

**TOWNSHIP OF BORDENTOWN
ORDINANCE NO. 2026-07**

**AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN AMENDING SECTION 202
“DEFINITIONS” OF CHAPTER 500 AND CHAPTER 299 “HOUSING STANDARDS” OF
THE MUNICIPAL CODE OF THE TOWNSHIP OF BORDENTOWN**

WHEREAS, Chapter 500 is the Land Development Code of the Township of Bordentown, and such code provides regulations regarding permitted, accessory and prohibited uses; definitions of such uses and other applicable terms; performance standards for development and standards of design and installation; and

WHEREAS, several zoning districts within the Township permit warehousing and distribution centers as principally permitted uses without such a use being defined in Section 500-202 of the Land Development Code; and

WHEREAS, the Township of Bordentown Planning Board and Governing Body have identified a compelling need to provide a clear definition of what constitutes a warehouse and distribution center considering the nationwide trend of using such buildings for detention facilities for the detainment of illegal immigrants and other persons; and

WHEREAS, Chapter 299 regulates housing standards within the Township including standards for the occupancy of dwelling units for residential purposes; and

WHEREAS, the Township of Bordentown seeks to amend Chapter 500-202 to provide a specific definition of what constitutes a warehouse/distribution center and to amend Chapter 299 to specifically prohibit warehouses, distribution centers, and other commercial/industrial properties from being used as detention centers or other such facilities for the housing/detainment of immigrants or any other persons; and

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Bordentown that:

Section 1. Chapter 500-202 of the municipal code of the Township of Bordentown is hereby amended as follows:

Additions are shown as **thus**; deletions shown as ~~**thus**~~

§500-202: Definitions

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Variance:

- A. Permission granted to an applicant for development to depart from the literal requirements of the zoning provisions of this chapter.
- B. For flood control purposes, a grant of relief by the Planning Board from the requirements of § 500-605 thereby permitting construction in a manner otherwise prohibited because the literal enforcement would result in unnecessary hardship.

Warehousing/Distribution Center:

Facilities operated for the wholesale storage and distribution of goods including the receiving, handling, processing, and packaging of such goods and materials which may be distributed off-site directly to the customer or to a third-party outsourcer.

Warning Sign

A sign indicating no trespassing or no fishing and/or hunting or for existing danger where a warning is legally required.

Section 2. Chapter 299 of the municipal code of the Township of Bordentown is hereby amended as follows:

Additions are shown as **thus**; deletions shown as **~~thus~~**

§299-2 Occupancy

- A. No person shall occupy as owner, tenant or occupant any dwelling or dwelling unit for the purpose of living therein which does not conform to the provisions of the New Jersey State Housing Code established in this chapter as the standard to be used in determining whether a dwelling is safe, sanitary and fit for human habitation. Every dwelling or dwelling unit shall be subject to inspection by the construction official or designated representative for compliance with the provisions of the New Jersey State Housing Code not earlier than 60 days nor later than 10 days prior to a change in ownership, tenancy or occupancy.
- B. **No commercial (excluding hotels, inns/conference centers, motels and extended-stay hotels) or industrial property shall be used for the detainment of persons, as a dwelling or any other form of human habitation.**

Section 3. Repealer. Any and all ordinances inconsistent with the terms of this Ordinance are hereby repealed to the extent of any such inconsistencies.

Section 4. Severability. In the event that any clause, section, paragraph or sentence of this Ordinance is deemed to be invalid or unenforceable to any reason, then the Township Committee hereby declares its intent that the balance of the Ordinance not affected by said invalidity shall remain in full force and effect to the extent that it allows the Township to meet the goals of the Ordinance.

Section 5. Effective Date. This Ordinance shall take effect upon proper passage in accordance with the law.

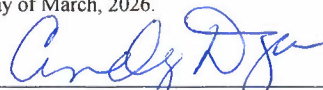
INTRODUCED: March 9, 2026

ADOPTED: March 23, 2026

RECORD OF VOTE													
First Reading							Second Reading/Adoption						
COMMITTEE	AYE	NAY	NV	AB	ORD	SEC	COMMITTEE	AYE	NAY	NV	AB	ORD	SEC
Grayson	✓						Grayson	✓					✓
Holliday	✓					✓	Holliday				✓		
Lozito	✓						Lozito	✓				✓	
Miller	✓						Miller				✓		
Fuzy	✓				✓		Fuzy	✓					

✓ - indicates Vote AB - absent NV - not voting ORD - moved SEC - seconded

I, CINDY DZIURA, Township Clerk, do hereby certify that this is a true copy of an ordinance adopted by the Township Committee of the Township of Bordentown on the 23rd day of March, 2026.


 CINDY DZIURA, Township Clerk