

ORDINANCE 2020-04

AN ORDINANCE OF THE BOROUGH OF CHESTER, MORRIS COUNTY, STATE OF NEW JERSEY, AMENDING CHAPTER 211 OF THE CODE OF THE BOROUGH BY ADDING A NEW SECTION 13, ENTITLED "POOL SEASON MODIFICATION."

WHEREAS, municipalities are empowered to make, amend, repeal, and enforce its ordinances pursuant to Statute (N.J.S.A. 40:48-1, et seq.); and

WHEREAS, municipalities are required by Statute to follow specific procedures for the passage of ordinances (N.J.S.A. 40:49-2 et seq.); and

WHEREAS, it has been determined that Chapter 211 of the Code of the Borough of Chester relative to pool closure and membership refund should be amended to address an event which may cause an early termination of the pool season;

NOW, THEREFORE, BE IT ORDAINED, by the Council of the Borough of Chester, County of Morris, State of New Jersey that the Borough Code is hereby amended as follows:

SECTION 1: A new Chapter 211, Section 13 shall be adopted to read as follows:

211-13 Pool Season Modification.

The regular pool season is defined in Section 2 above. However, the pool season may be modified by a late start or early termination to protect the health and safety of the Pool Membership and employees due to a declared state of emergency. In the event of such modification of the pool season, the annual membership fee paid by a member shall be prorated accordingly, with reduction of the regular annual fee or appropriate authorized refund to those who paid the regular annual fee.

SECTION 2: If any Chapter, Article, Section or Subsection, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid by any court of competent jurisdiction such decisions shall not affect the remaining portions of this Ordinance.

SECTION 3: All ordinances or rules or regulations of the Borough of Chester, which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 4: This ordinance shall take effect upon passage and publication according to law.

Dated: _____, 2020

Janet Hoven, Mayor

Attest:

Denean Probasco, Municipal Clerk

LEGAL NOTICE OF PENDING ORDINANCE

Notice is hereby given that the Ordinance published herewith was introduced and passed upon first reading at a meeting of the Mayor and Council of the Borough of Chester, in the County of Morris, New Jersey, held on the 17th day of March 2020. It will be further considered for final passage after public hearing thereon, at a meeting of said Mayor and Council to be held in the Chester Borough Hall, 50 North Road, in said Borough, on April 7th 2020 at 7:00 p.m., and during the week prior and up to and including the date of such meeting, copies of said Ordinance will be made available at the Clerk's office in said Borough Hall building to members of the general public who shall request the same.

Denean Probasco, Municipal Clerk