

CITY OF CAPE MAY, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

ORDINANCE NO. 362-2018

**AN ORDINANCE OF THE CITY OF CAPE MAY GOVERNING THE DISPLAY OF
“OPEN” BANNERS IN THE BUSINESS IMPROVEMENT DISTRICT**

MOTION:

SECOND:

WHEREAS, Chapter 505 of the Revised General Ordinances of the City of Cape May establishes a Business Improvement District on the Washington Street Mall, as authorized by N.J.S.A. 40:56-65 et seq.; and

WHEREAS, many of the commercial establishments within the BID remain open on a year-round basis, and wish to make that fact known to residents and visitors to the City during the off-season; and

WHEREAS, the Cape May City Council therefore believes it appropriate to permit commercial establishments within the BID to display “OPEN” signs, uniform in appearance and character, at their locations during the off-season; and

WHEREAS, the regulation of signage in the City of Cape May, including on the BID, is governed by Section 525-48 of the Cape May City Zoning Code,

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Cape May, County of Cape May, State of New Jersey as follows:

Section 1. Sections 525-48(H)(2)(e) of the Cape May Municipal Code is amended as follows (additions are underlined; deletions are [bracketed]):

(e) Banners shall comply with all of the following conditions:

[1] Only one banner will be allowed on the property at any time.

[2] The maximum total area of the banner shall be 12 feet.

[3] The banner shall be professionally prepared, and the name, address and phone number of the person or entity preparing the banner shall be provided to the Zoning Officer with the permit application.

[4] The use related to the banner is a permitted use.

[5] The banner will be allowed for a maximum of 14 consecutive days at any one time, and for not more than two times in any calendar year.

[6] A permit from the Zoning Officer shall be required for each time that the banner is used; however, no fee will be required. The application for the permit shall specify the exact dates on which the banner will be used.

[7] Notwithstanding any other provision of this Section, commercial establishments in the Business Improvement District, as delineated in Chapter 505 of the Cape May City Code, shall be permitted to display one red, white and blue "OPEN" banner sign, 2 feet by 3 feet in dimension, from November 15 through April 15.

Section 2. All other ordinances in conflict or inconsistent with this Ordinance are hereby repealed to the extent of such conflict or inconsistency.

Section 3. Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason, the remaining portions of this Ordinance shall not be affected thereby and shall remain in full force and effect, and to this end the provisions of this Ordinance are hereby declared to be severable.

Section 4. Upon introduction and before final passage and adoption, this Ordinance shall be referred to the Cape May Planning Board for a consistency review pursuant to N.J.S.A. 40:55D-26.

Section 5. This Ordinance shall take effect within twenty (20) days of final passage and publication, as provided by law.

ATTEST: CITY OF CAPE MAY, a municipal corporation
of the State of New Jersey

Patricia Harbora, City Clerk

BY: _____
Clarence F. Lear III, Mayor

NOTICE

Ordinance 362-2018 was introduced at a regular meeting of the City Council of the City of Cape May, held on September 18, 2018 and will be further considered for final passage during a meeting of the City Council, to be held at the Cape May City Hall Auditorium, 643 Washington Street, Cape May, New Jersey, on November 7, 2018 at 6:00 P.M. at which time a Public Hearing will be held.

Patricia Harbora, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Pessagno				
Meier				
Hendricks				
Furlin				
Lear				

cc: Zoning Official
 Planning/Zoning Board Assistant

Introduction: September 18, 2018
 First Publication: September 26, 2018
 Second Reading & Adoption: November 7, 2018
 Final Publication: November 14, 2018
 Effective Date: November 27, 2018

CITY OF CAPE MAY, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

RESOLUTION NO. 211-09-2018

**RESOLUTION DESIGNATING OCTOBER 2018 AS
“BREAST CANCER AWARENESS MONTH” IN THE CITY OF CAPE MAY**

MOTION:

SECOND:

WHEREAS, Breast Cancer is the most common cancer among American women and is second only to lung cancer as the leading cause of cancer-related death; and

WHEREAS, an estimated one in every eight women in the United States will develop breast cancer during her lifetime; and

WHEREAS, women 65 years of age and older are less likely to be screened for breast cancer with mammography than women 40 to 49 years of age, even though breast cancer risk increases with age; and

WHEREAS, October marks the anniversary of National Breast Cancer Awareness Month, which is dedicated to increasing awareness of breast cancer issues, especially the importance of early detection;

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Cape May, County of Cape May hereby declare the month of October to be Breast Cancer Awareness Month in City of Cape May.

I, Patricia Harbora, City Clerk of the City of Cape May, County of Cape May, State of New Jersey, do hereby certify the foregoing is a correct and true original Resolution adopted by the City Council of the City of Cape May at a meeting held on September 18, 2018.

Patricia Harbora, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Pessagno				
Meier				
Hendricks				
Furlin				
Lear				

cc: All Departments

CITY OF CAPE MAY, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

RESOLUTION NO. 212-09-2018

**RESOLUTION AUTHORIZING AN AGREEMENT
FOR USE OF THE SOCCER FIELD AT LAFAYETTE STREET PARK**

MOTION:

SECOND:

WHEREAS, the City of Cape May is the tenant, and the Cape May City Elementary School District is the owner, of certain lands adjacent to the Cape May City Elementary School on Lafayette Street in Cape May, which lands include a soccer field; and

WHEREAS, the Recreation Department of the Township of Lower has asked the City for permission to use that soccer field for its youth soccer program between September 18, 2018, through November 17, 2018; and

WHEREAS, in the spirit of municipal comity and cooperation, the City is willing to grant the Township that permission, subject to certain conditions; and

WHEREAS, the School District, as owner of the property, is also willing to permit the Township to use the fields, subject to those same conditions,

NOW, THEREFORE, BE IT RESOLVED by the City Council of Cape May as follows:

1. The averments of the preamble are incorporated by reference.
2. The City Council hereby agrees to permit the Lower Township Recreation Department to use the Lafayette Street Park soccer field for its youth soccer program between September 18, 2018 and November 17, 2018. The Township's use shall be limited to that purpose.
3. The hours of use shall be from 5 p.m. until 7:30 p.m. from Monday through Friday, and from 9 a.m. to 1 p.m. on Saturdays.
4. Lower Township shall not pay a fee for use of the field, but will reimburse the City for all maintenance costs caused by its use beyond normal wear and tear.
5. Lower Township shall furnish proof of insurance acceptable to the City and the School District, and will name the City and the School District as an additional insured on all relevant policies.
6. Lower Township shall execute the City's standard use of facilities agreement, including its hold harmless and indemnification provisions.
7. Lower Township shall not schedule use of the field that conflicts with any pre-existing use by the City or School District, or with any event previously scheduled by the City or the School District.

8. Lower Township shall sign a Use Agreement that embodies these conditions, and that Agreement shall also be signed by the School District.

9. The appropriate City officials are hereby authorized to sign a Use Agreement that embodies these conditions, and to take all steps necessary to consummate this arrangement.

10. This Resolution shall take effect immediately, according to law.

I, Patricia Harbora, City Clerk of the City of Cape May, County of Cape May, State of New Jersey, do hereby certify the foregoing is a correct and true original Resolution adopted by the City Council of the City of Cape May at a meeting held on September 18, 2018.

Patricia Harbora, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Pessagno				
Meier				
Hendricks				
Furlin				
Lear				

cc: All Departments
City Attorney
Cape May City Elementary School District
City Hall Bulletin Board
Cape May City Housing Authority
Cape May Star and Wave
The Press of Atlantic City
Cape May County Herald

CITY OF CAPE MAY, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

RESOLUTION NO. 213-09-2018

**RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT WITH THE
CAPE MAY COUNTY MUNICIPAL UTILITIES AUTHORITY FOR SOLID WASTE
DISPOSAL AND RECYCLING SERVICES**

MOTION:

SECOND:

WHEREAS, the Cape May County Municipal Utilities Authority (“CMCMUA”/“Authority”) owns and operates a solid waste system (“System”) which presently serves the entire County of Cape May in the State of New Jersey, for the disposal, transfer and recycling of solid waste; and

WHEREAS, the CMCMUA’s System is comprised of the CMCMUA’s Secure Sanitary Landfill, Solid Waste Transfer Station, and intermediate Processing Facility, as well as several recycling operations and programs; and

WHEREAS, the City of Cape May has utilized and desires to continue to utilize the services of the CMCMUA System; and

WHEREAS, there presently exists a contract between the City of Cape May and the Authority for the use of the CMCMUA’s System for the disposal, transfer and recycling of solid waste which will expire on December 31, 2018 entitled “Shared Services Agreement for Solid Waste Disposal” (the “Existing Agreement”); and

WHEREAS, there also presently exists, as an integral component of the Existing Agreement, a supplemental contract between the City of Cape May and the Authority entitled “Shared Services Agreement for Source Separation and recycling (the “Recycling Agreement”) which also expires on December 31, 2018; and

WHEREAS, the City of Cape May and the Authority desire to enter into a new agreement which has combined the Existing Agreement and the Recycling and the Recycling Agreement into one agreement entitled “Shared Services Agreement for Solid Waste Disposal and Recycling Services” and to fix the expiration date of said Agreement to occur on December 31, 2019; and

WHEREAS, the Authority has offered the “Shared Services Agreement for Solid Waste Disposal and Recycling Services” to the City of Cape May in order to move efficiently provide and continue to offer municipalities within Cape May County the use of the CMCMUA’s Solid Waste System from January 1, 2019 through December 31, 2019; and

WHEREAS, the Authority has submitted the same proposed form of Agreement to all Cape May County Municipalities which will provide for both solid waste disposal and certain recycling services through December 31, 2019; and

WHEREAS, N.J.S.A. 40A:65-1 et seq. authorizes a municipality to enter into a contract with any other local unit for the sharing of governmental services.

NOW, THEREFORE BE IT RESOLVED, by the governing body of the City of Cape May, County of Cape May, and State of New Jersey, that the City of Cape May shall enter into a contract with the Authority entitled “Shared Services Agreement for Solid Waste Disposal and Recycling Services”, effective January 1, 2019, in the form to be maintained on file in the office of the City of Cape May Clerk, and that the appropriate City of Cape May Officials are hereby authorized and directed to execute said agreement.

I, Patricia Harbora, City Clerk of the City of Cape May, County of Cape May, State of New Jersey, do hereby certify the foregoing is a correct and true original Resolution adopted by the City Council of the City of Cape May at a meeting held on September 18, 2018.

Patricia Harbora, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Pessagno				
Meier				
Hendricks				
Furlin				
Lear				

cc: CMCMUA
City Manager
DPW
City Solicitor