

**ORDINANCE 2008-1**

**YEAR 2008**

**ORDINANCE TO EXCEED THE MUNICIPAL BUDGET COST OF LIVING  
ALLOWANCE AND TO ESTABLISH A CAP BANK  
WHEN THE COLA IS EQUAL TO OR GREATER THAN 2.5 PERCENT  
(N.J.S.A. 40A:4-45.14)**

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

**WHEREAS**, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

**WHEREAS**, the Mayor and members of Borough Council of the Borough of Audubon Park in the County of Camden finds it advisable and necessary to increase its CY 2008 budget by up to 3.5 % over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

**WHEREAS**, the Mayor and members of Borough Council hereby determines that a 1.0 % increase in the budget for said year, amounting to \$2,555.98 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

**WHEREAS**, the Mayor and members of Borough Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to the final appropriation in either of the next two succeeding years;

**NOW THEREFORE BE IT ORDAINED**, by the Mayor and members of Borough Council of the Borough of Audubon Park, in the County of Camden, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2008 budget year, the final appropriations of the Borough of Audubon Park shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5%, amounting to \$8,945.96, and that the CY 2008 municipal budget for the Borough of Audubon Park be approved and adopted in accordance with this ordinance; and,

**BE IT FURTHER ORDAINED**, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

**ORDINANCE NO. 2008-2**

**BOROUGH OF AUDUBON PARK, NEW JERSEY**

**ORDINANCE OF THE BOROUGH OF AUDUBON PARK, COUNTY OF  
CAMDEN, AND STATE OF NEW JERSEY, REGULATING THE PLACEMENT  
OF GARBAGE, REFUSE, AND WASTE MATTER IN PROPER RECEPTACLES  
FOR COLLECTION**

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**WHEREAS**, pursuant to Ordinance No. 11, the Borough of Audubon Park adopted regulations concerning the placing of garbage, refuse and waste matter in proper receptacles for collection; and

**WHEREAS**, the Mayor and Borough Council of the Borough of Audubon Park have deemed it in the best interest of the public health, safety and welfare to amend, revise, and supplement Ordinance No. 11.

**NOW THEREFORE BE IT ORDAINED**, by the Mayor and Borough Council of the Borough of Audubon Park, County of Camden, State of New Jersey, as follows:

**SECTION I. Purpose:**

The purpose of this Ordinance is to prevent the careless placing of garbage, refuse, and waste matter upon the streets and places of the Borough of Audubon Park in such a manner that the same will become obnoxious or unsightly.

**SECTION II. Definitions:**

The word "person" as herein used shall mean and include natural persons, co-partnerships, corporations, companies and associations.

**SECTION III. Prohibited Conduct:**

- A. It shall be unlawful for any person to place garbage, refuse, or waste matter along the streets or places of the Borough of Audubon Park except in weatherproof containers, so constructed that they cannot be easily upset and emptied by stray animals.
- B. No person except those duly authorized by Mayor and Council, the Audubon Mutual Housing Corporation, or any agency of the Federal Government, shall remove or otherwise tamper with the containers herein above described.

**SECTION IV. Enforcement:**

This Ordinance shall be enforced by the Audubon Police Department and/or Municipal Officials of Audubon Park.

**SECTION V. Violations and Penalties:**

Any person violating any provisions of this Ordinance shall, upon conviction thereof, forfeit and pay a fine not exceeding \$500.00 and the Judge before whom any such person may be brought, may impose such punishment by fine as he/she may deem fit, not exceeding the maximum herein fixed.

**SECTION VI. Repealer:**

All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

**SECTION VII. Severability:**

If the provisions of any section, subsection, paragraph, subdivision, or clause of this Ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this Ordinance.

**SECTION VIII. Effective Date:**

This Ordinance shall take effect immediately upon final passage and publication in accordance with law.

**ORDINANCE NO. 2008-3**

**BOROUGH OF AUDUBON PARK, NEW JERSEY**

**ORDINANCE OF THE BOROUGH OF AUDUBON PARK, COUNTY OF CAMDEN, AND STATE OF NEW JERSEY, DESIGNATING CERTAIN "STOP" INTERSECTIONS AND DIRECTING THE ERECTION OF STOP SIGNS**

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**WHEREAS**, the Borough of Audubon Park adopted Ordinance No. 23 on June 2, 1975 designating certain intersections as “stop” intersections and authorizing the erection of Stop Signs at such intersections; and

**WHEREAS**, the Mayor and Borough Council of the Borough of Audubon Park have deemed it in the best interest of the public health, safety and welfare to amend, revise, and supplement Ordinance No. 23.

**NOW THEREFORE BE IT ORDAINED**, by the Mayor and Borough Council of the Borough of Audubon Park, County of Camden, State of New Jersey, as follows:

**SECTION I.** Pursuant to the provisions of N.J.S.A. 39:4-8, the intersections herein described are designated as stop intersections. Stop signs shall be installed as follows:

<b><u>Intersection</u></b>	<b><u>Stop Signs Shall Be Installed On</u></b>
Road “B” and Road “C”	Road “C”
Road “A” and Road “B”	Road “B”
Road “A” and Road “C”	Road “C”
Road “C” and Kennedy Drive	Kennedy Drive
Road “C” and Road “D”	Road “D”
Kennedy Drive curve	Stop sign shall be installed at curve.

**SECTION II.** All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

**SECTION III.** If the provisions of any section, subsection, paragraph, subdivision, or clause of this Ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this Ordinance.

**SECTION IV.** This Ordinance shall take effect immediately upon final passage and publication in accordance with law.

**ORDINANCE NO. 2008-4**

**BOROUGH OF AUDUBON PARK, NEW JERSEY**

**ORDINANCE OF THE BOROUGH OF AUDUBON PARK, COUNTY OF  
CAMDEN, AND STATE OF NEW JERSEY, DESIGNATING HANDICAPPED  
PARKING SPACES IN THE BOROUGH OF AUDUBON PARK**

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**WHEREAS**, the Borough of Audubon Park adopted Ordinance No. 48 designating certain handicapped parking spaces within the Borough, which was amended on June 2, 1997 and again on August 2, 1999; and

**WHEREAS**, the Mayor and Borough Council of the Borough of Audubon Park have deemed it in the best interest of the public health, safety and welfare to amend, revise, and supplement Ordinance No. 48.

**NOW THEREFORE BE IT ORDAINED**, by the Mayor and Borough Council of the Borough of Audubon Park, County of Camden, State of New Jersey, as follows:

**SECTION I.** Pursuant to the provisions of N.J.S.A. 39:4-8 and N.J.S.A. 39:4-197, the following locations are designated for handicapped parking. Such spaces are for use by persons who have been issued special identification cards, plates or placards by the New Jersey Motor Vehicle Commission or temporary placards issued by the Chief of Police. No other person shall be permitted to park in these spaces.

<b><u>Street</u></b>	<b><u>Location</u></b>
Sandpiper Place	On Road C
Whippoorwill Way	In circle
Tanager Terrace	Off Nicholson Road
Cardinal Court	On Road A
Dove Terrace	Off Creek Road
School Lane	End of Lark Lane
Redwing Place	On Road C
Turtledove Court	On Road C

**SECTION II.** Pursuant to the provisions of N.J.S.A. 39:4-8 and N.J.S.A. 39:4-197, the following are designated as fifteen (15) minute “Pick up and Drop off” locations for handicapped individuals only:

Cardinal Court, Dove Terrace, Flamingo Place, Kingfisher Place, Lark Lane, Mockingbird Lane, Raven Place, Redwing Place, Robin Terrace, Sandpiper Place, Tanager Terrace, Turtledove Court, and Waxwing Court.

**SECTION III.** Any person violating any section of this Ordinance shall be liable to a fine of \$250.00 for the first offense and, for subsequent offenses, a fine of at least \$250.00 and up to ninety (90) days’ community service on such terms and in such form as the court shall deem appropriate, or any combination thereof.

**SECTION IV.** All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

**SECTION V.** If the provisions of any section, subsection, paragraph, subdivision, or clause of this Ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this Ordinance.

**SECTION VI.** This Ordinance shall take effect immediately upon final passage and publication in accordance with law.

I, Dawn M. Pennock, Municipal Clerk of the Borough of Audubon Park, do hereby certify that Ordinance No. 2008-1 and Ordinance No. 2008-2 were introduced on February 5, 2008 and Ordinance No. 2008-3 and Ordinance No. 2008-4 were introduced on March 4, 2008 at Regular Meetings of the Mayor and Council. Public hearing and final adoption are scheduled for April 1, 2008 at 7 PM at the Borough of Audubon Park, 20 Road C, 2<sup>nd</sup> Floor, Audubon Park, NJ 08106.

Dawn M. Pennock

Municipal Clerk

Dated: