

ORDINANCE NO. 2023-1305

**AN ORDINANCE BY THE BOROUGH OF MANVILLE
IN THE COUNTY OF SOMERSET, STATE OF NEW JERSEY,
AMENDING ORDINANCE #2021-1270
PROVIDING FOR APPLICATION, INSPECTION AND APPROVAL OF
PERMITS FOR TEMPORARY EMERGENCY CONNECTIONS OF
RECREATIONAL TRAILERS, CAMPERS, OR VEHICLES
TO SEWERS OR UTILITIES IN AREAS
AFFECTED BY TROPICAL STORM IDA**

Statement of Purpose

The purpose of this Ordinance is to amend Ordinance #2021-1270 to extend through April 30, 2024, the temporary period during which a recreational camper, trailer, or vehicle may be occupied, located on, and connected to utilities on, a residential lot which suffered damage from Tropical Storm Ida; this Ordinance provides that this extension through April 30, 2024 may thereafter be extended for up to two additional three-month periods by Resolution of the Mayor & Council.

WHEREAS, as a result of Tropical Storm Ida, the Borough of Manville experienced unprecedented damage to residential and governmental property from flooding, and the entire County of Somerset, including the Borough of Manville, was declared a disaster area by the State of New Jersey and the Federal Emergency Management Administration (FEMA); and

WHEREAS, many residents of the Borough of Manville are, due to delays with insurance claims and repairs to their homes, continuing to seek a means to safely live for a temporary period in recreational vehicles or trailers on their properties while they are engaged in Storm recovery and repairs efforts; and

WHEREAS, the Mayor and Council of the Borough of Manville finds that it is in the best interest of the safety and welfare of residents of the Borough to provide for an orderly procedure for such temporary housing arrangements to be safely connected to Utilities and Sewer connections on residential properties;

NOW THEREFORE, BE IT ORDAINED, by the Mayor & Council of the Borough of

Manville in the County of Somerset, State of New Jersey, as follows:

SECTION 1: Amendment of Borough Land Use Code Section 31-421.2(d):

Chapter 31, Article 4, of the Borough Land Use Code is now amended at Section 31421.2(d), as previously enacted by Ordinance #2021-127, is now amended at Section 421.2(d) to read as follows:

§421.1(d) TEMPORARY EXCEPTIONS DURING RECOVERY PERIOD FROM TROPICAL STORM IDA:

§421.1(d)(1) from the effective date of this Ordinance #2021-1270, through and including **April 30, 2024**, upon the review and approval by the Borough of an Application and Certification of Storm Damage by the Owner of a residential property in the Borough, a trailer designed or intended for dwelling purposes, camper, recreational vehicle (whether self-contained, motorized, or requiring another vehicle in order to move same from place to place), or the like, may be used as a temporary residence conducted outside the confines of a building or structure, and may be temporarily connected to existing sewer lines and to existing electrical, gas, telephone or other residential utility lines present on said residential property, only upon Final Inspection and Approval by the Borough Zoning Official and the Construction Official; the Borough Zoning Official may deny such Application if he determines that the property did not suffer actual storm damage.

SECTION 2: Repealer:

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 to the extent of such inconsistency.

SECTION 3: Severability

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, or is found to be inconsistent with or precluded by any overriding State Statute or Regulation, 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 4: Inconsistency with other Ordinances

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 5: Effective Date

Effective Date: This ordinance shall take effect upon its passage and publication and filing with the Somerset County Planning Board as provided by law.

Borough of Manville,
Richard M. Onderko
Richard M. Onderko, Mayor

GP Caminiti
Attest:

GP Caminiti, Acting Clerk


INTRODUCED this 13th day of November, 2023

Introduced	Seconded	Council	Yes	No	Abstain	Absent
	X	Agans	X			
		DeVito	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 27th day of November, 2023

Attest: 
Gian-Paolo Caminiti,
Acting Borough Clerk