

**TOWNSHIP OF DOWNE  
CUMBERLAND COUNTY, NEW JERSEY**

**ORDINANCE NO. 2020-3**

**AN ORDINANCE FOR PURPOSES OF DOWNE TOWNSHIP SEWER RELATED CAFRA,  
NJ DEP ACCESS, FRESHWATER WETLANDS TRANSITION AREA (FWTA)  
DELINEATION AND RELATED ACCESS AND NJ DEP DLUR PERMIT AND  
APPROVAL AND FWW GENERAL PERMIT AS TO CERTAIN PROPERTIES SITUATE  
IN THE VILLAGE OF FORTESCUE**

**WHEREAS**, the Township Committee of the Township of Downe, County of Cumberland and State of New Jersey is responsible for activities conducted within Downe Township and in its effort to improve the viability of Downe Township has engaged its Engineers, Grant Writers and all appropriate officials for purposes of seeking to design and generate proposals for installation of sewer service along the waterfront of Downe Township to include in Phase 1 the Village of Fortescue; and

**WHEREAS**, the Coastal Zone Management Rules, Freshwater Wetlands Protection Act Rules and general NJ DEP rules relating to FWW General Permits and NJ DEP DLUR Applications call for the owners of impacted properties to execute applications certifying the granting of permission relating to the proposed activity impacting a property owner's premises and further providing consent to allow access to sites owned by individuals for NJ DEP Representatives for the purposes of conducting site inspections of specific premises; and

**WHEREAS**, the Township of Downe through its Township Committee and Engineers as well as other officials have produced a viable sewer system proposal for the Village of Fortescue situate in the Township of Downe which requires the uniform consent by property owners to be impacted by the system to be provided notice; and

**WHEREAS**, all affected property owners shall receive a copy of this Ordinance via regular and certified mail pursuant to the attached list (A) and this proposed form of Ordinance shall further be noticed to all impacted property owners through its publication; and

**NOW, THEREFORE, BE IT ORDAINED**, by the Township of Committee of the Township of Downe, County of Cumberland and State of New Jersey hereby authorizes the Township to execute all necessary approvals, permissions, applications related specifically to the implementation of the proposed sewer plan in accordance with that engineering plan related to sewers dated the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ which is located at the Clerk's Office of Downe Township situate at 288 Main Street, Newport, New Jersey 08345 which is available for inspection at no cost during regular working hours at all times when the Township offices are open and further that this Ordinance be circulated to all those on the annexed list (A) via regular and certified mail and that all affected property owners be further

noticed by the publication of this proposed Ordinance in accordance with New Jersey Municipal Law for the introduction, public hearing and adoption of Ordinances.

**AND, BE IT FURTHER ORDAINED,** that the purpose of this Ordinance is to provide for the formality of notification to the public for purposes of seeking public input related to any requisite New Jersey Department of Environmental Protection, Division of Land Use Regulation Application related to the design, installation and operation of sewer in non-transition areas, in freshwater wetlands transition areas where the construction will require an FWW General Permit and authorize the Township or its designated representative to provide requisite signatures relative to the proposed easements to include authorizing access by NJ DEP Representatives pursuant to Coastal Zone Management Rules (7:7-23.2) and the Freshwater Wetlands Protection Act Rules (7:7A-16.2).

**Section One. Repealer.** All former Ordinances of the Township of Downe which are in conflict with the provisions contained in this Ordinance are hereby repealed upon the adoption of this Ordinance.

**Section Two. Severability.** If any part or parts of this Ordinance are held to be invalid for any reason such decision shall not affect the validity of the remaining portions of this Ordinance.

**Section Three.** This Ordinance shall take effect after final approval and publication as required by law.

TOWNSHIP OF DOWNE

BY: \_\_\_\_\_  
Robert Campbell, Mayor

\_\_\_\_\_  
Nadine E. Lockley, Municipal Clerk

STATE OF NEW JERSEY :  
: ss  
COUNTY OF CUMBERLAND :

Please take notice that the above Ordinance was adopted after a Public Hearing at a meeting of the Downe Township Committee on the 9th day of March, 2020 at the Downe Township Municipal Building in Newport, New Jersey.

ATTEST

\_\_\_\_\_  
Nadine E. Lockley, Municipal Clerk



**TOWNSHIP OF DOWNE  
CUMBERLAND COUNTY, NEW JERSEY  
RECORD FOR ORDINANCE # 2020-3**

**Introduce Ordinance on First Reading**

**Motion: ROTHMAN**

**Second: BYRNE**

Introduce Ordinance / First Reading Date: FEBRUARY 18, 2020

Ordinance Published: FEBRUARY 21, 2020

Ordinance Posted: FEBRUARY 18, 2020

Public Hearing / Second Reading Date: MARCH 9, 2020

ROLL CALL	YES	NO	ABSTAIN	ABSENT
Burt, S.	X			
Byrne, S.	X			
Rothman, M.	X			
Bart, E.	X			
Campbell, R.	X			

**Adoption of Ordinance**

**Motion: BYRNE**

**Second: ROTHMAN**

ROLL CALL	YES	NO	ABSTAIN	ABSENT
Burt, S.	X			
Byrne, S.	X			
Rothman, M.	X			
Bart, E.				X
Campbell, R.	X			

Final Adoption Date: MARCH 9, 2020

Notice of Final Passage Published: MARCH 13, 2020

Notice of Final Passage Posted: MARCH 10, 2020

\_\_\_\_\_  
Date

\_\_\_\_\_  
Nadine E. Lockley, Municipal Clerk