

**TOWNSHIP OF HAMILTON  
COUNTY OF MERCER, NEW JERSEY**

**ORDINANCE**

No. **24-045**

1ST READING OCTOBER 15, 2024

DATE TO MAYOR NOVEMBER 13, 2024

2<sup>ND</sup> READING & PUBLIC HEARING November 12, 2024

DATE RESUBMITTED TO COUNCIL \_\_\_\_\_

WITHDRAWN \_\_\_\_\_ LOST \_\_\_\_\_

DATE EFFECTIVE \_\_\_\_\_

APPROVED AS TO FORM AND LEGALITY

FACTUAL CONTENTS CERTIFIED TO BY

\_\_\_\_\_  
TOWNSHIP ATTORNEY

\_\_\_\_\_  
TITLE

**ORDINANCE AMENDING AND SUPPLEMENTING THE CODE OF THE TOWNSHIP OF HAMILTON, NEW JERSEY, PART III, LAND USE LEGISLATION, CHAPTER 550, LAND DEVELOPMENT, ARTICLE I, TITLE, § 550-7, DEFINITIONS, AND ARTICLE III, DISTRICT REGULATIONS, § 550-73, RRC RURAL RESOURCE CONSERVATION AND R-25 SINGLE-FAMILY RESIDENTIAL DISTRICTS AND § 550-74, R-15, R-10, R-7 AND R-5 SINGLE-FAMILY RESIDENTIAL DISTRICTS**

*Be It Ordained* by the Council of the Township of Hamilton, in the County of Mercer and State of New Jersey, that the *Code of the Township of Hamilton, New Jersey, Chapter 550, Land Development, Article I, Title, § 550-7, Definitions, and Article III, District Regulations, § 550-73, RRC Rural Resource Conservation and R-25 Single-Family Residential Districts and § 550-74, R-15, R-10, R-7 and R-5 Single-Family Residential Districts*, as amended and supplemented, be further amended and supplemented as follows:

**Chapter 550**

**LAND DEVELOPMENT**

**ARTICLE I. TITLE**

.....

**§ 550-7. Definitions.**

For the purposes of this chapter, certain phrases and words used herein are defined as follows. Words used in the present tense include the future; words used in the singular number include the plural number and vice versa; the word "used" shall include "arranged, designed, constructed, altered, converted, rented, leased or intended to be used"; the word "lot" includes the words "plot," "premises" and "tract"; the word "building" includes the words "structure," "dwelling" or "residence"; the word "shall" is mandatory and not discretionary. Any word or term not defined herein shall be used with a meaning of standard usage. Moreover, whenever a term is used in the chapter which is defined in N.J.S.A. 40:55D-1 et seq., such term is intended to have the meaning as defined in N.J.S.A. 40:55D-1 et seq., unless specifically defined to the contrary in this chapter.

**ABOVEGROUND SWIMMING POOL**

A water-filled enclosure located above the level of the surrounding land, having a depth of more than 24 inches.

.....

**PARKING SPACE**

An area not less than nine feet wide by 20 feet in length, either within a structure or in the open, for the parking of motor vehicles, exclusive of driveways, access drives, fire

EXPLANATION:

Matter underlined thus in this legislation is new matter.  
Matter contained in brackets [thus] is to be omitted from the law.

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lanes and public rights-of-way, except that nothing shall prohibit private driveways for detached dwelling units from being considered off-street parking areas, provided that no portion of such private driveway within the right-of-way line of the street intersected by such driveway shall be considered an off-street parking space. The area is intended to be sufficient to accommodate the exterior extremities of the vehicles, whether or not wheel blocks are installed within this area to prevent the bumper from overhanging one end of the parking space. The width and length of each space shall be measured perpendicular to each other regardless of the angle of the parking space to the access aisle or driveway.

**PATIO**

An at grade, dust free, paved area without footings or a roof, made of materials such as concrete, bricks or pavers.

**PERFORMANCE GUARANTY**

Any security which may be accepted by a municipality, including cash, in accordance with the requirements of this chapter to assure that certain improvements be made. Escrow agreements and other similar collateral and surety agreements are acceptable.

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**ARTICLE III. DISTRICT REGULATIONS**

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**§ 550-73. RRC Rural Resource Conservation and R-25 Single-Family Residential Districts.**

A. Purpose.

.....

B. In the RRC Rural Resource Conservation and R-25 Single-Family Residential Districts, the following shall apply:

(1) Principal permitted uses on the land and in buildings.

.....

(2) Accessory uses permitted:

(a) Private garages.

.....

(o) Electric vehicle supply/service equipment. (See § 550-144.)

(p) Patios. Patios shall adhere to the area and yard requirements of accessory buildings, shall only be located in the rear yard, and shall not exceed twenty-five percent (25%) of the total area of the rear yard.

(3) Other uses permitted upon application to the municipal agency for a conditional use permit:

.....

EXPLANATION:

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**§ 550-74. R-15, R-10, R-7 and R-5 Single-Family Residential Districts.**

A. Principal permitted uses on the land and in buildings.

.....

B. Accessory uses permitted:

(1) Private residential pools. (See Article IV for standards.)

.....

(17) Electric vehicle supply/service equipment. (See § 550-144.)

(18) Patios. Patios shall adhere to the area and yard requirements of accessory buildings, shall only be located in the rear yard, and shall not exceed twenty-five percent (25%) of the total area of the rear yard.

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Any Ordinance or Ordinances in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

\_\_\_\_\_  
PRESIDENT

\_\_\_\_\_  
MUNICIPAL CLERK

RECORD OF VOTE													
First Reading							Second Reading						
COUNCIL	AYE	NAY	NV	AB	ORD	SEC	COUNCIL	AYE	NAY	NV	AB	ORD	SEC
PASQUALE "PAT" PAPERIO, JR.	✓					✓	PASQUALE "PAT" PAPERIO, JR.						
NANCY PHILLIPS	✓						NANCY PHILLIPS						
CHARLES F. WHALEN	✓				✓		CHARLES F. WHALEN						
RICHARD L. TIGHE, JR.				✓			RICHARD L. TIGHE, JR.						
ANTHONY P. CARABELLI, JR.	✓						ANTHONY P. CARABELLI, JR.						

X - Indicates Vote    A.B. - Absent    N.V. - Not Voting    RES. - Moved    SEC. - Seconded

REJECTED \_\_\_\_\_

\_\_\_\_\_  
JEFFREY S. MARTIN, MAYOR

\_\_\_\_\_  
DATE

APPROVED \_\_\_\_\_

RECONSIDERED BY COUNCIL \_\_\_\_\_    OVERRIDE VOTE    AYE \_\_\_\_\_    NAY \_\_\_\_\_

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   Matter contained in brackets [thus] is to be omitted from the law.