



**Borough of Manville**  
**Ordinance # 2023- 1294**  
**An Ordinance By The Borough Of Manville**  
**Amending Section 31-1203 of the Borough Land Use Code**  
**Statement of Purpose**

The purpose of this Ordinance is to establish conditions to authorize the Borough of Manville Zoning Officer to at his or her discretion grant permits for applications for Fences or Solar Panels, where the application creates no additional impervious coverage.

**WHEREAS**, Manville residents seeking permits to repair, replace, or install fencing or solar panels which create no additional impervious coverage, are facing hardships where the new permit is held up due to unrelated impervious coverage issues with the property; and

**WHEREAS**, the Mayor & Council believe it to be in the best interest of the Zoning Officer with discretionary authority in regard to same;

**NOW THEREFORE BE IT ORDAINED** by the Mayor & Council Body of the Borough of Manville in the County of Somerset and the State of New Jersey, as follows:

SECTION 1: Section 1203.1 of the Borough Land Use Code is hereby Amended to add a new Section 1203.1(d), to read as follows:

§1203.1(d) Where a new application for the repair, replacement, or installation of fencing or solar panels creates no additional impervious coverage, the Borough Zoning Officer has the authority to at his or her discretion, issue said permit based on the Zoning Officer having approved a signed written agreement with the Applicant providing for a plan to remediate previous impervious coverage issues on the premises.

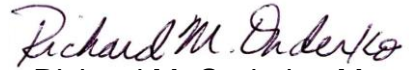
SECTION 2. The Mayor, Borough Administrator, and Borough Zoning Officer are hereby authorized and directed to take such steps as are necessary to effectuate the purposes of this Ordinance.

SECTION 3: Repealer. Any prior Ordinance of the Borough of Manville, or any article, section, paragraph, subsection, clause, or other provision of any such prior Ordinance, which is inconsistent with the provisions of this Ordinance, is hereby repealed, or temporarily repealed as applicable, to the extent of such inconsistency.

SECTION 4: Severability. In the event that any provision of this ordinance, or the application thereof to any person or circumstance is declared invalid by any Court of competent jurisdiction, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudged, and the remainder of this ordinance shall be deemed valid and effective; such holding shall not affect any other provision or application of this ordinance which may be given effect, and, to realize this intent, the provisions and applications of this ordinance are declared to be severable.

SECTION 5: Inconsistency with other Ordinances. Should any provision of this ordinance be inconsistent with the provisions of any other prior ordinances, or shall be inconsistent with any article, section, paragraph, subsection, clause, or other provision of any prior ordinances, the inconsistent provisions of such other prior ordinances are hereby repealed, but only to the extent of such inconsistencies.

SECTION 6: Effective Date. This ordinance shall be effective immediately after final adoption and publication in accordance with law.

Borough of Manville,  
  
 Richard M. Onderko, Mayor



Attest:

GP Caminiti, Acting Clerk

**INTRODUCED** this 22<sup>nd</sup> day of May, 2023

Introduced	Seconded	Council	Yes	No	Abstain	Absent
		Agans	X			
		DeVito	X			
	X	Lukac	X			
		Madak	X			
		Skirkanish	X			
X		Szabo	X			
		Onderko				

**SECOND READING AND FINAL ADOPTION:**

Introduced	Seconded	Council	Yes	No	Abstain	Absent
		Agans	x			
		DeVito	x			
	x	Lukac	x			
		Madak	x			
		Skirkanish	x			
x		Szabo	x			
		Onderko				



**ADOPTED** this 12<sup>th</sup> day of June, 2023

Attest: GP Caminiti, Acting Clerk