TOWNSHIP OF DELANCO
ORDINANCE NO. 2002-9

AN ORDINANCE OF THE TOWNSHIP OF DELANCO, COUNTY OF BURLINGTON, AND STATE OF NEW JERSEY ADOPTING A REDEVELOPMENT PLAN FOR THE PLANNED INDUSTRIAL ZONE AND OTHER AREAS, AND AUTHORIZING AND EMPOWERING THE GOVERNING BODY TO TAKE CERTAIN ACTIONS AND PROMOTE CERTAIN PROJECTS, ALL WITHIN THE MEANING AND INTENDMENT OF THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1, ET SEQ.

BE IT ORDAINED AND ENACTED by the Township Committee of the Township of Delanco, County of Burlington, and State of New Jersey as follows:

Article I. Purpose & Intent; Background. It is the purpose and intent of this Ordinance to adopt by reference a certain Redevelopment Plan prepared by the Township Committee dated July 2002, entitled "Delanco Township Redevelopment Plan." This Ordinance is adopted under the authority of N.J.S.A. 40A:12A-1, et seq., the "Local Redevelopment and Housing Law." This Ordinance, and the Redevelopment Plan, adopted herein by reference, are intended to implement a series of redevelopment strategies to overcome certain obstacles to the comprehensive improvement of the Planned Industrial ("PI") Zone and neighboring commercial properties of Delanco Township along Creek and Coopertown Roads, in order to improve the quality of life of the entire community of Delanco Township. The primary thrust of these strategies seeks to remove barriers to new investment, business and job creation through the improvement of what has been a stagnant and undeveloped portion of the Township. The Township will further seek to improve certain infrastructure and other improvements along roads, including sewer.

By Resolution 2002-76, adopted May 6, 2002, the Delanco Township Committee directed the Township Joint Land Use Board to undertake a preliminary investigation to make certain determinations regarding the establishment of a Redevelopment Area within the meaning of the aforementioned Local Redevelopment and Housing Law. In or about May 2002, in response to said Resolution, the Delanco Township Joint Land Use Board, in conjunction with the Burlington County Office of Land Use Planning, issued a report entitled "Preliminary Investigation: Area in Need of Redevelopment" ("Preliminary Investigation"). Thereafter, pursuant to all notices required by law, the Delanco Township Joint Land Use Board conducted a public hearing on this matter, following which hearing, the Joint Land Use Board adopted the aforementioned "Preliminary Investigation." On July 15, 2002, the Township Committee adopted Resolution No. 2002-96, accepting the factual findings set forth in the aforementioned "Preliminary Investigation", and adoption of the geographical boundaries determined therein to define the proposed Redevelopment Area.

Article II. Determination of Area of Need of Redevelopment. The Township Committee hereby finds and determines that the specifically delineated project area, as shown on the maps attached to the Township Committee's "Delanco Township Redevelopment Plan, July, 2002" and as more specifically set forth on the attached schedule of properties within the Redevelopment Area (Schedule A, attached hereto, and made a part hereof), is, in fact, an area in need of redevelopment in accordance with the criteria set forth at N.J.S.A. 40A:12A-5, and

concludes that the Township's Joint Land Use Board has met its obligation to follow the criteria as set forth at said statute, prior to making said recommendation.

Article III. Adoption of Redevelopment Plan. The Township Committee hereby adopts by reference, and incorporates same as if set forth herein at length, the "Delanco Township Redevelopment Plan, June, 2002". In adopting said Plan, the governing body hereby declares and determines that said Plan meets the criteria, guidelines and conditions set forth at N.J.S.A. 40A:12A-7; provides realistic opportunities for redevelopment in said area; and is otherwise in conformance with the provisions of the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. The Township Committee further finds and determines that said Redevelopment Plan is consistent with and conforms to the Township's Master Plan.

Article IV. Powers and Authority of Municipality in Furtherance of Redevelopment Plan. The Township Committee, as the governing body of the Township of Delanco, shall have, be entitled to, and is hereby vested with, all powers and authority available to it in furtherance of the goals and purposes of said Redevelopment Plan. The Township Committee is specifically empowered with, and authorized to undertake, all such actions, proceedings, and undertakings as set forth at N.J.S.A. 40A:12A-1 et seq., including by way of example, and not by way of limitation, those powers set forth at N.J.S.A. 40A:12A-8, -9, -10, -13, -22, -27, -37, -38, -39, et seq.

Article V. Annual Reports. Pursuant to the requirements of N.J.S.A. 40A:12A-43, the Township shall submit an annual report to the Commissioner of the Department of Community Affairs of the State of New Jersey indicating the name, location, and size of all projects undertaken in the Redevelopment Area. In addition, the annual report shall contain such information as the Commissioner shall deem necessary in order to fulfill the reporting requirements of N.J.S.A. 52:27D-3.3

Article VI. Repealer, Severability and Effective Date.

A. Repealer. Any and all Ordinances inconsistent with the terms of this Ordinance are hereby repealed to the extent of any such inconsistencies.

B. Severability. In the event that any clause, section, paragraph or sentence of this Ordinance is deemed to be invalid or unenforceable for any reason, then the Township Committee hereby declares it intent that the balance of the Ordinance not affected by said invalidity shall remain in full force and effect to the extent that it allows the Township to meet the goals of the Ordinance.

C. Effective Date. This Ordinance shall take effect upon proper passage in accordance with the law.

THIS IS CERTIFICATION THAT THE ABOVE ENTITLED ORDINANCE WAS PASSED UPON SECOND AND FINAL READING AFTER A PUBLIC HEARING AT A MEETING OF THE TOWNSHIP COMMITTEE ON AUGUST 5, 2002 AT THE MUNICIPAL BUILDING, 515 BURLINGTON AVE.

Janice M. Lohr, RMC
Municipal Clerk

John Browne
Mayor