

**BOROUGH OF FRANKLIN
COUNTY OF SUSSEX
ORDINANCE #1-2014**

**AN ORDINANCE AMENDING CHAPTER 161 OF THE FRANKLIN BOROUGH
CODE THE BOROUGH'S LAND DEVELOPMENT ORDINANCE**

BE IT ORDAINED by the Mayor and Council of the Borough of Franklin as follows:

Section 1 – Chapter 161-3 Definitions – The Definitions section shall be amended by the addition of the following definition:

Buffering and Screening – The use of various natural and man-made elements to shield lower intensity land uses from higher intensity ones. Buffers and screens may be acceptable even though they may not completely conceal or obscure one land use from another, the goal being to mitigate the impact upon the lower intensity use in a practical manner. Buffering standards are set forth elsewhere in this ordinance.

Section 2 – Chapter 161-34 B (6) Drive-through uses – The existing language in paragraphs (a) and (b) shall remain. Paragraphs (c), (d) and (e) shall be deleted entirely and replaced with the following:

(c) The maximum volume of any exterior speakers shall meet the following standards at the property line:

- (i) where the abutting property is zoned or used for residential purposes:
 - (a) 65 db between the hours of 7:00 a.m. and 10:00 p.m.;
 - (b) 50 db between the hours of 10:00 p.m. and 7:00 a.m.;
- (ii) Where the abutting property is zoned for non-residential purposes: 65 db.

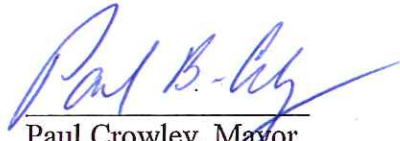
(d) Where adjoining property is zoned or used for residential purposes, the buffering along the property line shall include a solid fence.

(e) The traffic circulation design shall provide for one-way circulation in the area directly adjacent to the drive-thru lane and queuing aisle, unless the drive-thru lane and queuing aisle are physically separated from the circulation elements.

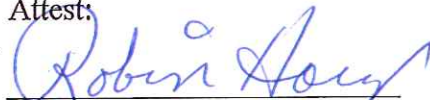
Section 3 – Severability. If any provision of this ordinance or the application of this ordinance to any person or circumstances is held invalid, the remainder of this ordinance shall not be affected and shall remain in full force and effect.

Section 4 – Effective Date This ordinance shall take effect after publication and passage according to law.

The Borough Clerk is hereby directed to give notice by certified mail at least ten days prior to the hearing on the adoption of this ordinance to the County Planning Board and to all others entitled thereto pursuant to the provision of N.J.S.A. 40:55D-15. Upon adoption of this ordinance after public hearing thereon, the borough Clerk is further directed to publish notice of the passage thereof and to file a copy of the ordinance as finally adopted with the Sussex County Planning Board as Required by N.J.S.A. 40:55D-16.



Paul Crowley, Mayor

Attest:


Robin Hough, Municipal Clerk

NOTICE

TAKE NOTICE that the above entitled Ordinance #1-2014 was introduced at a regular meeting of the Borough Council of the Borough of Franklin on January 14, 2014 and will be considered for final passage after public hearing at a regular meeting of the Borough Council of the Borough of Franklin to be held on February 11, 2014 at 7:00 p.m. in the Municipal Building, 46 Main Street, Franklin, New Jersey.


Robin Hough, Municipal Clerk

**BOROUGH OF FRANKLIN
LEGAL NOTICE**

ORDINANCE # 1-2014

**AN ORDINANCE AMENDING CHAPTER 161 OF THE FRANKLIN BOROUGH
CODE THE BOROUGH'S LAND DEVELOPMENT ORDINANCE**

NOTICE is hereby given that the above Ordinance was introduced and passed on first reading at a meeting of the Borough Council of the Borough of Franklin, in the County of Sussex, State of New Jersey, held in the Municipal Building on the 14th day of January, 2014, and the same came up for final passage at a meeting of the said Borough Council on the 11th day of February, 2014, at which time, after persons interested were given an opportunity to be heard concerning said ordinance, the same was passed and will be in full force in the Borough according to law by order of the Borough Council of the Borough of Franklin, County of Sussex and State of New Jersey.



Robin Hough, Municipal Clerk