

ORDINANCE NO. 15-09

AN ORDINANCE TO AMEND SECTION 201 OF THE LAND DEVELOPMENT ORDINANCE OF THE TOWNSHIP OF NEPTUNE BY AMENDING THE DEFINITION OF "IMPERVIOUS COVER"

WHEREAS, Section 201, Definitions, of the Township's Land Development Ordinance defines Impervious Cover as, "Any structure, surface or improvement that reduces and/or prevents absorption of stormwater into land. Porous paving, paver blocks, gravel, crushed stone, crushed shell, elevated structures (including boardwalks), and other similar structures, surfaces or improvements are considered impervious cover. Grass, lawns or any other vegetation are not considered impervious cover.", and

WHEREAS, amending this definition to specify the pervious or impervious character of surfaces and structures for which such character is unclear would enable developers and property owners to better comply with the Township's Bulk Regulations, and

WHEREAS, the purpose of this Ordinance is to amend the definition of Impervious Cover in Sections 201 and to replace the term "Impervious Cover" with "Impervious Coverage" throughout the document,

SECTION 1.

The definition of "Impervious Cover" in Section 201, Definitions, of the Land Development Ordinance is hereby deleted and replaced with the following:

Impervious Coverage: Any structure, surface or improvement that reduces and or prevents infiltration into the surface shall be considered impervious; Driveways or other similar areas that experience loading that are constructed of open cell pavers or stone shall be considered impervious. Patios that are constructed at grade are impervious.

Decks that are twelve (12) inches or more above average grade shall be considered pervious. Porous paving, gravel, crushed stone, crushed shells and similar surfaces not utilized in driveways or other areas that experience heavy loading shall be considered pervious.

Open cell pavers shall be considered fifty percent (50%) pervious if filled with vegetation. Grass, lawns or other similar vegetation shall be considered pervious. Water area of pools shall not be counted as impervious.

Additionally, in this and all sections of the Land Development Ordinance, the term "Impervious Cover" is hereby replaced with "Impervious Coverage".

SECTION 2. REPEALER

The remainder of all other sections and subsections of the aforementioned ordinance not specifically amended by this Ordinance shall remain in full force and effect.

SECTION 3. INCONSISTENT ORDINANCES

All other Ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed as to such inconsistency.

SECTION 4. SEVERABILITY

If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of this Ordinance shall be deemed valid and effective.

SECTION 5. EFFECTIVE DATE

This Ordinance shall take effect upon its passage and publication according to law.

APPROVED ON FIRST READING: February 9, 2015

APPROVED, PASSED, AND ADOPTED: March 9, 2015

Richard J. Cuttrell,
Municipal Clerk

Mary Beth Jahn,
Mayor