

ORDINANCE NO. 9-2015

AN ORDINANCE OF THE TOWNSHIP OF EAST HANOVER, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING THE TOWNSHIP CODE CHAPTER 95, LAND USE AND ZONING, ARTICLE VII ZONING, TO INCLUDE A NEW SECTION § 95-69 PIPELINES

WHEREAS, the Township of East Hanover regulates modifications and improvements to all lands within the Township; and

WHEREAS, the installation of pipelines requires extensive short- and long-term modifications to Township lands; and

WHEREAS, pipelines carrying liquid products other than natural gas are not public utilities that distribute services to local end users; and

WHEREAS, because pipelines carrying liquid products other than natural gas do not distribute utility services to end users, they are unregulated by the State of New Jersey Board of Public Utilities; and

WHEREAS, pipelines carrying liquid products other than natural gas do not directly provide Township residents or businesses with necessities such as electricity, gas, telephone, water or wastewater services; and

WHEREAS, pipelines carrying liquid products other than natural gas are designated to transport a variety of materials including hazardous substances, which if a discharge occurred, may result in environmental degradation to the land, water, and air; and

WHEREAS, because pipelines carrying liquid products other than natural gas are not regulated by the State of New Jersey Board of Public Utilities, there is limited accountability to the public; and

WHEREAS, in the best interests of the health, safety and welfare of its residents, it is recommended that the Township of East Hanover supplement Chapter 95, Land Use and Zoning, Article VII Zoning, to include a new Section §95-69 Pipelines, to include pipelines not bringing products or services to end users which are not public utilities regulated by the New Jersey Board of Public Utilities as a prohibited use in all zones and districts within the Township of East Hanover.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Township Council of the Township of East Hanover, County of Morris, and the State of New Jersey, that Chapter 95,

Land Use and Zoning, Article VII Zoning, shall include a new Section §95-69 Pipelines, to read as follows:

§95-69. Pipelines.

Pipelines not distributing services to end users within the Township of East Hanover which are not otherwise regulated by the New Jersey Board of Public Utilities are prohibited in all zones and districts within the Township.


SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed as to such inconsistencies.

SECTION 3. If any article, section, subsection, paragraph, phrase, or sentence is for any reason held to be unconstitutional or invalid, said article, section, subsection, paragraph, phrase or sentence shall be deemed separable.

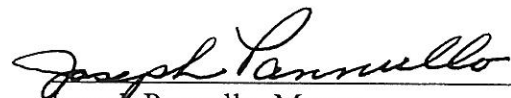
SECTION 4. This Ordinance shall take effect upon final publication as provided by law.

TOWNSHIP OF EAST HANOVER

Attest:



Paula A. Massaro, Township Clerk



Joseph Pannullo, Mayor

Introduced: October 5, 2015
Adopted: November 4, 2015

I HEREBY CERTIFY the foregoing to be a true copy of an ordinance adopted by the Township Council of the Township of East Hanover at a regular meeting held November 4, 2015.



Paula A. Massaro, RMC, Township Clerk