ventnor Fishing Pier shall be amended as follows:

The official Rules and Regulations established by the Ventnor City Board of Recreation shall govern the daily conduct and operation of the Ventnor Fishing Pier. All members, spectators, weekly and daily patrons must comply with the Ventnor City Board of Recreation Rules and Regulations in effect. Frequent and flagrant violation of such regulations may result in the revocation of pier privileges and fines. The following general rules shall apply to the Ventnor Fishing Pier. Any persons violating said rules may be subject to immediate removal from premises, with possible fines or loss of pier privileges. It shall be unlawful to:

- A. Trespass. Persons accessing the Fishing Pier without possession of a valid membership identification or current weekly or daily pass shall be considered trespassing.
- B. Use or possess alcoholic beverages of any kind on the pier.
- C. Vandalize or destroy any public/private property located on the pier.

- D. Use your membership key, credentials or pass to aid unauthorized person to make entry on the pier.
- E. Express mannerisms or actions that are offensive or detrimental to the peace and good order of the operation of the pier.

SECTION III. Chapter 115-4 Violations and Penalties shall be amended as follows:

Any person or persons violating any of the provisions of this chapter shall, upon conviction thereof in the Municipal Court of Ventnor, be subject to a fine of not less than \$100 nor more than \$1000. Each violation shall be considered as a separate and specific violation of this article, and the penalties herein prescribed shall apply to such separate and specific offenses. In addition to or as a substitute for the previously mentioned fine, the imposition of community service shall be authorized as an additional penalty, which community service shall not exceed 90 days.

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 March 20, 2014

PUBLICATION March 24, 2014

PUBLIC HEARING &  
ADOPTION April 17, 2014

ORDINANCE NO. 2014-13

AN ORDINANCE AMENDING CHAPTER 72 "BEACHES" §72-3.  
"BADGE REQUIRED" OF THE CODE OF THE CITY OF VENTNOR CITY

(Allowing for the issuance of beach badges, without fee, to qualifying United States Armed Services Veterans)

SECTION I: Section §72-3, shall be amended and supplemented as follows.

1. No person 12 years of age and over shall bathe at or otherwise use the beaches set forth in §72-1 without first having acquired and then having in his or her possession a proper and effective badge, license or permit to use the beaches, which shall be worn conspicuously by such person during said use, so that it shall be visible at all times and shall be exhibited on demand to the Beach Inspector or other duly authorized representative of the City of Ventnor City.
2. Persons in active military service. Though such persons are required to display a badge, no fees shall be charged to or collected from persons in active military service in any of the Armed Forces of the United States or to their spouse or dependent children over the age of 12 years.
3. Persons who are active members of the New Jersey National Guard. Though such persons are required to display a badge, no fees shall be charged to or collected from persons who are active members of the New Jersey National Guard who have completed initial active duty training and to their spouse or dependent children over the age of 12 years. As used in this subsection, "initial active duty training" means basic military training, for members of the New Jersey Air National Guard, and basic combat training and advanced individual training, for members of the New Jersey Army National Guard.
4. Persons who have served in any of the Armed Forces of the United States and who were discharged or released therefrom under conditions other than dishonorable and who either have served at least 90 days in active duty or have been discharged or released from active duty by reason of a service-incurred injury or disability (Veterans). Though such Veterans are required to display a badge, no fees shall be charged to or collected from such Veterans. In order to obtain a badge with no fee, such Veterans shall present to the Beach Tag Supervisor documentation, consistent with law and any rules and regulations promulgated by The Adjunct General of the New Jersey Department of Military and Veterans' Affairs, sufficient to establish entitlement to a badge with no fee.
5. Records and Verification. As required by law, the Beach Tag Supervisor shall maintain a list of all individuals to whom beach tags are issued pursuant to Subsections 2, 3 and 4 above, including the names of all individuals and, as applicable hereunder, their family members who qualify for the beach fee exemption. The Beach Tag Supervisor shall also establish procedures for verifying that individuals and, as applicable hereunder, their family members who qualify for the beach fee exemption by presentation by those claiming the exemption of appropriate credentials demonstrating active duty or Veterans status.

SECTION II: All ordinances or parts of ordinances inconsistent with any terms of this ordinance are hereby repealed to the extent of such inconsistency only.

SECTION III: This amendment to Code of the City of Ventnor Chapter 72 "Beaches," §72-3 shall take effect upon its final passage and publication as required by law.

FIRST READING March 20, 2014

PUBLICATION March 24, 2014

PUBLIC HEARING &

ADOPTION April 17, 2014

ORDINANCE 2014-14

CALENDAR YEAR 2014

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 .50% 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 Commissioners of the City of Ventnor in the County of Atlantic finds it advisable and necessary to increase its CY 2014 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 Commissioners hereby determines that a 3.0% increase in the budget for said year, amounting to \$652,598 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the 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 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 2014 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 \$761,365, and that the CY 2014 municipal budget for the City of Ventnor be approved and adopted in accordance with this ordinance; and,

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; 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 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 said Director within 5 days after such adoption.

FIRST READING March 20, 2014

PUBLICATION March 24, 2014

PUBLIC HEARING &  
ADOPTION April 17, 2014

ORDINANCE 2014-15

AN ORDINANCE AMENDING CHAPTER 214 VEHICLES AND TRAFFIC,  
PART 1 TRAFFIC AND PARKING, ARTICLE XI SCHEDULES

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

Section I. Chapter 214-29. Schedule 1. No Parking shall be amended as follows:

- A. Add New Haven Avenue, East, from the southerly street end to a point 63 feet north thereof.
- B. Modify Somerset Avenue, West, from Atlantic Avenue to the beach to Somerset Avenue, West, from the southerly street end to a point 217 feet north thereof.
- C. Add Somerset Avenue, East, from a point 338 feet south of Atlantic Avenue to the southerly street end.

Section II. Chapter 214-32. Schedule IV. Time Limit Parking shall be amended as follows:

- A. Delete Atlantic Avenue, North, 7:00 a.m. to 5:30 p.m., 30 minutes, from Surrey Avenue to Weymouth Avenue.
- B. Delete Atlantic Avenue, South, 7:00 a.m. to 5:30 p.m., 120 minutes, from Surrey Avenue to Weymouth Avenue.
- C. Delete Dorset Avenue, East, 9:00 a.m. to 10:00 p.m., 15 minutes, from a point 25 feet south of Monmouth Avenue to a point 44 feet south thereof.
- D. Delete Dorset Avenue, East, 8:00 a.m. to 12:00 midnight, 15 minutes, from a point 146 feet south of Monmouth Avenue to a point 22 feet north thereof.
- E. Modify New Haven Avenue, East, 9:00 a.m. to 8:00 p.m., Monday through Friday; 9:00 a.m. to 5:00 p.m., Saturday and Sunday, 120 minutes, from Atlantic Avenue to the Beach to New Haven Avenue, East, 9:00 a.m. to 8:00 p.m., Monday through Friday; 9:00 a.m. to 5:00 p.m., Saturday and Sunday, 120 minutes, from a point 117 feet from the southerly end to Atlantic Avenue
- F. Delete Ventnor Avenue, North, 7:00 a.m. to 5:30 p.m., 30 minutes, from Little Rock Avenue to Nashville Avenue.
- G. Delete Ventnor Avenue, South, 7:00 a.m. to 5:30 p.m., 30 minutes, from Victoria Avenue to Nashville Avenue.
- H. Add Ventnor Avenue, South, 8:00 a.m. to 12:00 midnight, 15 minutes, from a point 50 feet east of Victoria Avenue to a point 22 feet west thereof.

Section III. Chapter 214-34. Schedule VI. Angle Parking shall be amended as follows:

- A. Delete Somerset Avenue, East, 45 minutes, from a point 50 feet south of Atlantic Avenue to 229 feet south of Atlantic Avenue.

Section IV. Chapter 214-61. Schedule XXII. Parking Meter Zones shall be amended as follows:

- A. Add Troy Avenue, West, from a point 25 feet north of Ventnor Avenue to a point 134 feet north of Ventnor Avenue.

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

Section VI. 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 VII. This Ordinance shall take effect on final passage, approval and publication.

FIRST READING April 17, 2014

PUBLICATION April 21, 2014

PUBLIC HEARING &  
ADOPTION May 13, 2014

ORDINANCE 2014-16

AN ORDINANCE AMENDING CHAPTER 217 PARKING OF VEHICLES, ARTICLE V,  
ON-STREET HANDICAPPED PARKING OF THE CODE OF THE CITY OF VENTNOR

SECTION I: Section §217 shall be amended and supplemented as follows.

§217-19.5. Handicapped Parking Beach Block on New Haven Avenue.

The designated area for handicapped parking on New Haven Avenue shall be on the east side from a point 71 feet from the southerly end to a point 117 feet north thereof.

SECTION II: All ordinances or parts of ordinances inconsistent with any terms of this ordinance are hereby repealed to the extent of such inconsistency only.

SECTION III: This amendment to Code of the City of Ventnor Chapter 217 “Parking of Vehicles, Article V, On-Street Handicapped Parking,” §217-19.5 shall take effect upon its final passage, approval and publication as required by law.

FIRST READING April 17, 2014

PUBLICATION April 21, 2014

PUBLIC HEARING &  
ADOPTION May 13, 2014

ORDINANCE NO. 2014-17

REFUNDING BOND ORDINANCE PROVIDING FOR THE REFUNDING OF THE CITY'S OUTSTANDING CALLABLE SCHOOL REFUNDING BONDS, SERIES 2004C, DATED AUGUST 1, 2004; AUTHORIZING THE ISSUANCE OF UP TO \$4,100,000 OF SCHOOL REFUNDING BONDS OF THE CITY OF VENTNOR CITY, COUNTY OF ATLANTIC, NEW JERSEY, TO FINANCE THE COSTS THEREOF; MAKING CERTAIN DETERMINATIONS AND COVENANTS IN CONNECTION THEREWITH; 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 City of Ventnor City, County of Atlantic, New Jersey ("City"), is hereby authorized to refund all of its outstanding callable School Refunding Bonds, Series 2004C, dated December 15, 2004, in the aggregate principal amount of \$3,875,000 and maturing on October 1 in the following years and principal amounts (collectively, the "Callable Bonds"):

<u>Year</u>	<u>Principal Amount</u>
2015	\$590,000
2016	615,000
2017	640,000
2018	665,000
2019	685,000
2020	680,000

The exact principal amount of Callable Bonds to be refunded (which may be less than all of the Callable Bonds) shall be determined pursuant to a resolution adopted by the Board of Commissioners by not less than two-thirds of all the members thereof.

Section 2. To effectuate the refunding of up to all of the Callable Bonds, negotiable school refunding bonds of the City are hereby authorized to be issued in one or more series in an aggregate principal amount not to exceed \$4,100,000 ("Refunding Bonds"), pursuant to the Local Bond Law. The maximum principal amount of Refunding Bonds to be issued and other terms

thereof shall be determined pursuant to a resolution adopted by the Board of Commissioners by not less than two-thirds of all the members thereof.

Section 3. An aggregate amount not exceeding \$85,000 for the items of expense listed in and permitted by Section 51.b. of the Local Bond Law, *N.J.S.A. 40A:2-51.b.*, has been included in the aggregate principal amount of the Refunding Bonds authorized herein.

Section 4. The purpose of the Refunding Bonds is to effect an interest cost savings for the City.

Section 5. Each Refunding Bond authorized herein shall be designated, substantially, "City of Ventnor City, County of Atlantic, New Jersey, School Refunding Bond, Series 20\_\_" and shall be in the form prescribed and permitted by the Local Bond Law, as Bond Counsel may advise, and as the City shall approve.

Section 6. The Refunding Bonds may be sold at public or private sale pursuant to a resolution of the Board of Commissioners adopted by not less than two-thirds of the full members thereof.

Section 7. 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 City Clerk prior to the passage of this refunding 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.

Section 8. A certified copy of this refunding bond ordinance as adopted on first reading has been filed with the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey prior to final adoption, together with a complete statement in the form prescribed by the Director and signed by the Chief Financial Officer of the City as to the outstanding indebtedness to be refunded by the issuance of the Refunding Bonds.

Section 9. This refunding bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law, provided that the consent of the Local Finance Board has been endorsed upon a certified copy of this refunding bond ordinance as finally adopted.

Introduction: May 13, 2014

Publication: May 19, 2014

Public Hearing &  
Adoption June 19, 2014

ORDINANCE 2014-18  
AMEND ORDINANCE 2014-11 TO ESTABLISH COMPENSATION REQUIRED  
TO BE PAID TO MEMBERS OF VENTNOR CITY POLICE DEPARTMENT  
ASSIGNED TO CARE FOR AND HANDLE A K9 AND REPEALING ALL  
ORDINANCES OR PARTS OF ORDINANCES HERETOFORE ADOPTED, THE  
PROVISIONS OF WHICH ARE

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 shall be added as Section XIII of the City of Ventnor City's Salary Ordinance, Ordinance 2014-11:

"Upon graduation from a K9 Academy Patrol School or Scent School, any member of the Ventnor City Police Department assigned a K9 by the Department (a "Handler") shall receive 3% added to their base pay in equal-biweekly installments. This compensation shall continue for as long as the member is assigned as a K9 Handler.

If a member serves as a K9 Handler for a minimum of 5 consecutive years, the 3% compensation shall continue to be paid as outlined above for the length of the member's carrier. Should a Handler be inactive because their K9 is medically retired before the Handler accrues 5 years of continuous Handler service, and the Handler re-qualifies with another K9, the 5-year minimum shall be an aggregate total of K9 Handler service with both K9s, exclusive of academy periods."

SECTION II. Section IV of the City of Ventnor City's Salary Ordinance, Ordinance 2014-11 shall be amended to read as follows:

"The compensation indicated above shall be the maximum basic salary per annum within said title, payable in biweekly installments, exclusive of longevity; except that positions with DP Codes 02718, 02719, 02727, 02728, and 02739 shall be eligible for increased pay pursuant to Section XIII below."

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 immediately upon final passage, approval, and publication as required by law.

INTRODUCTION:                      May 13, 2014

PUBLICATION:                        May 19, 2014

PUBLIC HEARING &  
ADOPTION                              June 19, 2014

ORDINANCE 2014-19

AMENDING CHAPTER 214 VEHICLES AND TRAFFIC, PART 1  
TRAFFIC AND PARKING, ARTICLE XI SCHEDULES

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

SECTION I. Chapter 214-29. Schedule 1. No Parking shall be amended as follows:

Add Atlantic Avenue, North, from a point 131.9' west of Cambridge Avenue to a point 151.2' west of Cambridge Avenue.

SECTION II. Chapter 214-32. Schedule IV. Time Limit Parking shall be amended as follows:

Add Atlantic Avenue, North, 7:00 a.m. to 6:30 p.m., 15 minutes, from a point 112' west of Cambridge Avenue to a point 131.9' west of Cambridge Avenue

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 immediately upon final passage, approval, and publication as required by law.

INTRODUCTION: May 13, 2014

PUBLICATION: May 19, 2014

PUBLIC HEARING &  
ADOPTION June 19, 2014

ORDINANCE 2014-20

AN ORDINANCE AMENDING CHAPTER 214-32  
VEHICLES AND TRAFFIC, TIME LIMIT PARKING

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

Section II. Chapter 214-32. Schedule IV. Time Limit Parking shall be amended as follows:

Add Ventnor Avenue, North, 8:00 a.m. to 12:00 midnight, 15 minutes, from a point 25 ft East of Hillside Ave to a point 48 ft East of Hillside Ave.

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

Section VI. 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 VII. This Ordinance shall take effect on final passage, approval and publication.

FIRST READING June 19, 2014

PUBLICATION June 23, 2014

PUBLIC HEARING &  
ADOPTION July 17, 2014

**ORDINANCE NO. 2014-21**  
**ORDINANCE TO MANDATE DIRECT DEPOSIT FOR MUNICIPAL EMPLOYEES**  
**BY THE CITY OF VENTNOR CITY PURSUANT TO C. 52:14-15f et. seq.**

**WHEREAS**, P.L. 2013 c. 28, authorizes local governments to mandate direct deposit for certain governmental employees effective after July 1, 2014; and

**WHEREAS**, P.L. 2013 c. 28 permits governing bodies to grant exemptions on such terms and conditions as they deem necessary.

**NOW THEREFORE, BE IT ORDAINED**, by the Board of Commissioners of the City of Ventnor City, located in Atlantic County, State of New Jersey according to the following:

Section 1. All full time employees and elected public officials who receive compensation from the City of Ventnor City are mandated to have direct deposit of their compensation as of *August 1, 2014* in accordance with Chapter 28 P.L. 2013, as defined under C.52:14-15f (b).

Section 2. Seasonal and temporary employees who are employed by the City of Ventnor City are exempt from the direct deposit mandate.

Section 3. Municipal employees may request, in writing, an exemption from the direct deposit mandate to the City of Ventnor City's Chief Financial Officer. Such requests will be presented to the Board of Commissioners of the City two (2) weeks before a pay date. The Board of Commissioners of the City may grant such an exemption by resolution and only for good cause.

Section 4. If any Section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the Section, paragraph subdivision, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

Section 5. All ordinances or parts of ordinances inconsistent with or in conflict with the Ordinance are hereby repealed to the extent of such inconsistency.

Section 6. This Ordinance shall take effect twenty days after final passage, adoption and publication according to law.

FIRST READING July 17, 2014

PUBLICATION July 21, 2014

PUBLIC HEARING &  
ADOPTION August 21, 2014

ORDINANCE 2014-22

AN ORDINANCE AMENDING CHAPTER 102, DEVELOPMENT REGULATIONS,  
ARTICLE III, DEFINITIONS AND WORD USAGE AND ARTICLE XVIII, GENERAL  
REGULATIONS IN ALL DISTRICTS

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

Section I. Chapter 102-11. Definitions, shall be amended as follows:

A.Add the definition: ILLUMINANCE – A measurement of the amount of light falling on a real or imaginary surface per unit area, often described as “light-level”. In SI derived units these are measured in lux (lx) or lumens per square meter ( $\text{cd}\cdot\text{sr}\cdot\text{m}^{-2}$ ). The foot-candle is a non-metric unit of illuminance.

B.Add the definition: LIGHT EMITTING DIODE (LED) – An electronic, semi-conductor device that emits light when an electrical current is passed through it.

C.Add the definition: LIQUID CRYSTAL DISPLAY (LCD) - A liquid-crystal display is a flat panel display, electronic visual display, or video display that uses the light modulating properties of liquid crystals.

D.Add the definition: LUMINANCE - a photometric measure of the luminous intensity per unit area of light travelling in a given direction. It describes the amount of light that passes through or is emitted from a particular area, and falls within a given solid angle. The SI unit for luminance is candela per square meter ( $\text{cd}/\text{m}^2$ ). A non-SI term for the same unit is the "nit". 1 candela per square meter is equal to 1 nit.

E.Add the definition: SIGN, DIGITAL DISPLAY - A freestanding sign erected for the purpose of displaying information or an image using any form of electronic technology such as Light Emitting Diodes (LED) or Liquid Crystal Devices (LCD).

Section II. Chapter 102-118.7(16) shall be amended as follows:

Add subsection (c) as follows:

(c) One digital display sign may be provided in lieu of the permitted freestanding signage indicated in (a) or (b). Digital display signs must meet the following standards:

- (1) Minimum setback: ten feet from all lot lines.
- (2) Maximum Height: 10 feet to the top of the sign face, excluding architectural elements. Total height shall not exceed 15 feet.
- (3) Maximum gross surface area of signs permitted. 24 square feet (total one sides). No freestanding sign shall have more than two (2) faces.
- (4) Permitted freestanding signs which utilize digital display technology may dedicate up to 100 percent of the permitted sign area to the digital display portion of the sign.

(5) Maximum illuminance.

(a)Daytime (Dawn to Dusk) – 5,000 candelas per square meter.

(b)Nighttime (Dusk to Dawn) – 150 candelas per square meter.

- (6) Maximum luminance. No digital display sign may exceed 0.1 foot-candles (1.07 lumens / square meter) at the property line where the sign is located.
- (7) The digital display portion of a sign shall change messages at intervals of no less than three (3) minutes.
- (8) The digital display portion of any sign may only advertise businesses, organizations, or facilities located on the site, products or services offered by those businesses / organizations / facilities, public service announcements approved by the City of Ventnor, or urgent public safety messages approved by the City of Ventnor Police Department.
- (9) Illumination related to any sign may not create a luminance greater than 0.1 foot-candles at any property line.

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     July 17, 2014

PUBLICATION       July 21, 2014

PUBLIC HEARING &  
ADOPTION           August 21, 2014

ORDINANCE 2014-23  
AN ORDINANCE AMENDING CHAPTER 81 BOATING

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

Section I. Section 81-2 Definitions shall be amended to include the following definitions:

TROPICAL STORM

A tropical cyclone in which the maximum 1-minute sustained surface wind ranges from 34 to 63 knots (39 to 73 mph) inclusive.

NOR'EASTER

A strong low pressure system that affects the Mid Atlantic and New England States. It can form over land or over the coastal waters. These winter weather events are notorious for producing heavy snow, rain and tremendous waves that crash onto Atlantic beaches, often causing beach erosion and structural damage. Wind gusts associated with these storms can exceed hurricane force in intensity. A nor'easter gets its name from the continuously strong northeasterly winds blowing in from the ocean ahead of the storm and over the coastal areas.

HURRICANE

A tropical cyclone in the Atlantic, Caribbean Sea, Gulf of Mexico or eastern Pacific, which the maximum 1-minute sustained surface wind is 64 knots (74 mph) or greater.

MAJOR FLOODING

8.0 feet or greater, extensive inundation of structures and roads and includes significant evacuations of people and/or transfer of property to higher elevations.

Section II. Section 81-7. License application information shall be amended to read as follows:

C. New applicants must pass an appropriate swimming test and an appropriate sailing test given and supervised by such person or persons as may be designated by the Chief of the Ventnor City Beach Patrol. New applicants must complete both tests during the period of June through September within twelve consecutive calendar months from the date of the initial notification of eligibility by the City Clerk.

G. The license decal issued by the City of Ventnor City shall be permanently attached to the outward side of the starboard bow of the sailboat.

H. New applicants, after meeting the requirements of 81-7(F) and 81-8 may store and operate a sailboat on the Ventnor City beach at a designated location for training and testing during the months of June through September.

Section III. Section 81-9 Authority over sailboats shall be amended to read as follows:

A. The Chief of the Ventnor City Beach Patrol or his/her designee will designate on which beaches sailboats may be stored, launched and operated. Dolly wheels shall be permitted at the water's edge or center of the beach only when the sailboat is in use which shall be defined as any time that an owner of a sailboat is rigging, sailing or moving the sailboat to and from the water. When the sailboat is not in use the dolly wheels shall be stored with the boat.

B. The Chief of the Ventnor City Beach Patrol or his/her designee is further granted the authority to designate when said sailboats may be operated and to enjoin said operation when he determines that weather conditions make such operation inherently dangerous. In addition the Chief of the Ventnor Beach Patrol or his designee may require all sailboats and related equipment to be removed from the Ventnor Beach due to impending severe weather or beach restoration activities.

Section IV. Section 81-10 Removal of Boats shall be amended to read as follows:

In addition to the requirement that all boats and all associated equipment and storage lockers must be removed pursuant to § [81-9A](#) and §81-9B, permit holders shall be required to remove their sailboats and all associated equipment and storage lockers from the beach and to a safe storage location in the event the National Weather Service declares, for Coastal Atlantic County, a warning for any of the following weather events: tropical storm, hurricane, nor'easter, or any other serious weather events during which there is warning for major tidal flood and/or sustained winds of 55 miles per hour or more.

Section V. Section 81-11 shall be renumbered to Section 81:12 Violations and Penalties and the new Section 81-11 Storage of Boats shall read as follows:

§ 81-11 Storage of Boats

- A. Boats shall not be stored upon or in any way damage, destroy or interfere with any sand dune.
- B. Trailers shall not be stored on beaches or at street ends.
- C. All boats are to be anchored and maintained in such manner as to not cause noise.
- D. No sailboat shall be permitted on the beach between the hours of 5:00 PM and 8:00 AM between December 1<sup>st</sup> and April 30<sup>th</sup> of any year.

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

Section VII. 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 VIII. This Ordinance shall take effect on final passage, approval and publication.

FIRST READING    September 16, 2014

PUBLICATION     September 22, 2014

PUBLIC HEARING &  
ADOPTION         October 16, 2014

ORDINANCE NO. 2014-24

AN ORDINANCE AMENDING CHAPTER 102 OF THE CODE OF THE CITY OF VENTNOR RELATING TO THE HEIGHT REQUIREMENTS OF BULKHEADS

BE IT ORDAINED by the Board of Commissioners of the City of Ventnor, as recommended by the Ventnor City Planning Board on August 11, 2014, as follows:

Section I. Section 102-118.5 K (2) Oceanfront bulkheads and seawalls shall be amended as follows:

(2) Height. Minimum height shall be elevation 10.5 (NAVD88). No concrete oceanfront seawall cap or timber oceanfront bulkhead cap, sheeting and/or piling shall be constructed with a finished elevation higher than the highest elevation of the existing boardwalk decking within the area projected by the extension of the property lines to the boardwalk. No fencing or any other material construction will be permitted on or over any concrete oceanfront seawall or timber oceanfront bulkhead. Any fencing shall be placed along the property line only. For a concrete oceanfront seawall, the fence shall be placed on the landward side of the concrete seawall construction. All fencing shall be constructed independent of the seawall/bulkhead construction. No fencing shall be constructed higher than the existing boardwalk railing; but in no case higher than 48 inches above the height of the oceanfront seawall or bulkhead.

Section II. Section 102-118.5 L (2) Bayfront bulkheads shall be amended as follows:

(2) Height. Minimum height shall be elevation 8.0 (NAVD88). Maximum height shall be elevation 9.0 (NAVD88). No bayfront bulkhead shall be constructed higher than Elevation 9.00 USCG. Fencing to a height of not more than four feet shall be permitted above the highest permitted elevation of the bayfront bulkhead regardless of consideration of whether it is the front, side or rear yard. Fencing shall be permitted to extend from property line to property line along the bayfront bulkhead.

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

Section VI. 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     August 21, 2014

PUBLICATION       August 25, 2014

PUBLIC HEARING &  
ADOPTION           September 18, 2014

**CITY OF VENTNOR CITY, NEW JERSEY  
ORDINANCE NO. 2014-25**

**BOND ORDINANCE AUTHORIZING BULKHEAD REPAIR AND/OR REPLACEMENT  
IN AND FOR THE CITY OF VENTNOR CITY, COUNTY OF ATLANTIC, NEW JERSEY;  
APPROPRIATING THE SUM OF \$1,311,000 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 \$1,311,000 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 \$1,311,000; and
- (b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$1,311,000.

**Section 3.** The sum of \$1,311,000, to be raised by the issuance of bonds or bond anticipation notes is 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 \$1,311,000 to finance the costs of the purposes described in Section 7 hereof is hereby authorized. All or a portion of the bonds authorized to be issued hereunder may evidence one or more loans from the New Jersey Department of Environmental Protection and/or the New Jersey Environmental Infrastructure Trust, under an Application for Financial Assistance (Project No. S340667-03) submitted by the City to said entities ("Application").

**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 \$1,311,000 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 \$250,000.

**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 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 Obligation</u>	<u>Period of Usefulness</u>
			<u>\$</u>	<u>\$</u>
A. Replacement and repair of bulkheads in various locations throughout 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.	1,311,000	0	1,311,000	40 years

**Section 8.** 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 9.** 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 \$1,311,000 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

**Section 10.** 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 11.** 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 12.** 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 13.** 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 14.** 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 15.** All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

**Section 16.** 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 September 16, 2014

PUBLICATION September 22, 2014

PUBLIC HEARING &  
ADOTPTIOM October 16, 2014

**CITY OF VENTNOR CITY, NEW JERSEY  
ORDINANCE NO. 2014-26**

**BOND ORDINANCE AUTHORIZING VARIOUS REPAIRS AND IMPROVEMENTS TO THE STORMWATER MANAGEMNT SYSTEM IN AND FOR THE CITY OF VENTNOR CITY, COUNTY OF ATLANTIC, NEW JERSEY; APPROPRIATING THE SUM OF \$5,387,000 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 \$5,387,000 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 \$5,387,000; and
- (b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$5,387,000.

**Section 3.** The sum of \$5,387,000, to be raised by the issuance of bonds or bond anticipation notes is 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 \$5,387,000 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. All or a portion of the bonds authorized to be issued hereunder may evidence one or more loans from the New Jersey Department of Environmental Protection and/or the New Jersey Environmental Infrastructure Trust, under an Application for Financial Assistance (Project No. S340667-02) submitted by the City to said entities ("Application").

**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 \$5,387,000 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 \$1,100,000.

**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 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 Obligation</u>	<u>Period of Usefulness</u>
			<u>\$</u>	<u>\$</u>
A. Repairs and improvements to the City's stormwater management system including, but not limited to, infrastructure improvements, pump station repairs and check valve replacement, 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.	\$5,387,000	\$0	\$5,387,000	40 years

**Section 8.** 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 9.** 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 \$5,387,000 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

**Section 10.** 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 11.** 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 12.** 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 13.** 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 14.** 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 15.** All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

**Section 16.** 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 September 16, 2014

PUBLICATION September 22, 2014

PUBLIC HEARING &  
ADOPTION October 16, 2014

**ORDINANCE NO. 2014-27**

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**BOND ORDINANCE AUTHORIZING THE ACQUISITION OF VARIOUS PIECES OF CAPITAL EQUIPMENT AND THE COMPLETION OF VARIOUS CAPITAL IMPROVEMENTS IN AND FOR THE CITY OF VENTNOR CITY, COUNTY OF ATLANTIC, NEW JERSEY; APPROPRIATING THE SUM OF \$2,250,000 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 \$2,137,500; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

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**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 \$2,250,000;
- (b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$2,137,500; and
- (c) a down payment in the amount of \$112,500 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 \$2,137,500, to be raised by the issuance of bonds or bond anticipation notes, together with the sum of \$112,500, 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 \$2,137,500 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 \$2,137,500 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 \$450,000.

**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 Obligation</u>	<u>Period of Usefulness</u>
				<u>\$</u>	<u>\$</u>
A.	Renovations and Improvements to Various City Buildings including, but not limited to, the City Library and Municipal Building, 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	\$800,000	\$40,000	\$760,000	15 years
B.	Acquisition of a Ladder Truck for the City Fire Department, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	1,000,000	50,000	950,000	10 years
C.	Demolition of Buildings in 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	100,000	5,000	95,000	15 years
D.	Acquisition of Various Pieces of Equipment for Public Safety including, but not limited to, Security Access Door System, License Plate Reader Traffic and Traffic Sign Boards, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto.	150,000	7,500	142,500	5 years
E.	Acquisition of Four Wheel Drive Sport Utility Vehicles for the Beach Patrol, Construction and Maintenance Department and Police Department, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto.	200,000	10,000	190,000	5 years
	<b>Total</b>	<b>\$2,250,000</b>	<b>\$112,500</b>	<b>\$2,137,500</b>	

**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 11.22 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 \$2,137,500 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.

**Date of Introduction:**           **October 16, 2014**

**Publication:**                   **October 20, 2014**

**Public Hearing &  
Adoption**                       **November 20, 2014**

ORDINANCE 2014-28

AMENDING ORDINANCE 2014-11 ESTABLISHING 2014 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 title shall be added:

DP CODE	TITLE	SALARY RANGE	
		FROM	TO
03127	Secretarial Assistant	\$15,000	\$49,500

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

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 immediately upon final passage, approval, and publication as required by law.

Date of Introduction: October 16, 2014

Publication: October 20, 2014

Public Hearing &  
Adoption November 20, 2014

ORDINANCE NO. 2014-29

AN ORDINANCE AMENDING ARTICLE III DEFINITIONS AND WORD USAGE CHP 102-11

BE IT ORDAINED by the Board of Commissioners of the City of Ventnor as recommended by the Ventnor City Planning Board on September 9, 2014 as follows:

Section I. Chapter 102-11 Definitions shall be amended to include the following definitions:

**ACCESSORY ENTERTAINMENT**-Entertainment accessory and complimentary to a permitted principal use and may include live artists, performers or musicians, amplified sound or music, trivia, poetry, sound production devises or other similar forms of entertainment.

**AUTOMOBILE SERVICE STATION**- Any building, land area or other premises, or portion thereof, used for retail dispensing or sales of vehicular fuels; servicing and repair of automobiles; and including as an accessory use the sale and installation of lubricants, tires, batteries, and similar vehicle accessories.

**BANKING AND FIDUCIARY ESTABLISHMENTS**- Establishments such as a bank and savings and loans, credit agencies, investment companies, brokers and dealers of securities and commodities, security and commodity exchanges, and insurance agents.

**FAST FOOD RESTAURANT**- An establishment whose principal business is the sale of prepared or rapidly prepared food directly to the customer in a ready to consume state for consumption either within a restaurant building, in cars on the premises or off the premises.

**LAUNDRY**- An establishment providing washing, drying, or dry cleaning machines on the premises for rental use to the general public.

**PROFESSIONAL SERVICES**- Establishments primarily engaged in providing assistance, as opposed to products, to individuals, business industry, government, and other enterprises, including business, repairs, and amusement services; health, legal, engineering, and other professional services; educational services; membership organizations; computer and information technology services, funeral parlors, beauty and barbershops; and other miscellaneous services.

**RETAIL SALES, STORES, SHOPS AND SERVICES**- Establishments engaged in selling goods or merchandise to the general public for personal or household consumption and rendering services incidental to the sale of such goods.

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

Section III. 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.

Date of Introduction: October 16, 2014

Publication: October 20, 2014

Public Hearing &

ORDINANCE 2014-30

AN ORDINANCE AMENDING ARTICLE XIII A CITY COMMERCIAL DISTRICT CHP 102-85

BE IT ORDAINED by the Board of Commissioners of the City of Ventnor as recommended by the Ventnor City Planning Board on September 9, 2014 as follows:

Section I. Chapter 102-85 Permitted Uses, Section A. Principal uses is deleted and replaced with the following:

A. Principal uses. The following principal uses are permitted:

- (1) One-family detached dwellings.
- (2) Retail Stores and Shops. Facilities devoted exclusively to retail sales and services, including but not limited to performing arts and/or moving picture theaters, galleries and art studios, food markets, specialty retail stores and pharmacy/drug stores, painting and decorating shops and floral shops.
- (3) Fully enclosed restaurants and tearooms; coffeehouses and cafes, except that fast food restaurants shall not be permitted.
- (4) Professional Services, including but not limited to legal services, accounting services, planning and design services, professional offices, real estate services, travel services, computer and information technology services, care giving services for adults, barbershops and beauty parlors, funeral parlors.
- (5) Banking and Fiduciary establishments.
- (6) Single-level parking facilities intended exclusively for the use of City Commercial District patrons.
- (7) Automobile service stations existing prior to the adoption of this chapter.
- (8) Public buildings, public utility service substations and educational uses permitted in the Residential 1 District, Article IV, §102-13, subject to conditions listed therein.
- (9) Dry cleaning and laundry (on or off premises) drop-off and pick-up facilities, but not including on-site dry cleaning or washing/drying machines for public use (Laundromats).
- (10) Fitness centers, martial arts studios, and yoga studios.

Section II. Chapter 102-85(C) Accessory uses, shall be amended to include:

2. Permitted accessory uses for restaurants, tearooms, coffee houses, cafes, fitness centers, martial arts studios, yoga studios and the like shall be accessory entertainment as defined in §102-11 Definitions. Accessory entertainment shall be enclosed within the building and there shall be no outdoor accessory entertainment without a permit being obtained.

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.

Date of Introduction: October 16, 2014

Publication: October 20, 2014

November 20, 2014

**CITY OF VENTNOR CITY, NEW JERSEY**

**ORDINANCE NO. 2014-31**

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**AN ORDINANCE AUTHORIZING SPECIAL EMERGENCY APPROPRIATIONS  
PURSUANT TO N.J.S.A. 40A:4-53(A) TO FUND THE COSTS ASSOCIATED  
WITH THE PREPARATION OF A TAX MAP FOR THE CITY OF VENTNOR  
CITY, COUNTY OF ATLANTIC, NEW JERSEY**

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**BACKGROUND**

**WHEREAS**, the City of Ventnor City, County of Atlantic, New Jersey ("City"), has determined that it is necessary to prepare a tax map for the City ("Project"); and

**WHEREAS**, the amount to be appropriated by the City for the purposes described above is \$150,000, which amount shall be deemed a special emergency appropriation as defined and provided for in the Local Budget Law, *N.J.S.A. 40A:4-1 et seq.*; and

**WHEREAS**, it is the desire of the Board of Commissioners of the City to adopt an ordinance to create said special emergency appropriation.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF VENTNOR CITY, COUNTY OF ATLANTIC, NEW JERSEY, PURSUANT TO LOCAL BUDGET LAW, AS FOLLOWS:**

**Section 1.** There is hereby appropriated, pursuant to *N.J.S.A. 40A:4-53(a)*, the sum of \$150,000 for the Project, as further described in the preamble of this ordinance.

**Section 2.** The appropriation of said \$150,000 for the Project as further described in the preamble of this ordinance shall be deemed a special emergency appropriation as defined, and provided for, in *N.J.S.A. 40A:4-53(a)*.

**Section 3.** Said emergency appropriation shall be financed from surplus funds currently available or from borrowed funds, pursuant to *N.J.S.A. 40A:4-55*; provided, however at least one-fifth (1/5<sup>th</sup>) of said amount shall be included in each succeeding annual budget until the appropriation has been fully provided for.

**Section 4.** A certified copy of this ordinance as finally adopted shall be filed by the City Clerk with the Director of the Division of Local Government Services in the New Jersey Department of Community Affairs.

**Section 5.** All ordinances, or parts thereof, inconsistent herewith are hereby repealed to the extent of such inconsistency.

**Section 6.** This ordinance shall take effect immediately upon final adoption in accordance with applicable law.

Date of Introduction: October 16, 2014

Publication: October 20, 2014

Public Hearing &  
Adoption November 20, 2014

ORDINANCE NO. 2014-32

AMEND CHAPTER 132, GARBAGE, RUBBISH & REFUSE, SECTION 132-16,  
ESTABLISHMENT OF PROGRAM TO INCLUDE ADDITIONAL MATERIALS  
TO BE SEPARATED FROM MUNICIPAL SOLID WASTE STREAM

SECTION I: Section §132-16, shall be amended to include the following:

- (4) Ferrous containers
- (5) Leaves, grass and brush
- (6) Plastic bottles and jugs imprinted with a "1" or "2"
- (7) White goods
- (8) Asphalt and concrete
- (9) Propane tanks
- (10) Consumer electronics
- (11) Motor oil (from both Residential and Commercial)
- (12) Antifreeze
- (13) Sealed lead acid (SLA) batteries
- (14) Consumer rechargeable batteries
- (15) Tires
- (16) Paper products
- (17) Aerosol Containers
- (18) Auto/Truck bodies
- (19) Block/Brick
- (20) CFC Refrigerants
- (21) Fluorescent bulbs
- (22) Oil-contaminated soil
- (23) Oil filters from Commercial only
- (24) Textiles

SECTION II: All ordinances or parts of ordinances inconsistent with any terms of this ordinance are hereby repealed to the extent of such inconsistency only.

SECTION III: Should any sentence, clause, phrase or provision of this ordinance be declared unconstitutional or invalid by a Court of competent jurisdiction, such decision shall not affect the remaining portions of this ordinance.

SECTION IV: This amendment shall take effect upon its final passage and publication as required by law.

FIRST READING     November 20, 2014

PUBLICATION       November 24, 2014

PUBLIC HEARING &  
ADOPTION           December 18, 2014

## ORDINANCE 2014-33

### AN ORDINANCE CREATING CHAPTER 204 OF THE VENTNOR CITY CODE – TAXATION

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

The Ventnor City Code shall be amended to add Chapter 204 – Taxation as follows:

#### Section I: Chapter 204. TAXATION

##### Article I. Tax Exemption for Real Property Improvements and New Construction

###### § 204-1. Definitions.

As used in this article, the following terms shall have the meanings indicated:

###### ABATEMENT

That portion of the assessed value of a property as it existed prior to construction, improvement or conversion of a building or structure thereon, which is exempted for taxation pursuant to this article.

###### AREA IN NEED OF REHABILITATION

The entirety of the City of Ventnor which has been determined to be an area in need of rehabilitation or redevelopment pursuant to the Local Redevelopment and Housing Law (P.L. 1992, c. 79) (N.J.S.A. 40A:12A-1 et seq.) by way of Resolution 107 of 2014.

###### ASSESSOR

The Assessor of the City of Ventnor who is charged with the duty of assessing real property for the purpose of general taxation.

###### COMMERCIAL OR INDUSTRIAL STRUCTURE

A structure or part thereof used for the manufacturing, processing or assembling of material or manufactured products, or for research, office, industrial, commercial, retail, recreational, hotel or motel facilities, or warehousing purposes, or for any combination thereof, which the governing body determines will tend to maintain or provide gainful employment within the municipality, assist in the economic development of the municipality, maintain or increase the tax base of the municipality and maintain or diversify and expand commerce within the municipality. It shall not include any structure or part thereof used or to be used by any business relocated from another qualifying municipality unless: the total square footage of the floor area of the structure or part thereof used or to be used by the business at the new site together with the total square footage of the land used or to be used by the business at the new site exceeds the total square footage of that utilized by the business at its current site of operations by at least 10%; and the property that the business is relocating to has been the subject of a remedial action plan costing in excess of \$250,000 performed pursuant to an administrative consent order entered into pursuant to the authority vested in the Commissioner of Environmental Protection under N.J.S.A 13:1D-1 et al, the “Water Pollution Control Act” N.J.S.A. 58:10A-1 et seq.), the “Solid Waste Management Act” N.J.S.A. 13:1E-1 et seq., and the “Spill Compensation and Control Act,” N.J.S.A.58:10-23.11 et seq.

###### COMPLETION

Substantially ready for the intended use for which a building or structure is constructed, improved or converted.

###### CONDOMINIUM

A property created or recorded as a condominium pursuant to the Condominium Act, P.L. 1969, c. 257 (N.J.S.A. 46:8B-1 et seq.)

###### CONSTRUCTION

The provision of a new dwelling, multiple dwelling or commercial or industrial structure or the enlargement of the volume of an existing commercial or industrial structure by more than 30%, but shall not mean the conversion of an existing building or structure to another use.

### CONVERSION /CONVERSION ALTERATION

The alteration or renovation of a nonresidential building or structure or hotel, motel, motor hotel or guesthouse in such manner as to convert the building or structure from its previous use to use as a dwelling or multiple dwelling.

### COOPERATIVE

A housing corporation or association, wherein the holder of a share or membership interest thereof is entitled to possess and occupy for dwelling purposes a house, apartment or other unit of housing owned by the corporation or association or to purchase a unit of housing owned by the corporation or association.

### COST

When used with respect to abatements for dwellings or multiple dwellings, only the cost or fair market value of direct labor and materials used in improving a multiple dwelling, or of converting another building or structure to a multiple dwelling, or of constructing a dwelling or of converting another building or structure to a dwelling, including any architectural, engineering and contractor's fees associated therewith, as the owner of the property shall cause to be certified to the governing body by an independent and qualified architect, following the completion of the project.

### DWELLING

A building or part of a building used, to be used or held for use as a home or residence, including accessory buildings located on the same premises, together with the land upon which such building or buildings are erected and which may be necessary for the fair enjoyment thereof, but shall not mean any building or part of a building, defined as a multiple dwelling pursuant to the Hotel and Multiple Dwelling Law, P.L. 1967, c. 76 (N.J.S.A. 55:13A-1 et seq.). A "dwelling" shall include, as they are separately conveyed to individual owners, individual residences within a cooperative, if purchased separately by the occupants thereof, and individual residences within a horizontal property regime or a condominium, but shall not include general common elements of such horizontal property regime or condominium as defined pursuant to the Horizontal Property Act, P.L. 1963, c. 168 (N.J.S.A. 46:8A-1 et seq.) or the Condominium Act, P.L. 1969, c. 257 (N.J.S.A. 46:8B-1 et seq.) or of a cooperative, if the residential units are owned separately.

### EXEMPTION

That portion of the assessor's full and true value of any improvement, conversion alteration or construction not regarded as increasing the taxable value of a property pursuant to this article.

### HORIZONTAL PROPERTY REGIME

A property submitted to a horizontal property regime pursuant to the Horizontal Property Act, P.L. 1963, c. 168 (N.J.S.A. 46:8A-1 et seq.).

### IMPROVEMENT

A modernization, rehabilitation, renovation, alteration or repair which produces a physical change in an existing building or structure that improves the safety, sanitation, decency or attractiveness of the building or structure as a place for human habitation or work, and which does not change its permitted use. In the case of a multiple dwelling, it includes only improvements which affect common areas or elements, or three or more dwelling units within the multiple dwelling. In the case of a multiple dwelling or commercial or industrial structure, it shall not include ordinary painting, repairs and replacement of maintenance items, or an enlargement of the volume of an existing structure by more than 30%. In no case shall it include the repair of fire or other damage to a property for which payment of a claim was received by any person from an insurance company at any time during the three-year period immediately preceding the filing of an application pursuant to this article.

### MULTIPLE DWELLING

A building or a structure meeting the definition of "multiple dwelling" set forth in the Hotel and Multiple Dwelling Law, P.L. 1967, c. 76 (N.J.S.A. 55:13A-1 et seq.), and means for the purpose of improvement or construction the general common elements and common elements of a condominium, a cooperative or a horizontal property regime.

### PROJECT

The construction, improvement or conversion of a structure in an area in need of rehabilitation that would qualify for an exemption, or an exemption and abatement pursuant to N.J.S.A. 40A:21-1 et seq.

## ANNUAL PERIOD

A duration of time comprising 365 days or 366 days when the included month of February has 29 days, that commences on the date that an exemption or abatement for a project becomes effective pursuant to N.J.S.A. 40A:21-16.

## § 204-2. Authority.

The Commission hereby determines to utilize the authority granted under Article VIII, Section 1, Paragraph 6 of the New Jersey Constitution to establish the eligibility of residential dwellings, multiple dwellings, condominiums and cooperatives and the eligibility of commercial and industrial structures for exemptions and abatements permitted by P.L. 1991, c. 441 (see N.J.S.A. 40A:21-1 et seq.), throughout areas designated, or to be designated, as in need of rehabilitation.

## § 204-3. Date for Commencement Exemptions and Abatements.

This article authorizes the City of Ventnor to grant exemptions and abatements to commence and take effect in the 2015 tax year and thereafter.

## § 204-4. Newly Constructed Residential Dwellings.

- A) There may be an exemption for a portion of the assessed valuation of construction of new dwellings and of conversions of other buildings and structures, including unutilized public buildings, to dwelling use. In determining the value of the real property, the City shall consider 30% of the Assessor's full value of the dwelling constructed, or conversion alterations made, as not increasing the value of the property for a total of five years, notwithstanding that the value of the property upon which the construction or conversion occurs is increased thereby. An application for exemption pursuant to this section shall be made to the governing body in the form set forth in § **204-7** of this article.
- B) An exemption pursuant to this section shall be approved by the Assessor upon the filing of an application pursuant to § **204-14** of this article and thereafter shall be approved by City Commission. The above exemption shall not qualify for the Payment in Lieu of Taxes pursuant to § **204-8** and shall be calculated as permitted by NJS A 40A:21-5c and shall allow a 30% exemption of the new construction for a total of 5 years.

## § 204-5. Exemptions for Improvements to Existing Commercial and Industrial Structures.

- A) There shall be an exemption from taxation of improvements to commercial and industrial structures. In determining the value of the real property, the Borough shall regard 100% of the Assessor's full and true value of the improvements or conversion alterations as not increasing the value of the property for a total of five years, notwithstanding that the value of the property upon which the construction or conversion occurs is increased thereby. During the exemption period, the assessment on the property shall not be less than the assessment thereon existing immediately prior to the improvements, unless there is damage to the structure through action of the elements sufficient to warrant a reduction.
- B) An exemption pursuant to this section shall be approved by the Assessor upon the filing of an application pursuant to § **204-15** of this article and thereafter shall be approved by City Commission and shall be subject to the payment provisions of § **204-8**.

## § 204-6. Exemptions for New Construction of Commercial Structures, Industrial Structures and Multiple Dwellings.

The governing body of the City of Ventnor is hereby authorized to enter into tax agreements for an exemption from taxation of new construction of commercial structures, industrial structures and multiple dwellings in accordance with the procedures set forth in §§ **204-7** through **204-13** of this article. In determining the value of the real property, the City shall consider 100% of the Assessor's full value of the construction as not increasing the value of the property for a total of five years, notwithstanding that the value of the property upon which the construction occurs is increased thereby. Exemptions pursuant to this section shall be subject to the payment provisions contained in § **204-8**.

## § 204-7. Applications for Exemptions on Construction of New Residential Dwellings, Commercial and Industrial Structures and Multiple Dwellings.

Applicants for tax exemption for a new construction of new residential dwellings, commercial structures, industrial structures and multiple dwellings pursuant to § **204-6** of this article shall provide the governing body of the City of Ventnor with an application pursuant to § **204-10** setting forth the following information:

- A) A general description of a project for which exemption and abatement is sought.
- B) A legal description of all real estate necessary for the project.

- C) Plans, drawings and other documents as may be required by the governing body to demonstrate the structure and design of the project.
- D) A description of the number, classes and type of employees to be employed at the project site within two years of completion of the project.
- E) A statement of the reasons for seeking tax exemption and abatement on the project and a description of the benefits to be realized by the applicant if a tax agreement is granted.
- F) Estimates of the cost of completing such project.
- G) A statement showing the real property taxes currently being assessed at the project site; estimated tax payments that would be made annually by the applicant on the project during the period of the agreement; and estimated tax payments that would be made by the applicant on the project during the first full year following the termination of the tax agreement.
- H) If the project is a commercial or industrial structure, a description of any lease agreement between the applicant and proposed users of the project and a history and description of the user's businesses.
- I) If the project is a multiple dwelling, a description of the number and types of dwelling units to be provided, a description of the common elements or general common elements and a statement of the proposed initial rentals or sales prices of the dwelling units according to type and of any rental lease or resale restrictions to apply to the dwellings' units respecting low- or moderate-income housing;
- J) Such other pertinent information as the governing body may require on a case-to-case basis.

§ 204-8. Tax Agreements.

The governing body of the City of Ventnor may enter into a written agreement with an applicant for the exemption of local property taxes. The agreement shall provide for the applicant to pay the municipality in lieu of full property taxes, for all classes of property qualifying herein, an amount equal to a percentage of taxes otherwise due according to the following formula authorized by N.J.S.A. 40A:21-10:

- A) Tax phase-in basis. The agreement may provide for the applicant to pay to the municipality in lieu of full property tax payments an amount equal to a percentage of taxes otherwise due, according to the following schedule:
  - 1. In the first full tax year after completion, no payment in lieu of taxes otherwise due.
  - 2. In the second tax year, an amount not less than 20% of taxes otherwise due.
  - 3. In the third tax year, an amount not less than 40% of taxes otherwise due.
  - 4. In the fourth tax year, an amount not less than 60% of taxes otherwise due.
  - 5. In the fifth tax year, an amount not less than 80% of taxes otherwise due.

§ 204-9. Procedure.

- A) The Assessor shall determine on October 1 of the year following the date of the completion of an improvement, conversion or construction the true taxable value thereof. Except for projects subject to a tax agreement pursuant to § 204-8 of this article, the amount of the tax to be paid for the first full tax year following completion shall be based on the assessed valuation of the newly constructed property, minus the amount of the exemption, if any, allowed pursuant to this article, plus any portion of the property, i.e. land value not qualifying for the exemption.
- B) All tax agreements entered into pursuant to this article shall be in effect for no more than the five full tax years next following the date of completion of the project.
- C) As a condition to granting an exemption, a property owner shall be required to waive the filing of any tax appeal for the subject property for the life of the exemption/abatement.

§ 204-10. Copy of Agreement to be Forwarded to Director of the Division of Local Government Services.

The Clerk of the City of Ventnor, pursuant to N.J.S.A. 40A:21-11, shall forward a copy of all tax agreements entered into pursuant to this article to the Director of the Division of Local Government Services in the Department of Community affairs within 30 days of the date of execution.

§ 204-11. Disqualification of Property Owner.

If during any tax year prior to the termination of the tax agreement, the property owner ceases to operate, or disposes of the property, or fails to meet the conditions for qualifying for the abatement, the local property taxes due for all prior years, subject to abatement and for the current year, shall be payable as if no exemption has been granted. The Tax Collector of the City of Ventnor shall notify the property owner within 30 days of the date of disqualification of the amount of taxes due. In the event that the subject property has been transferred to a new owner, and it is determined that the new owner will continue to use the property pursuant to the qualifying conditions, no tax shall be due, the exemption

shall continue and the agreement shall remain in effect.

§ 204-12. Additional Exemption or Abatement.

The City of Ventnor hereby determines that an additional improvement, conversion or construction completed on a property already granted a previous exemption or abatement pursuant to this article during the period in which the previous exemption or abatement is in effect shall qualify for an additional exemption or abatement. The additional improvement, conversion or construction shall be considered as separate for purposes of calculating the exemption and abatement, except that the assessed value of any previous improvement, conversion or construction shall be added to the assessed valuation as it was prior to that improvement, conversion or construction for the purpose of determining the assessed value of the property for which any additional abatement is to be subtracted.

§ 204-13. Delinquent Taxes.

No exemption or abatement shall be granted or tax agreement entered into pursuant to this article for any property for which property taxes and/or other municipal charges are delinquent or remain unpaid, or for which penalties for nonpayment of taxes are due. As a condition to granting an exemption or abatement, a property owner shall be required to waive the filing of any tax appeal for the subject property for the life of the exemption/abatement.

§ 204-14. Application Form.

Every application submitted pursuant to this article shall be on a form prescribed by the Director of the Division of Taxation and shall be filed with the Tax Assessor of the City of Ventnor, as a condition to approval, within 30 days, including Saturdays and Sundays, following the completion of the improvements, conversion or construction.

§ 204-15. Termination of Agreement.

At the termination of an agreement for tax abatement or exemption authorized pursuant to this article, the project shall be subject to all applicable real property taxes, as provided by state laws and regulations and local ordinances, provided that nothing herein shall be deemed to prohibit the project or improvement at the termination of the agreement for tax exemption or abatement from qualifying for and receiving the full benefits of any other tax preference provided by law.

§ 204-16. Effective Date.

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

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

Section III. 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.

FIRST READING     November 20, 2014

PUBLICATION       November 24, 2014

PUBLIC HEARING &  
ADOPTION           December 18, 2014