

**ORDINANCE NO. 02-2009**

**AN ORDINANCE OF THE MAYOR AND COMMITTEE OF TOWNSHIP OF HARRISON,  
COUNTY OF GLOUCESTER, STATE OF NEW JERSEY AN ORDINANCE AMENDING  
CHAPTER 225 ENTITLED "ZONING" OF THE CODE OF THE TOWNSHIP OF HARRISON**

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**WHEREAS**, the Mayor and Committee, Township of Harrison, have determined that certain amendments to Chapter 225 entitled "Zoning" are necessary; and

**WHEREAS**, in all other respects Chapter 225 entitled "Zoning" shall remain in full force and effect;

**NOW, THEREFORE, BE IT ORDAINED**, by the Mayor and Committee of the Township of Harrison, in the County of Gloucester and State of New Jersey, and it is hereby enacted and ordained by the authority of same as follows:

**Section 1.**

§225-154. entitled "Certificate of Occupancy" shall be amended to read as follows:

**§ 225-154. Certificate of Occupancy**

A. A certificate of occupancy shall be required prior to the occupation for use or change of use of land, building or structure or any part thereof.

B. Application for a certificate of occupancy shall be made in writing to the Construction Code Official on forms provided by the municipality. **[Amended 11-16-1992 by Ord. No. 19-1992]**

(1) When the use of a premises involves a new building or structure, or alterations to an existing building or structure, such application shall be made at the time of application for a building permit.

(2) When no construction or alteration is involved, an application for certificate of occupancy may be made at any time. It shall be the responsibility of the Construction Code Official to determine, ~~with the assistance of the Zoning Officer as may be needed,~~ whether the proposed occupancy shall conform to the provisions of this section. The application for a certificate of occupancy shall be deemed incomplete until the Construction Code Official has certified that all of the requirements have been satisfied.

C. Certificates of occupancy shall be granted or refused ~~within 30 days after the Zoning Officer has been notified of completion of construction or within 30 days of application to occupy and use land by the~~ Construction Code Official within ten (10) business days after the receipt of a written application therefore. Failure to grant or deny such a certificate shall constitute an approval and granting of the certificate.

D. No certificate of occupancy shall be issued unless it is in conformity with the provisions of this chapter or so ordered by a court of competent jurisdiction. **[Amended 11-16-1992 by Ord. No. 19-1992]**

E. Occupancy permits may be issued after final plan approval of a major subdivision plan but prior to completion of required public improvements and protective measures if a performance and maintenance guarantee has been accepted by the Township under the following conditions:

(1) All streets upon which occupancy is to take place shall have been constructed and paved to a level of completion that will provide an all-weather, hard surface for drainage, safe

movement of vehicles, and be free of dust, debris, and ice and snow. Said streets shall also connect to a street circulation system of at least similar physical character.

- (2) ~~All sidewalks, curbs, and gutters for areas of occupancy shall have been installed, except that temporary walkways, curbs, and gutters may be installed and maintained free and clear of debris in areas where future construction is anticipated.~~
- (32) All occupied lots shall be protected from drainage from surrounding lots, and the occupied lot shall have a completed lot drainage system.
- (43) All occupied lots shall be free from any encroachment resulting from anticipated future construction activities.
- (54) All occupied lots and buildings shall be served by a complete utility servicing system including water, sanitary sewer, electricity, source of heating energy and private telephone capability. Any of these said systems not completed according to subdivision or site plan design requirements and for which temporary provision is to be made prior to notice of completion of improvements to the Township shall be sufficiently operable as to provide safe, sanitary, and uninterrupted service.
- (65) Occupied lots shall be landscaped, weather permitting, with ground cover sufficient to prohibit erosion of soils by water or wind.
- (6) The Gloucester County Soil Conservation District has issued a report of compliance.

## **Section 2.**

### **Repealer.**

All prior Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistencies.

## **Section 3.**

### **Severability.**

Should any section, clause, sentence, phrase or provision of this Ordinance be declared unconstitutional or invalid by a Court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

## **Section 4.**

In all other respects, Chapter 225 entitled "**Zoning**" shall remain in full force and effect.

**Section 5.**

**When effective.**

This Ordinance shall take effect immediately upon final passage and publication in accordance with law.

**TOWNSHIP OF HARRISON**

**BY: \_\_\_\_\_**  
**LOUIS F. MANZO, MAYOR**

**ATTEST:**

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**DIANE L. MALLOY, Acting Municipal Clerk**

**INTRO: JAN 20 2009**  
**ADOPT:**

**NOTICE**

The Ordinance published herein was introduced and passed upon first reading at a meeting of the Mayor and Committee of the Township of Harrison, in the County of Gloucester and State of New Jersey, held on January 20, 2009. It will be further considered for final passage, after public hearing hereon, at a meeting of said Mayor and Committee to be held in the Township's Municipal Building, 114 Bridgeton Pike, Mullica Hill, New Jersey 08062, in the Township, on February 2, 2009 at 7:30 P.M. 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 at the Municipal Building, 114 Bridgeton Pike, in the Township, to the members of the general public who shall request the same.

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DIANE L. MALLOY  
Acting Municipal Clerk