

**BOROUGH OF WOODBINE
COUNTY OF CAPE MAY**

ORDINANCE NO. 618-2023

**AN ORDINANCE AMENDING ORDINANCE 575-218, CHAPTER 2
ARTICLE III, SECTION 2-14.3 ENTITLED LEASE PAYMENTS FOR
HANGAR LEASES**

WHEREAS, Borough Council adopted Ordinance 575-2018, chapter 2, Article III, Section 2-14.3 setting forth a schedule of lease payments for the hangars and storage units at the Woodbine Airport; and

WHEREAS, it is necessary to consider the increase in lease payments as they have not been amended in over 5 years although costs have continued to increase; and

WHEREAS, Council finds it to be in the best interest of the Borough to set forth ranges for the rental of the several hangars, storage areas and tie down areas for aviation equipment including airplanes, drones, lighter than air aircraft and to assign to the Mayor and Solicitor the authority to negotiate lease agreements commensurate with the size, age and condition of the units within the ranges set by Council.

NOW, THEREFORE BE IT ORDAINED by the Council of the Borough of Woodbine that Ordinance 575-2018, Chapter 2, Article III, Section 2-14.3 be deleted in its entirety and replaced as follows:

Section 2-14.3 Schedule of Ranges for Leases

- A. **Hangar Rental Range.** Hangar rental payments shall be between the range of \$1,500.00 and \$20,000.00 per annum. All leases shall have an escalator clause increasing the lease payment by 3% per annum for each year of the lease agreement.
- B. **Storage Unit Range.** Storage Unit payments shall be between the range of \$1,000.00 and \$5,000.00 per annum. All leases shall have an escalator clause increasing the lease payment by 3% per annum for each year of the lease agreement.
- C. **Tie Down Range.** All Tie Down rental payments shall be between the range of \$7.00 and \$50.00 per day and shall be set on the 10th day of January of each year.
- D. **Special Use Tie Down/Storage.** All Special Use Tie Downs such as lighter than air aircraft, drones and other extraordinary aircraft requiring specialized equipment and manpower shall be between the range of \$100.00 and \$500.00 per day and shall be set on the 10th day of January of each year. Copies of established ranges for Tie down and Special Use shall be kept on file with the Municipal Clerk.

Section 2.14.4 Authority to Negotiate and Execute Leases and Annual Review

- A. **Annual Review of Cost.** The Mayor, Clerk and Chief Financial Officer shall annually review the cost accounting records for use and the fee for use shall be adjusted annually. They shall further review the cost upon the expiration of each lease to consider any increase within the range set forth herein.

- B. **Negotiate Leases.** The Mayor and Solicitor are hereby authorized to negotiate leases for hangars, tie downs and storage units based upon the age, utilities, length of lease, condition and such other factors concerning value of each hangar, storage unit and tie down within the scheduled ranges set forth herein. The Mayor and Clerk are further authorized to execute negotiated leases conforming herewith.

BE IT FURTHER ORDAINED that should any Ordinance or portion thereof be inconsistent with this Ordinance, such Ordinance or portion thereof shall be void to the extent of such inconsistencies.

BE IT FURTHER ORDAINED that should any portion of this Ordinance be deemed unenforceable by any court of competent jurisdiction, the balance thereof not deemed unenforceable shall remain in full force and effect.