

**ORDINANCE 2018 -05**

**AN ORDINANCE OF THE BOROUGH OF CHESTER, MORRIS COUNTY, STATE OF NEW JERSEY, AMENDING ARTICLE I, "MUNICIPAL FEES" OF CHAPTER 127, "FEES," OF THE CODE OF THE BOROUGH OF CHESTER**

**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**, Chapter 127 (Fees), Article I (Municipal Fees) lists certain fees established and charged by the Borough of Chester, for various services rendered, as provided by the applicable municipal ordinance governing said services; and

**WHEREAS**, it appears there is some confusion relative to the fees payable by a Farmer's Market under Chapter 202, Article 9, and

**WHEREAS**, the Mayor and Borough Council wish to add, amend or remove certain fees and or amounts as same relate to fees charged for Farmer's Markets by the Borough of Chester; and

**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:** §127-1 of the Code of the Borough of Chester is hereby amended to delete the following provision:

§ 203-7	Market Proprietor license fee per calendar	
	1 concessionaire	\$5.00 per day
	2-15 concessionaires	\$10.00 per day
	16 or more concessionaires	\$25.00 per day

**SECTION 2:** § 127-1 of the Code of the Borough of Chester is hereby amended to include the following concerning Farmers Markets pursuant to § 202-9:

<u>Chapter</u>	<u>Section</u>	<u>Description</u>	<u>Amount</u>
202	9	Market Proprietor's license fee per calendar year	\$100.00/year
202	9	Market Concessionaire's license fee	\$10.00/day (to be split evenly with Recreation Commission if held on Recreation property)

**SECTION 3. Severability.** Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

**SECTION 4. Repealer.** 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or regulations of the Borough of Chester, which are inconsistent with the provisions of this ordinance, are hereby repealed to the extent of such inconsistency.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 5. Effective Date.** This ordinance shall take effect upon passage and publication according to law.

Dated: March \_\_\_, 2018

\_\_\_\_\_  
Janet Hoven, Mayor

Attest:

\_\_\_\_\_  
Denean Probasco, Borough 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 3rd day of April, 2018. 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 May 1st, 2018 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, Borough Clerk