

Ordinance No.: 1,459
Adopted: 2/22/11
Effective: 3/14/11

Ordinance 2-11

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 159,
RESIDENTIAL PROPERTY MAINTENANCE, ARTICLE IV,
SPACE AND OCCUPANCY REQUIREMENTS, OF THE
ORDINANCES OF THE BOROUGH OF LINCOLN PARK,
COUNTY OF MORRIS, STATE OF NEW JERSEY**

WHEREAS, pursuant to N.J.S.A. 40:48-2, any municipality may make, amend, repeal and enforce such other ordinances, regulations, rules and by-laws not contrary to the laws of this state or of the United States, as it may deem necessary and proper for the good government, order and protection of persons and property, and for the preservation of the public health, safety and welfare of the municipality and its inhabitants, and as may be necessary to carry into effect the powers and duties conferred and imposed by this subtitle, or by any law; and

WHEREAS, the Borough of Lincoln Park ("Borough") has become aware of numerous dwellings within the Borough in which the number of occupants creates unsafe conditions for its inhabitants; and

WHEREAS, the Borough Council desires to amend and supplement Chapter 159, Residential Property Maintenance, Article IV, Space and Occupancy Requirements, of the Ordinances of the Borough of Lincoln Park, County of Morris, State of New Jersey, to delete the existing requirements in its entirety and add new space and occupancy requirements, which will address the unsafe conditions.

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the Borough of Lincoln Park, County of Morris, State of New Jersey as follows:

SECTION 1. Chapter 159, Residential Property Maintenance, Article IV, Space and Occupancy Requirements shall be deleted in its entirety and replaced with the requirements specifically as set forth in Schedule A attached to this Ordinance.

SECTION 2. All Ordinances of the Borough of Lincoln Park that are inconsistent with the provisions of this Ordinance are hereby repealed as to the extent of such inconsistency.

SECTION 3. If any section, subsection, clause, or phrase of this Ordinance is for any reason held to be unconstitutional or invalid by any Court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

SECTION 4. This Ordinance shall take effect as provided by law.

CERTIFICATION

I, **ANNETTE MAIDA-SMITH**, Clerk of the Borough of Lincoln Park, County of Morris, State of New Jersey, do hereby certify that the foregoing is a true copy of an Ordinance introduced by the Borough Council of the Borough of Lincoln Park at a duly convened meeting held on January 3, 2011 and Adopted at a duly convened meeting held on January 18, 2011 .

Annette Maida-Smith, Borough Clerk

Louis J. Pepe, Council President

ATTEST:

Annette Maida-Smith, RMC
Borough Clerk

INTRODUCED	January 18, 2011
PUBLISHED IN DAILY RECORD	January 23, 2011
PUBLIC HEARING AND ADOPTION	February 22, 2011
PUBLISHED IN DAILY RECORD	February 27, 2011
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