

ORDINANCE TRACKING SHEET 2013

<u>ORDINANCE NUMBER</u>	<u>MEETING INTRODUCED</u>	<u>FIRST PUBLICATION</u>	<u>PUBLIC HEARING</u>	<u>FINAL PUBLICATION</u>	<u>COMMENTS</u>
519(2013)	2013 02-01	2013 02-09	2013 03-01	2013 03-06	Bond Ordinance Capital Imp. ORDINANCE REPEALED DUE TO FILED PETITION
520(2013)	2013 03-01	2013 03-06	2013 04-05	2013 04-11	Amending Ord. 454 Article VI Recycling
521(2013)	2013 04-05	2013 04-11	2013 05-03	2013 05-09	Amending Ord. 430 Which Amended Ord. 398 The Land Development Ordinance of the Borough of West Wildwood
522(2013)	2013 05-03	2013 05-09	2013 06-07	2013 06-13	Bond Ordinance Providing for Various Capital Improvements Appropriating the Aggregate Amount of \$495,000 therefor and Authorizing the issuance of \$470,250 Bonds or Notes
523(2013)	2013 05-03	2013 05-09	2013 06-07	2013 06-13	Amending Ord 447 Establishing the Fees to be Charged for Copies of Documents Requested through the Borough Clerk's Office
524(2013)	2013 05-20 (Special Meeting)	2013 05-23	2013 06-07	2013 06-13	Calendar Year 2013 Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a CAP Bank

<u>ORDINANCE NUMBER</u>	<u>MEETING INTRODUCED</u>	<u>FIRST PUBLICATION</u>	<u>PUBLIC HEARING</u>	<u>FINAL PUBLICATION</u>	<u>COMMENTS</u>
512(2011)	2013 05-20 (Special Meeting)	2013 05-25	2013 06-07	2013 06-13	Bond Ordinance Providing for Various Capital Improvements Appropriating the Aggregate Amount of \$1,040,764 Therefor and Authorizing the Issuance of \$988,726 Bonds or Notes
525(2013)	2013 06-07	2013 06-28	2013 07-05	2013 07-11	Amending Ord. 454 Regulation Garbage, Rubbish, Trash etc. CONSTRUCTION TRAILERS
526(2013)	2013 10-4	2013 10-11	2013 11-1	2012 11-07	Amending Ord. 398 Land Development Ord.
527(2013)	2013 11-01	2013 11-07	2013 12-04	2013 12-12	Bond Ordinance reconstruction various streets \$750,000 authorizing \$714,285 in bonds/notes ORDINANCE REPEALED <u>DUE TO FILED PETITION AT JAN. 3 2014 MEETING</u>
528(2013)	2013 12-04	2013 12-12	2013 12-15 Special Meeting	2013 12-19	Repealing Ord. No. 515(2013) Pertaining to the rates for sewer service

PETITIONED – REPEALED AT REGULAR MEETING APRIL 5, 2013

**BOROUGH OF WEST WILDWOOD
CAPE MAY COUNTY, NEW JERSEY**

ORDINANCE NO. 519 (2013)

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS OF THE BOROUGH OF WEST WILDWOOD, IN THE COUNTY OF CAPE MAY, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$400,400 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$380,380 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.

BE IT ORDAINED BY THE BOROUGH BOARD OF COMMISSIONERS OF THE BOROUGH OF WEST WILDWOOD, IN THE COUNTY OF CAPE MAY, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Borough of West Wildwood, in the County of Cape May, New Jersey (the "Borough") as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$400,400, including the aggregate sum of \$20,020 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments, negotiable bonds are hereby authorized to be issued in the principal amount of \$380,380 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

<u>Purpose</u>	<u>Appropriation and Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds or Notes</u>	<u>Period of Usefulness</u>
a) The acquisition of a street sweeper, including all related costs and expenditures incidental thereto.	\$165,000	\$156,750	5 years
b) The acquisition of a backhoe loader, including all related costs and expenditures incidental thereto.	\$82,500	\$78,375	5 years
c) The acquisition of a police sports utility vehicle, including all related costs and expenditures incidental thereto.	\$38,500	\$36,575	5 years
d) The acquisition of turn-out gear for fire fighters, including all related costs and expenditures incidental thereto.	\$13,200	\$12,540	5 years
e) Repairs to the firehouse, including all work and materials necessary therefor and incidental thereto.	\$13,200	\$12,540	15 years

<u>Purpose</u>	<u>Appropriation and Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds or Notes</u>	<u>Period of Usefulness</u>
f) The acquisition of a flood valve and hydraulic hose press, including all related costs and expenditures incidental thereto.	\$85,800	\$81,510	15 years
g) The acquisition of a plasma cutter, including all related costs and expenditures incidental thereto.	<u>\$2,200</u>	<u>\$2,090</u>	15 years
TOTALS	<u>\$400,400</u>	<u>\$380,380</u>	

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the down payment for each purpose.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery

thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements that the Borough may lawfully undertake as general improvements, and no part of the costs thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 7.52 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the

gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$380,380, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$36,400 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated costs indicated herein for the purposes or improvements.

Section 7. The Borough hereby declares the intent of the Borough to issue the bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations.

Section 8 Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof,

provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

COMMISSIONERS :



MAYOR CHRISTOPHER J. FOX



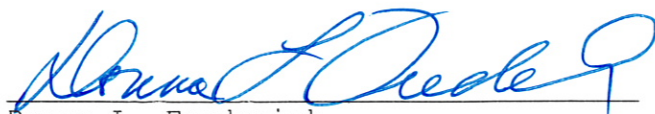
COMMISSIONER SCOTT W. GOLDEN



COMMISSIONER CORNELIUS J. MAXWELL

The foregoing Ordinance was introduced and passed at the Regular Board of Commissioners meeting of the Borough of West Wildwood, County of Cape May, New Jersey on the 1st day of February, 2013 and will be considered for final passage after a public hearing at the meeting of said Board of Commissioners at the Municipal Hall, 701 W. Glenwood Avenue, West Wildwood, New Jersey on March 1, 2013 at 7:00 pm prevailing time.

FIRST READING:	2013 02-01
PUBLICATION:	2013 02-09
SECOND READING/FINAL ADOPTION:	2013 03-01
PUBLICATION:	2013 03-06



Donna L. Frederick
Acting Municipal Clerk

BOROUGH OF WEST WILDWOOD
NEW JERSEY
ORDINANCE 520 (2013)

AN ORDINANCE AMENDING ORDINANCE NO. 454
ARTICLE VI – RECYCLING

Whereas, the New Jersey Statewide Mandatory Source Separation and Recycling Act establishes a goal of 50% reduction of Municipal Solid Waste and a 60% reduction of all solid waste through source separation and recycling by residential, commercial and institutional establishments in all New Jersey municipalities; and

Whereas, the Cape May County Solid Waste Management Plan designates the lists of mandatory and recommended recyclables to be source separated for recycling in all sectors of the community; and

Whereas, recycling will reduce the municipality’s expense of solid waste disposal, conserve energy and valuable resources, extend the life of Cape May County’s only landfill and has the potential to produce revenues from the sale of such recyclable materials.

BE IT ORDAINED BY THE BOROUGH OF WEST WILDWOOD, IN THE COUNTY OF CAPE MAY, STATE OF NEW JERSEY, AS FOLLOWS:

SECTION 1 – SHORT TITLE

This chapter shall be known and may be cited as the “Borough of West Wildwood Recycling Program Ordinance.”

SECTION 2 – DEFINITIONS

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

“Designated Recyclable Materials” - means those materials designated within the Cape May County Solid Waste Management Plan to be Source Separated for the purpose of recycling by residential, commercial, institutional and industrial sectors. The recycling of these materials is **mandatory**; they cannot be disposed of as solid waste. The Source Separated Recyclable Materials that are mandated for recycling are organized into the following two categories, which include but are not limited to:

Category 1: Designated Recyclable Materials To Be Set Out At Curbside:

- (a) The following Source Separated Recyclable Materials shall be mixed together and set out at curbside for collection; this set out and collection system shall

be known as “Single Stream Collection”. The following items are included as “Single Stream Recyclable Materials”:

Paper Products – Newspaper with inserts, magazines, office paper, junk mail including shredded paper, telephone and paperback books, corrugated cardboard, brown paper bags, non-foil wrapping paper, and chipboard packaging including but not limited to dry food boxes (cereal, rice, pasta, cookie and cracker), gift, shoe and tissue boxes, powdered detergent boxes, paper towel rolls, clean pizza boxes (no food debris) and cardboard beverage carriers. Remove and throw away all liner bags, food contaminated paper and waxed-coated cardboard boxes. Shredded paper may be placed in a clear plastic bag.

Glass, Food and Beverage Containers – Clear, green and brown food and beverage bottles and jars, excluding however, blue bottles, window glass and light bulbs. All food and liquid residue shall be removed from containers.

Metal Food and Beverage Containers – Aluminum and steel food and beverage containers 5 gallons or less in size, including empty aerosol cans. No paint cans. All food and liquid residue shall be removed from containers.

Plastic Containers – Plastic containers imprinted with a ♻️ (PETE), ♻️ (HDPE), ♻️ (PVC), ♻️ (LDPE), ♻️ (PP), ♻️ (PS) or ♻️ (Other) on the bottom, 5 gallons or less in size, including bottles, jugs, jars and other rigid plastic containers. Plastic containers from food, beverage, health, beauty and cleaning products are included. Examples include, but are not limited to; margarine tubs, microwave trays, yogurt containers, plastic buckets and landscape pots. No Styrofoam packaging. No polystyrene egg cartons. No beverage cups. No PVC pipe. No plastic film. No plastics which contained chemicals or hazardous products, such as motor oil or pesticide containers. All food and liquid residue shall be removed from containers.

Category 2: Designated Materials To Be Recycled By The Individual Generator Via Drop-off At Cape May County Municipal Utilities Authority (CMCMUA) or Private NJDEP Approved Recycling Facilities, as applicable:

- (a) Christmas Trees – Free of decorations, tree stands and plastic bags;
- (b) Leaves – Comprised mainly of tree and plant leaves and not contaminated with brush or other material; and
- (c) Grass - Lawn grass clippings.
- (d) Brush, Tree Branches and Stumps – All parts of vegetative growth from trees, and vegetative materials generated during land clearing;

- (e) Ferrous and Non-Ferrous Scrap – Metals, such as copper, iron, sheet metal, aluminum, radiators, structural steel, metal pipe and “white goods” including, but not limited to, appliances containing “CFC’s” or Freon;
- (f) Computers and Consumer Electronics – shall mean a computer central processing unit and associated hardware including keyboards, modems, printers, scanners and fax machines, cathode ray tubes, cathode ray tube devices, flat panel displays or similar video display devices with a screen that is greater than 4 inches measured diagonally and that contains one or more circuit boards including, but not limited to, televisions and cell phones. Also includes VCR’s, radios and landline telephones;
- (g) Motor Oil / Kerosene / # 2 Heating Oil - Crank-case oil and similar oils, kerosene fuel and #2 home heating oil which are used to fuel heating equipment;
- (h) Wood Pallets and Crates – Clean untreated, unpainted pallets and crates only;
- (i) Batteries - Lead Acid Batteries – Used SLA (sealed lead acid) batteries generated from motor vehicles, aviation and marine equipment;
- (j) Propane Tanks – Empty 20 to 30 lb. BBQ type tanks;
- (k) Contaminated Soil – If classified as ID27, all fuel contaminated soil, dewatered soil, and stone from septic beds and similar materials which are allowed to be recycled in accordance with the regulations of the New Jersey Department of Environmental Protection;
- (l) Commercial Cooking Grease – Grease and oil generated from food preparation by commercial sources only;
- (m) Asphalt and Concrete – Asphalt and concrete materials from construction and demolition projects;
- (n) Auto and Truck Bodies – All junk automobiles, trucks and parts;
- (o) Tires – Worn truck and passenger car tires;
- (p) Used Oil Filters – Used filters that are generated from changing crankcase oil in automobiles, trucks and other vehicles;
- (q) Anti-freeze – Used antifreeze generated from automobiles, trucks and other vehicles/sources; and

- (r) Consumer Rechargeable NiCad (Nickel-Cadmium) and Small Sealed Lead Acid Batteries – Small sealed batteries generated from use of electronic equipment.

“Municipal Recycling Coordinator” - means the person or persons appointed by the municipal governing body and who shall be authorized to enforce the provisions of this Ordinance, and any rules and regulations which may be promulgated hereunder. This appointee shall also be responsible to assure that all materials recycled in the municipality are properly reported and recorded. The New Jersey Mandatory Source Separation and Recycling Act requires that each municipality appoint at least one individual as Municipal Recycling Coordinator who has successfully completed all requirements mandated by the State of New Jersey to be designated as a New Jersey Certified Recycling Professional;

“Municipal Solid Waste (MSW) Stream” - means all solid waste generated at residential, commercial and institutional establishments within the boundaries of the Borough of West Wildwood;

“NJDEP” - means the New Jersey Department of Environmental Protection;

“Recommended Recyclable Materials” – means those materials recommended within the Cape May County Solid Waste Management Plan to be Source Separated for the purpose of recycling by residential, commercial, institutional and industrial sectors. The Source Separated Recyclable Materials that are recommended for recycling are:

- (a) Hardback Books; Bulky Mixed Rigid Plastics (Bulky MRP) including all hard plastics greater than 5 gallons in size, regardless of color, EXCEPT for PVC pipe and Vinyl Siding; Film Plastic, including clear, white and blue boat shrink wrap and clean greenhouse film. Items to be placed at curb on regular trash day, to be collected by the West Wildwood Department of Public Works. Paint including oil based or water based paint, stain, varnish shellac, polyurethane, wood and masonry sealer and wood preservative, can be delivered by private individuals directly to the Cape May County MUA located at the Transfer Station. A nominal fee will be charged by the CMCMUA to cover operating costs. Street Sweepings and Catch Basin Cleanout (from municipal cleaning operations, must be dewatered and oversized litter removed) and be delivered to the CMCMUA Landfill.

“Recyclable” or “Recyclable Material” - means those materials which would otherwise become solid waste, and which may be collected, separated, or processed and returned to the economic mainstream in the form of raw materials or products;

“Source Separation” - means the process by which recyclable materials are separated at the point of generation by the generator thereof from solid waste for the purposes of recycling;

“Source Separated Recyclable Materials” - means recyclable materials which are separated at the point of generation by the generator thereof from solid waste for the purposes of recycling.

SECTION 3 - APPLICABILITY OF MANDATORY SOURCE SEPARATION AND RECYCLING REQUIREMENTS

A. Mandatory Source Separation: It shall be mandatory for all persons who are owners, lessees, tenants or occupants of residential and non-residential premises, including but not limited to retail and commercial locations, government, schools and other institutional locations within the Borough of West Wildwood, to separate Designated Recyclable Materials from all solid waste.

- 1) **Category 1** Designated Recyclable Materials shall be placed at the curb in a manner and on such days and times as may be hereinafter established by the Borough of West Wildwood.
- 2) When municipal curbside collection is not provided for Designated Recyclable Materials, as is the case for those recyclables included in **Category 2**, it shall be the obligation of the generator to deliver or arrange for the delivery of such materials to the Cape May County Municipal Utilities Authority (CMCMA) recycling facilities located at the Sanitary Landfill and/or Transfer Station as applicable, or to a private sector market for recycling.

SECTION 4 - COLLECTION OF RECYCLABLE MATERIALS

The collection of Source Separated Recyclable Materials shall be in the manner prescribed as follows:

- A. It is the responsibility of the property owner to provide adequate size and number of containers for the placement of recyclables for curbside collection as follows: Single Stream Recyclable Materials as defined in **Category 1(a)** shall be mixed together in one container. More than one container may be used for Single Stream Recyclable Materials; however, each container used should be marked or labeled to identify its contents as Single Stream Recyclable Materials. All set out containers which contain Single Stream Recyclable Materials shall be placed, prior to collection, between the curb and the sidewalk, or in the absence of curb and sidewalk, as near to the street as not to constitute a danger, where such receptacles shall be readily accessible to the collector without providing obstruction to pedestrians. The owner or occupant of the premises shall keep all receptacles clean and in safe handling condition. Receptacles or other items to be recycled shall be placed as noted above any time after 7:00 PM of the day immediately preceding the day of collection, but no later than 7:00 AM of the day of collection. After collection, any containers shall be removed from the curbside by no later than 7:00 PM of the day of collection. Every person, corporation or other legal entity, owner, occupant, lessee or proprietor or inhabitant otherwise in possession of a dwelling or structure of residential use or commercial operation shall provide or cause to be provided suitable

receptacles, with tight-fitting lids which shall be of rigid construction and placed at curbside. Receptacles shall be water-tight with suitable handles and covered to prevent access to any contents by animals, birds, insects, rainwater or liquids. Receptacles or containers shall not exceed fifty (50) pounds in weight per receptacle or container.

- B. All receptacles or dumpsters shall be maintained in a clean and safe manner, marked with stickers or permanent markers for recycle collections and should contain the street address to which property the receptacles belong.
- C. The following materials **must** be Source Separated and recycled through the municipal recycling program in the following manner:
 - 1) Leaves and Grass – To be put in paper yard debris bags, NOT PLASTIC. To be placed at curbside on regular scheduled trash/recycle pick-up days for the WWDPW to collect.
 - 2) Christmas Trees – To be put out at curbside on regular scheduled trash/recycle days. Free Collection will be done by WWDPW until January 30.
 - 3) Brush, Tree Branches – To be put out at curbside on regular scheduled trash/recycle days. Free collection will be done by WWDPW. Tree stumps must be taken directly to CMCMUA.
 - 4) White Goods – Free removal to be put out on the First Tuesday of the Month, call DPW for pick-up.
 - 5) Ferrous and Non-Ferrous Scrap – Free removal, to be put out on the First Tuesday of the month, call DPW for arrangements for curbside pick-up.
- D. The following materials **must** be Source Separated and recycled by the generator at authorized CMCMUA recycling facilities or any NJDEP approved recycling center:
 - 1) Wood Pallets and Crates – To be taken directly to CMCMUA.
 - 2) Propane Tanks – To be taken directly to CMCMUA. No Borough pick-up.
 - 3) Computers and Consumer Electronics – To be put out at curbside on regular scheduled trash/recycling day. Free collection will be done by WWDPW.
 - 4) Tires – To be taken directly to CMCMUA. No Borough pick-up.
 - 5) Antifreeze – To be taken directly to CMCMUA. No Borough pick-up.
 - 6) Lead Acid Batteries – To be taken directly to CMCMUA. No Borough pick-up.

- 7) Used Motor Oil – To be taken directly to CMCMUA. No Borough pick-up.
- 8) Kerosene / #2 Heating Oil – To be taken directly to CMCMUA. No Borough pick-up.
- 9) Used Oil Filters — To be taken directly to CMCMUA. No Borough pick-up.
- 10) Asphalt and Concrete – To be taken directly to CMCMUA. No Borough pick-up.
- 11) Auto and Truck Bodies - To be taken directly to CMCMUA. No Borough pick-up.
- 12) Contaminated Soil - To be taken directly to CMCMUA. No Borough pick-up.
- 13) Commercial Cooking Grease – To be taken directly to CMCMUA. No Borough pick-up.
- 14) Consumer Rechargeable NiCad and Small Sealed Lead Acid Batteries - To be taken directly to CMCMUA. No Borough pick-up.

E. The following Recommended Recyclable Materials may also be Source Separated and recycled through the municipal recycling program in the following manner:

- 1.) Hardback Books, placed at curb on regular scheduled trash/recycle day.
- 2.) Bulky Mixed Rigid Plastics (Bulky MRP) including all hard plastics greater than 5 gallons in size, regardless of color, EXCEPT for PVC pipe and Vinyl Siding Items to be placed at curb on regular scheduled trash/recycle day, to be collected by the West Wildwood Department of Public Works.
- 3.) Film Plastic, including clear, white and blue boat shrink wrap and clean greenhouse film. Items to be placed at curb on regular scheduled trash/recycle day, to be collected by the West Wildwood Department of Public Works.
- 4.) Paint including oil based or water based paint, stain, varnish shellac, polyurethane, wood and masonry sealer and wood preservative, can be delivered by private individuals directly to the Cape May County MUA located at the Transfer Station. A nominal fee will be charged by the CMCMUA to cover operating costs.
- 5.) Street Sweepings and Catch Basin Cleanout (from municipal cleaning operations, must be dewatered and oversized litter removed) and be delivered to the CMCMUA Landfill.

Subsection 4.1 - Residential Dwelling Compliance Requirements

The owner of each property shall be responsible for compliance with this Ordinance. For multifamily units, including but not limited to condominium complexes and seasonal hotel/motels and guest houses, the management or owner is responsible for setting up and maintaining the recycling system, including collection of Designated Recyclable Materials, except for those Designated Recyclable Materials for which municipal collection service is provided to multifamily units. Violations and penalty notices will be directed to the owner or management, in those instances where the violator is not easily identifiable. The owner or management shall issue notification and collection rules regarding recycling requirements to all new tenants when they arrive and with a reminder a minimum of every 6 months during their occupancy.

Subsection 4.2 - Commercial Establishment Compliance Requirements

- A. All commercial, business or industrial facilities shall be required to comply with the provisions of this Ordinance.
- B. The arrangement for collection of all categories of Designated Recyclable Materials hereunder shall be the responsibility of the commercial, institutional or industrial property owner or their designee, except for those specific Designated Recyclable Materials that are collected by the municipality from that property. All commercial, institutional or industrial properties at which litter is generated by employees or the public shall provide litter and recycling receptacles. These properties shall provide for separate recycling collection services for the contents of the recycling receptacles.
- C. Every business, institution or industrial facility shall report on a quarterly basis to the Municipal Recycling Coordinator, on such forms as may be prescribed, regarding recycling activities at their premises, including the amount and type of recycled material not placed curbside for municipal collection. If material is removed from the premises by a hauler, recycler or paper shredder, the quantity and final disposition of the material is to be reported on the form.
- D. All food service establishments, as defined in the Health Code, shall, in addition to compliance with all other recycling requirements, be required to recycle Commercial Cooking Grease and/or cooking oil created in the processing of food or food products, and maintain such records as may be prescribed, for inspection by any code enforcement officer.

Subsection 4.3 - New Developments of Multi-Family Residential Units or Commercial, Institutional or Industrial Properties

- A. Any application to the planning board of the Borough of West Wildwood for subdivision or site plan approval for the construction of multi-family dwellings of three or more units, single family developments of three or more units or any commercial, institutional or

industrial development of 1,000 square feet or more, must include a recycling plan. This plan shall contain, at a minimum, the following:

- 1) A detailed analysis of the expected composition and amounts of solid waste and recyclables generated at the proposed development; and
 - 2) Locations documented on the application's site plan that provide for convenient recycling opportunities for all owners, tenants, and occupants. The recycling area shall be of sufficient size, convenient location and contain other attributes (signage, lighting, fencing, etc.) as may be determined by the Municipal Recycling Coordinator.
- B. Prior to the issuance of a Certificate of Occupancy by the Borough of West Wildwood, the owner of any new multi-family housing or commercial, institutional or industrial development must supply a copy of a duly executed contract with a hauling company for the purposes of collection and recycling of Source Separated Designated Recyclable Materials for those locations or properties where the municipality does not otherwise provide this service.

SECTION 5 - PROHIBITION OF THE COLLECTION OF WASTE MIXED WITH RECYCLABLE MATERIALS

- A. It shall be unlawful for solid waste collectors to collect solid waste that is mixed with, or contains visible signs of, Designated Recyclable Materials. It is also unlawful for solid waste collectors to remove for disposal those bags or containers of solid waste which visibly display a warning notice sticker or some other device indicating that the container of solid waste contains Designated Recyclable Materials.
- B. It shall be the responsibility of the owner or occupant to properly segregate the uncollected waste for proper disposal and/or recycling. Allowing such unseparated solid waste and recyclables to accumulate at the curbside beyond 7:00 p.m. on the day of collection will be considered a violation of this ordinance and the local sanitary code.
- C. Once placed in the location identified by this Ordinance, or any rules or regulations promulgated pursuant to this Ordinance, no person, other than any personnel authorized by the municipality or the owner or occupant responsible for placement of the Designated Recyclable Materials for collection, shall tamper with, collect, remove, or otherwise handle Designated Recyclable Materials. Upon placement of such Designated Recyclable Material, it shall become property of the municipality. It shall be a violation of this ordinance for any person not duly authorized to collect or pick up or cause to be collected or picked up any Recyclable Materials that are the property of the municipality as provided for above.

SECTION 6 - CONSTRUCTION, RENOVATION AND DEMOLITION DEBRIS RECOVERY PLAN

For all activities that require municipal approval such as construction, demolition or public event permits, a Designated Recyclable Materials plan shall be filed along with all other required permit conditions. The plan shall include provisions for the recovery of all Designated Recyclable Materials generated during construction, renovation and demolition activities, as well as, public events.

Subsection 6.1 - Compliance with Diversion Requirement

The Municipal Recycling Coordinator shall review the information submitted pursuant to this Section of the Ordinance and determine, prior to the issuance of the municipal approval or permit, whether the plan submitted by the owner of the entity carrying out the covered activity will comply or fail to comply with the recycling requirements set forth herein. The determination regarding compliance will be provided to the Municipal Public Works Director/Supervisor and the owner of the entity carrying out the covered project in writing. When such plan is deemed not compliant, the Municipal Recycling Coordinator shall include specific conditions to be implemented by the permit holder to achieve compliance. It shall be a violation of this Ordinance for any owner or permit holder to fail to comply with the recycling requirements set forth herein.

SECTION 7 – ENFORCEMENT

The Municipal Recycling Coordinator and the following designees: Commissioner of Public Works, Municipal Public Works Director/Supervisor/Forman, Code Enforcement Officer, Mercantile License Inspector, and Construction Official, are hereby individually and severally empowered to enforce the provisions of this Ordinance. The enforcers of the ordinance may conduct inspections at the site of the generator, which consists of sorting through containers and opening of solid waste bags to detect, by sound or sight, the presence of any Designated Recyclable Material.

Additionally, the Cape May County Health Department (CMCHD) shall be empowered to enforce the provisions of this Ordinance. The municipality shall retain primary enforcement responsibility with the CMCHD serving in a secondary enforcement role which includes inspection of commercial establishments with proof of violations prior to law enforcement actions.

SECTION 8 – SEVERABILITY AND EFFECTIVE DATE

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

This Ordinance shall take effect immediately upon enactment by the governing body of the municipality.


SECTION 9 – RULES AND REGULATIONS

The governing body is hereby authorized to promulgate, from time to time, additional rules and regulations relating to the Source Separation, preparation, placement and collection of Recyclable Materials pursuant to the provisions of this program and subchapter; provided, however, that such rules and regulations shall not be inconsistent with terms and provisions of this subchapter and shall be approved by the governing body. Such rules and regulations shall be duly promulgated subsequent to publication so that the public has had notice thereof.

SECTION 10 – PENALTY

Any person or entity violating, or failing to comply with, any of the provisions provided in this Ordinance shall, upon conviction thereof, be punishable by a fine of not less than \$50 and not more than \$500 or by imprisonment for a term not to exceed 90 days, or by both such fine and imprisonment, in the discretion of the municipal judge. The continuation of any violation for each successive day shall constitute a separate offense, and the person, persons, or entity allowing or permitting the continuation of the violation may be punished as provided above for each separate offense. Any violation may be afforded at least one warning at the discretion of the enforcement designees before the issuance of any fines.

COMMISSIONERS:



MAYOR CHRISTOPHER J. FOX



COMMISSIONER SCOTT W. GOLDEN



COMMISSIONER CORNELIUS J. MAXWELL

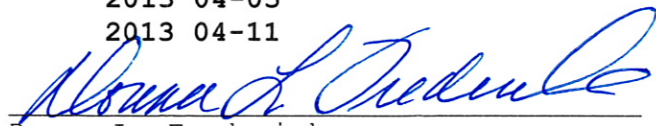
The foregoing Ordinance was introduced and passed at the Regular Board of Commissioners meeting of the Borough of West Wildwood, County of Cape May, New Jersey on the 1st day of March, 2013 and will be considered for final passage after a public hearing at the meeting of said Board of Commissioners at the Municipal Hall, 701 W. Glenwood Avenue, West Wildwood, New Jersey on April 5, 2013 at 7:00 pm prevailing time.

FIRST READING: 2013 03-01

PUBLICATION: 2013 03-06

SECOND READING/FINAL ADOPTION:
PUBLICATION:

2013 04-05
2013 04-11



Donna L. Frederick
Acting Municipal Clerk

**BOROUGH OF WEST WILDWOOD
CAPE MAY COUNTY, NEW JERSEY**

ORDINANCE NO. 521 (2013)

**AN ORDINANCE AMENDING ORDINANCE NO. 430 WHICH AMENDED
ORDINANCE NO. 398 THE LAND DEVELOPMENT ORDINANCE OF THE
BOROUGH OF WEST WILDWOOD**

WHEREAS, as a result of a federally mandated update of the base flood elevations (“BFE”) for purposes of rating properties for flood insurance through the National Flood Insurance Program (“NFIP”), the federal government through FEMA has published advisory base floor elevation (“ABFE”) maps which have updated the flood zones throughout the State of New Jersey; and

WHEREAS, also as a result of the publication of the ABFE maps and due to the impact that Superstorm Sandy has had upon the New Jersey coast, the New Jersey Department of Environmental Protection (“DEP”) has proposed amendments to its Flood Control Act Regulations, N.J.A.C. 7:13-1.1 et seq., which have also incorporated the new ABFE maps and associated elevations for regulations all construction activities in flood zones in the State of New Jersey, which proposed regulations have been implemented by executive order of Governor Christie (“Flood Control Regulations”); and

WHEREAS, the Borough of West Wildwood has been participating in meetings with federal, state, county and municipal officials and professionals, and has been diligently reviewing and commenting on the Flood Control Regulations as well as the AFBE maps, which is a continuing and evolving process which will likely not be finalized for several months; and

WHEREAS, in the meantime, and without prejudice to the Borough’s position and objections to some of the flood zone designations under the ABFE maps as well as to certain provisions in the Flood Control Regulations, the Board of Commissioners desire to restate it’s Land Development Ordinance to incorporate the proposed ABFE as recommended by federal and state officials in order to maintain its community rating discount under the NFIP, which will provide an economic benefit to the Borough and all of its property owners through discounted flood insurance premiums, as well as to preserve the funding opportunities available through FEMA; and

WHEREAS, the adoption of the ordinance will not prevent the Borough from continuing to question, comment on and challenge the ABFE maps as well as the Flood Control Regulations, and to make additional modifications to this ordinance as may be deemed advisable and in the best interest and welfare of the residents, business owners, property owners, tourists and guests of the Borough of West Wildwood.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Borough of West Wildwood, County of Cape May, New Jersey, that:

1.) All other ordinances in conflict or inconsistent with this Ordinance are here by repealed to the extent of such conflict or inconsistency.

2.) Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason, the remaining portions of the 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.

3.) This Ordinance shall take effect after a public hearing and final adoption and publication as provided by law.

COMMISSIONERS:

ABSENT

MAYOR CHRISTOPHER J. FOX

CO

COMMISSIONER SCOTT W. GOLDEN

[Signature]

COMMISSIONER CORNELIUS J. MAXWELL

The foregoing Ordinance was introduced and passed at the Regular Board of Commissioners meeting of the Borough of West Wildwood, County of Cape May, New Jersey on the 5th day of April, 2013 and will be considered for final passage after a public hearing at the meeting of said Board of Commissioners at the Municipal Hall, 701 W. Glenwood Avenue, West Wildwood, New Jersey on May 3, 2013 at 7:00 pm prevailing time.

FIRST READING: 2013 04-05
PUBLICATION: 2013 04-11
SECOND READING/FINAL ADOPTION: 2013 05-03
PUBLICATION: 2013 05-09

[Signature]

Donna L. Frederick
Acting Municipal Clerk

ORDINANCE 522(2013) IS CURRENTLY IN LITIGATION

**BOROUGH OF WEST WILDWOOD
COUNTY OF CAPE MAY
NEW JERSEY**

ORDINANCE NO. 522 (2013)

**BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL
IMPROVEMENTS OF THE BOROUGH OF WEST WILDWOOD,
IN THE COUNTY OF CAPE MAY, NEW JERSEY,
APPROPRIATING THE AGGREGATE AMOUNT OF \$495,000
THEREFOR AND AUTHORIZING THE ISSUANCE OF \$470,250
BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF
THE COST THEREOF.**

BE IT ORDAINED BY THE BOROUGH BOARD OF COMMISSIONERS OF THE
BOROUGH OF WEST WILDWOOD, IN THE COUNTY OF CAPE MAY, NEW JERSEY (not
less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Borough of West Wildwood, in the County of Cape May, New Jersey (the "Borough") as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$495,000, including the aggregate sum of \$24,750 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments, negotiable bonds are hereby authorized to be issued in the principal amount of \$470,250 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

<u>Purpose</u>	<u>Appropriation and Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds or Notes</u>	<u>Period of Usefulness</u>
a) The acquisition of a police sport utility vehicle, including all related costs and expenditures incidental thereto.	\$52,000	\$49,400	5 years
b) The acquisition of a backhoe loader, a street sweeper and a skid steer, including all related costs and expenditure incidental thereto.	\$341,300	\$324,235	5 years
c) The acquisition of turn-out gear for the fire fighters, including all related costs and expenditures incidental thereto.	\$13,750	\$13,065	5 years
d) The acquisition and/or installation of flood valves, a hydric hose press, and a plasma cutter, including all related costs and expenditures incidental thereto.	\$22,075	\$20,970	15 years

<u>Purpose</u>	<u>Appropriation and Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds or Notes</u>	<u>Period of Usefulness</u>
e) Repairs to the Fire House, including all work and materials necessary therefor and incidental thereto.	\$13,750	\$13,065	15 years
f) The replacement/upgrade to the refueling station and the acquisition of various equipment in Public Works Department, including all related costs and expenditures incidental thereto.	\$10,400	\$9,880	15 years
g) The acquisition of office equipment for Police Department, including all related costs and expenditures incidental thereto.	\$10,400	\$9,880	5 years
h) The acquisition of computers, technology equipment and software, including all related cost and expenditures incidental thereto.	\$17,275	\$16,410	5 years
i) The acquisition of office furniture for the Borough offices and Borough Hall, including all related costs and expenditures incidental thereto.	\$14,050	\$13,345	5 years
TOTALS	<u>\$495,000</u>	<u>\$470,250</u>	

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the down payment for each purpose.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as

may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements that the Borough may lawfully undertake as general improvements, and no part of the costs thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 5.93 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$470,250, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$50,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated costs indicated herein for the purposes or improvements.

Section 7. The Borough hereby declares the intent of the Borough to issue the bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations.

Section 8. Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

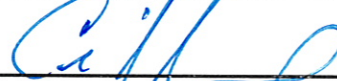
COMMISSIONERS:



MAYOR CHRISTOPHER J. FOX



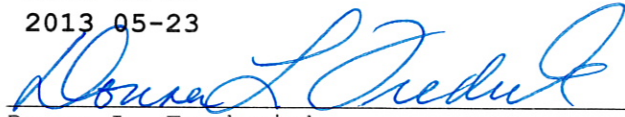
COMMISSIONER SCOTT W. GOLDEN



COMMISSIONER CORNELIUS J. MAXWELL

The foregoing Ordinance was introduced and passed at the Regular Board of Commissioners meeting of the Borough of West Wildwood, County of Cape May, New Jersey on the 3rd day of May, 2013 and was be considered for final passage after a public hearing at a **Special Meeting** of said Board of Commissioners at the Municipal Hall, 701 W. Glenwood Avenue, West Wildwood, New Jersey on **May 20, 2013 at 9:00am.**

FIRST READING:	2013 05-03
PUBLICATION:	2013 05-09
SECOND READING/FINAL ADOPTION:	2013 05-20
PUBLICATION:	2013 05-23



Donna L. Frederick
Acting Municipal Clerk

**BOROUGH OF WEST WILDWOOD
COUNTY OF CAPE MAY**

ORDINANCE NO. 523 (2013)

**AN ORDINANCE AMENDING ORDINANCE NO. 447 ESTABLISHING
THE FEES TO BE CHARGED FOR COPIES OF DOCUMENTS
REQUESTED THROUGH THE BOROUGH CLERK'S OFFICE**

WHEREAS, requests for public documents in matters pertaining to the Borough of West Wildwood are submitted through the office of the Borough Clerk; and

WHEREAS, it is necessary to establish the fees that may be charged for copies of documents to be provided, consistent with the provisions of the New Jersey Open Public Records Act, *N.J.S.A.* 47:1A-1, et seq.

NOW, THEREFORE, BE IT ORDAINED, by the Board of Commissioners of the Borough of West Wildwood, in the County of Cape May, New Jersey, the Governing Body of the Borough of West Wildwood, as follows:

Section 1. The allegations of the preamble are incorporated herein as if set forth in full.

Section 2. All requests for copies of public documents in matters relating to the Borough of West Wildwood shall be submitted through the office of the Borough Clerk

Section 3. The following fees shall be payable by the requestor to the Borough of West Wildwood for the documents provided:

- a. \$ 0.05 per page for letter sized pages and smaller;
- b. \$ 0.07 per page for legal sized pages and larger;
- c. If the actual costs to produce paper copies exceed the \$0.05 and \$0.07 rates, then the actual cost of duplicating the records will be charged;
- d. Electronic records will be provided free of charge (i.e. records sent via e-mail and fax);
- e. The actual costs to provide records in another medium will be charged (i.e. computer disc, CD-ROM, DVD);
- f. Actual postage costs for any documents sent by mail

Section 4. All Ordinances or parts of Ordinances inconsistent with this Ordinance, to the extent of such inconsistencies only, shall be, and the same hereby are, repealed.

Section 5. 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 6. This Ordinance shall take effect immediately upon final passage and publication according to law.

COMMISSIONERS:



MAYOR CHRISTOPHER J. FOX



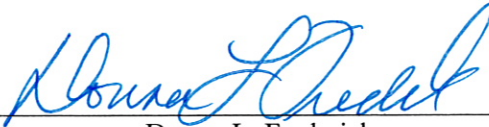
COMMISSIONER SCOTT W. GOLDEN



COMMISSIONER CORNELIUS J. MAXWELL

The foregoing Ordinance was introduced and passed at the Regular Board of Commissioners meeting of the Borough of West Wildwood, County of Cape May, New Jersey on the 3rd day of May, 2013 and will be considered for final passage after a public hearing at the meeting of said Board of Commissioners at the Municipal Hall, 701 W. Glenwood Avenue, West Wildwood, New Jersey on June 7, 2013 at 7:00 pm prevailing time.

FIRST READING:	2013 05-03
PUBLICATION:	2013 05-09
SECOND READING/FINAL ADOPTION:	2013 06-07
PUBLICATION:	2013 06-13



Donna L. Frederick
Acting Municipal Clerk

**BOROUGH OF WEST WILDWOOD
COUNTY OF CAPE MAY, NEW JERSEY**

ORDINANCE NO. 524 (2013)

CALENDAR YEAR 2013

**ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION
LIMITS AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A:4-45.14)**

WHEREAS, the Local Government Cape Law, N.J.S.A 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.00% unless authorize 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 Governing Body of the Borough of West Wildwood, County of Cape May, New Jersey find it advisable and necessary to increase its CY 2013 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 Governing Body hereby determines that a 1.5% increase in the budget for said year, amounting to \$25,729 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

WHEREAS, the Governing Body hereby determines 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.

NOW, THEREFORE BE IT ORDAINED, by the Governing Body of the Borough of West Wildwood, in the County of Cape May, New Jersey, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2013 budget year, the final appropriations of the Borough of West Wildwood shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5%, amounting to \$60,033, and that the CY 2013 municipal budget for the Borough of West Wildwood be approved and adopted in accordance with this ordinance; and

BE IT FURTHER ORDAINED, 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.

COMMISSIONERS:



MAYOR CHRISTOPHER J. FOX



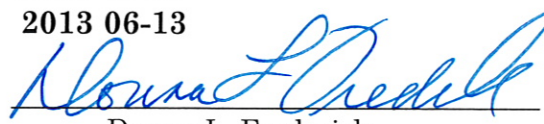
COMMISSIONER SCOTT W. GOLDEN



COMMISSIONER CORNELIUS J. MAXWELL

The foregoing Ordinance was introduced and passed at a Special Meeting of the Board of Commissioners of the Borough of West Wildwood, County of Cape May, New Jersey on the 20th day of May, 2013 and will be considered for final passage after a public hearing at the meeting of said Board of Commissioners at the Municipal Hall, 701 W. Glenwood Avenue, West Wildwood, New Jersey on June 7, 2013 at 7:00 pm.

FIRST READING:	2013 05-20
PUBLICATION:	2013 05-23
SECOND READING/FINAL ADOPTION:	2013 06-07
PUBLICATION:	2013 06-13



Donna L. Frederick
Acting Municipal Clerk

**BOND ORDINANCE RE-ADOPTING BOND ORDINANCE 512 (2011)
PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS OF THE
BOROUGH OF WEST WILDWOOD, IN THE COUNTY OF CAPE
MAY, NEW JERSEY, APPROPRIATING THE AGGREGATE
AMOUNT OF \$1,040,764 THEREFOR AND AUTHORIZING THE
ISSUANCE OF \$988,726 BONDS OR NOTES OF THE BOROUGH TO
FINANCE PART OF THE COST THEREOF.**

WHEREAS, on October 7, 2011, the Borough of West Wildwood, in the County of Cape May, New Jersey (the "Borough"), introduced on first reading bond ordinance 512 (2011), entitled, "BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS OF THE BOROUGH OF WEST WILDWOOD, IN THE COUNTY OF CAPE MAY, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$1,040,764 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$988,726 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF" (the "Original Bond Ordinance"); and

WHEREAS, on October 14, 2011, the Borough published notice of pending adoption of the Original Bond Ordinance, by title only, in The Press of Atlantic City, an authorized Borough newspaper (the "Original Publication"); and

WHEREAS, Section 17 of the Local Bond Law (N.J.S.A. 40A:2-17(b)) requires all bond ordinances to be published in full or in a prescribed summary "form prescribed by the Local Finance Board"; and

WHEREAS, the Original Publication failed to meet the prescribed summary format set forth in the Local Bond Law and by the Local Finance Board, and as a result, the notice of pending adoption of the Original Bond Ordinance was published improperly; and

WHEREAS, on October 7, 2011, the Borough held a public hearing and finally adopted the Original Bond Ordinance; and

WHEREAS, on November 18, 2011, the Borough filed the supplemental debt statement for the Original Bond Ordinance with the Director of the Division of Local Government Services, Department of Community Affairs of the State of New Jersey (the "Director"); and

WHEREAS, Section 10 of the Local Bond Law (N.J.S.A. 40A:2-10) requires a supplemental debt statement to be filed in the office of the Director prior to final adoption of a bond ordinance; and

WHEREAS, (i) the failure by the Borough to properly publish the notice of pending bond ordinance and (ii) the failure of the Borough to timely file the supplemental debt statement, each, independently, result in the Original Bond Ordinance not being validly adopted or effective; and

WHEREAS, in calendar years 2011 and 2012, the Borough spent at least \$211,000 on the projects authorized by the Original Bond Ordinance (the "Project Expenditure Amount"), notwithstanding that the Original Bond Ordinance was not properly adopted or effective; and

WHEREAS, as a result, the Local Budget Law (N.J.S.A. 40A:4-1 et seq.) requires that the Project Expenditure Amount either be raised in full in the budget, or appropriated by a bond ordinance; and

WHEREAS, the Borough tax rate will be increased by approximately ten (10) cents (or approximately \$300 on the average assessed value homeowner) if the Project Expenditure Amount is required to be raised in the budget;

WHEREAS, the Borough desires to re-adopt the Original Bond Ordinance, avoid requiring a ten (10) cent increase in the budget, properly authorize the projects authorized by the Original Bond Ordinance and properly appropriate the funds necessary to fund such projects, including the Project Expenditure Amount;

NOW THEREFOR, BE IT ORDAINED BY THE BOROUGH BOARD OF COMMISSIONERS OF THE BOROUGH OF WEST WILDWOOD, IN THE COUNTY OF CAPE MAY, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Borough of West Wildwood, in the County of Cape May, New Jersey (the "Borough") as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$1,040,764, including a Federal Emergency Management Agency Hazard Mitigation Grant in the amount of \$292,500 (the "FEMA Grant"), and including the aggregate sum of \$52,038 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments, and in anticipation of the FEMA Grant, negotiable bonds are hereby authorized to be issued in the principal amount of \$988,726 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond

anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

<u>Purpose</u>	<u>Appropriation and Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds or Notes</u>	<u>Period of Usefulness</u>
a) The reconstruction of Avenue O and other related road construction, including all work and materials necessary therefor and incidental thereto.	\$160,000	\$152,000	10 years
b) The reconstruction of Neptune Avenue and other related road construction, including all work and materials necessary therefor and incidental thereto.	\$390,000 (including the FEMA Grant in the amount of \$292,500)	\$370,500	10 years
c) The rehabilitation of Borough Hall, including but not limited to roof replacement, including all work and materials necessary therefor and incidental thereto.	\$300,000	\$285,000	20 years
d) The rehabilitation of Borough buildings and related projects, including all work and materials necessary therefor and incidental thereto.	\$40,764	\$38,726	10 years
e) Miscellaneous drainage improvements, including all work and materials necessary therefor and incidental thereto.	\$150,000	\$142,500	10 years

<u>Purpose</u>	<u>Appropriation and Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds or Notes</u>	<u>Period of Usefulness</u>
TOTALS	<u>\$1,040,764</u>	<u>\$988,726</u>	

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the down payment for each purpose.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any

inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements that the Borough may lawfully undertake as general improvements, and no part of the costs thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 12.88 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$988,726, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$208,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated costs indicated herein for the purposes or improvements.

Section 7. The Borough hereby declares the intent of the Borough to issue the bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations.

Section 8. Any grant moneys received for the purposes described in Section 3 hereof, other than the FEMA Grant, shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Donna L. Frederick, Acting Clerk

This Notice is published pursuant to N.J.S.A. 40A:2-17.

COMMISSIONERS:



MAYOR CHRISTOPHER J. FOX

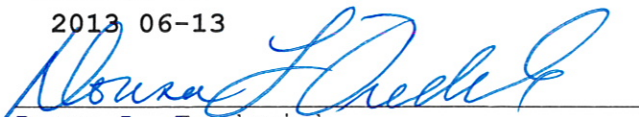


COMMISSIONER SCOTT W. GOLDEN

COMMISSIONER CORNELIUS J. MAXWELL

The foregoing Ordinance was introduced and passed at the Regular Board of Commissioners meeting of the Borough of West Wildwood, County of Cape May, New Jersey on the 3rd day of May, 2013 and was be considered for final passage after a public hearing at a **Special Meeting** of said Board of Commissioners at the Municipal Hall, 701 W. Glenwood Avenue, West Wildwood, New Jersey on **May 20, 2013 at 9:00am.**

FIRST READING:	2013 05-20
PUBLICATION:	2013 05-25
SECOND READING/FINAL ADOPTION:	2013 06-07
PUBLICATION:	2013 06-13



Donna L. Frederick
Acting Municipal Clerk

**BOROUGH OF WEST WILDWOOD
COUNTY OF CAPE MAY**

ORDINANCE NO. 525 (2013)

**AN ORDINANCE AMENDING ORDINANCE NO. 454 REGULATING
GARBAGE, RUBBISH, TRASH AND RECYCLABLE MANAGEMENT
AND THE USE AND REMOVAL OF CONSTRUCTION DEBRIS AND
WASTE CONTAINERS IN THE BOROUGH OF WEST WILDWOOD**

WHEREAS, the Board of Commissioners of the Borough of West Wildwood have determined that it is necessary to establish regulations to control the management of construction trailers in the Borough of West Wildwood; and

WHEREAS, the Board of Commissioners deems it in the best interest of the Borough to amend Ordinance No. 454 to the extent contained herewith...

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Borough of West Wildwood, County of Cape May, New Jersey as follows:

ARTICLE I – Purpose

Section 1.2 Purpose. The management of construction trailers is deemed necessary in the interest of the health, safety and welfare of the general public of the Borough of West Wildwood.

ARTICLE II – Definitions

Section 2.1 Definitions. As used in this Ordinance, the following terms shall have the meaning set forth:

CONSTRUCTION TRAILER – An enclosed trailer utilized for the temporary storage of equipment and tools and commonly found on **an active construction site** not to exceed seven feet (7) by twenty feet (20). Said trailer must have a current registration under the requirements of the New Jersey Motor Vehicle Law, specifically Title 39.

ARTICLE V – Construction Debris and Waste

Section 5.3.1 No person shall park or leave unattended a construction trailer which is not attached to a motor vehicle within the Borough of West Wildwood without first obtaining a permit from the West Wildwood Police Department.

The following sections are amended only in part to include “Construction Trailers”:

Section 5.4 Permit Fee

Section 5.5 Permit Time Limited

Section 5.6 Location

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Borough of West Wildwood, County of Cape May, New Jersey, that:

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

2.) Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason, the remaining portions of the Ordinance shall not be affected thereby and shall remain in full force and effect.

3.) This Ordinance shall take effect after a public hearing and final adoption and publication as provided by law.

COMMISSIONERS :



MAYOR CHRISTOPHER J. FOX



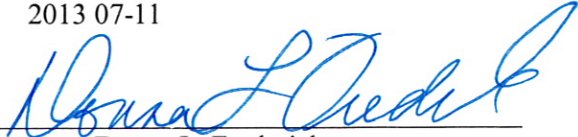
COMMISSIONER SCOTT W. GOLDEN



COMMISSIONER CORNELIUS J. MAXWELL

The foregoing Ordinance was introduced and passed at the Regular Board of Commissioners meeting of the Borough of West Wildwood, County of Cape May, New Jersey on the 7th day of June, 2013 and will be considered for final passage after a public hearing at the meeting of said Board of Commissioners at the Municipal Hall, 701 W. Glenwood Avenue, West Wildwood, New Jersey on July 5, 2013 at 7:00 pm prevailing time.

FIRST READING:	2013 06-07
PUBLICATION:	2013 06-28
SECOND READING/FINAL ADOPTION:	2013 07-05
PUBLICATION:	2013 07-11



Donna L. Frederick
Acting Municipal Clerk

**BOROUGH OF WEST WILDWOOD
COUNTY OF CAPE MAY, STATE OF NEW JERSEY**

ORDINANCE NO. 526 (2013)

**AN ORDINANCE AMENDING ORDINANCE NO. 398 ENTITLED
“LAND DEVELOPMENT ORDINANCE OF THE BOROUGH OF WEST WILDWOOD,
COUNTY OF CAPE MAY, NEW JERSEY”**

BE IT ORDAINED, by the Board of Commissioners of the Borough of West Wildwood, in the County of Cape May, New Jersey, as follows:

WHEREAS, the State of New Jersey and its coastline suffer catastrophic damage to residential and commercial buildings as a result of Hurricane Sandy which has caused federal, state and municipal governments to re-evaluate construction standards within flood zones; and

WHEREAS, the Borough of West Wildwood Planning/Zoning Board performed a periodic examination of the municipality’s development regulations and prepared and adopted, by resolution, a report on the findings of such examination; and

WHEREAS, the Planning/Zoning Board of the Borough of West Wildwood has submitted to the Governing Body, Resolution Number 2013-02 recommending amendments to the current Building Code and Land Use Ordinance of the Borough of West Wildwood; and

WHEREAS, the Board of Commissioners desire to amend the current Building Code and Land Use Ordinance adopting the recommendations provided by the Planning/Zoning Board of the Borough of West Wildwood.

NOW, THEREFORE, BE IT ORDAINED, by the Board of Commissioners of the Borough of West Wildwood, County of Cape May, New Jersey, that the current Building Code and Land Use Ordinance of the Borough of West Wildwood, County of Cape May, New Jersey be amended with the recommendations of the Planning/Zoning Board hereby attached.

BE IT FURTHER ORDAINED THAT:

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

2.) Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason, the remaining portions of the 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.

3.) This Ordinance shall take effect after a public hearing and final adoption and publication as provided by law.

COMMISSIONERS:



MAYOR CHRISTOPHER J. FOX




COMMISSIONER SCOTT W. GOLDEN



COMMISSIONER CORNELIUS J. MAXWELL

I, Donna L. Frederick, Acting Municipal Clerk of the Borough of West Wildwood, County of Cape May, State of New Jersey, do hereby certify the forgoing to be a true and correct copy of an ordinance introduced at a Regular Meeting held on October 4, 2013, of the Board of Commissioners, and was finally adopted after a public hearing at the Regular Meeting of the Board of Commissioners held on Friday, November 1, 2013, at 7:00pm at the Municipal Hall, 701 W. Glenwood Avenue, West Wildwood, New Jersey.

FIRST READING:	October 4, 2013
PUBLICATION:	October 11, 2013
SECOND READING	November 1, 2013
PUBLICATION	November 7, 2013



Donna L. Frederick
Acting Municipal Clerk

**PETITIONED - REPEALED AT REGULAR
MEETING JANUARY 3, 2014**

**BOROUGH OF WEST WILDWOOD
COUNTY OF CAPE MAY
NEW JERSEY**

ORDINANCE NO. 527 (2013)

**BOND ORDINANCE PROVIDING FOR
RECONSTRUCTION OF VARIOUS STREETS IN AND BY
THE BOROUGH OF WEST WILDWOOD, IN THE COUNTY
OF CAPE MAY, NEW JERSEY, APPROPRIATING
\$750,000 THEREFOR AND AUTHORIZING THE
ISSUANCE OF \$714,285 BONDS OR NOTES OF THE
BOROUGH TO FINANCE PART OF THE COST THEREOF.**

BE IT ORDAINED BY THE BOROUGH COMMISSIONERS OF THE BOROUGH
OF WEST WILDWOOD, IN THE COUNTY OF CAPE MAY, NEW JERSEY (not less
than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement described in Section 3(a) of this bond ordinance
is hereby authorized to be undertaken by the Borough of West Wildwood, in the County
of Cape May, New Jersey (the "Borough") as a general improvement. For the
improvement or purpose described in Section 3(a), there is hereby appropriated the
sum of \$750,000, including the sum of \$35,715 as the down payment required by the
Local Bond Law. The down payment is now available by virtue of provision for down

payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$714,285 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is the reconstruction of various streets, including but not limited to Poplar Avenue, R Avenue, Q Avenue, Pine Avenue, S Avenue and Mueller Avenue, including all work and materials necessary therefor and incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond

ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Borough

may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 10 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$714,285, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$150,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

Section 7. The Borough hereby declares the intent of the Borough to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3(a) of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations.

Section 8. Any grant moneys received for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to

payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

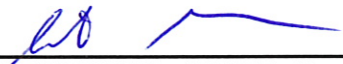
Section 10. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

COMMISSIONERS:



MAYOR CHRISTOPHER J. FOX



COMMISSIONER SCOTT W. GOLDEN



COMMISSIONER CORNELIUS J. MAXWELL

The foregoing Ordinance was introduced and passed at the Regular Board of Commissioners meeting of the Borough of West Wildwood, County of Cape May, New Jersey on the 1st day of November, 2013 and was finally adopted after a public hearing at a Re-scheduled Regular Meeting of said Board of Commissioners at the Municipal Hall, 701 W. Glenwood Avenue, West Wildwood, New Jersey on December 4, 2013 at 6:00 pm.

FIRST READING:	2013 11-01
PUBLICATION:	2013 11-07
SECOND READING/FINAL ADOPTION:	2013 12-04
PUBLICATION:	2013 12-12



Donna L. Frederick, RMC
Municipal Clerk

**BOROUGH OF WEST WILDWOOD
COUNTY OF CAPE MAY
STATE OF NEW JERSEY**

**ORDINANCE NO. 528 (2013)
AN ORDINANCE REPEALING ORDINANCE NO. 515 (2012)
PERTAINING TO THE RATES FOR SEWER SERVICE**

Preamble:

This Ordinance is to reset the sewer rates for 2014 based on the projected CY2014 Budget needs and allocations.

BE IT ORDAINED by the Governing Body of the Borough of West Wildwood, County of Cape May, State of New Jersey; as follows:

SECTION I

The sewer rates for the Borough of West Wildwood are hereby amended to reflect the amounts as follows:

5/8 " Meter	\$ 670.00 per year per unit
3/4 " Meter	\$ 853.00 per year per unit
Bars/Restaurants and other food-sit down service	\$1,120.00 per year
Marinas	\$ 670.00 per year

SECTION II.

All other Ordinances or parts of Ordinances which are inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies, are hereby repealed. Should any section, subsection, clause, or portion of this Ordinance be adjudged by a Court of competent jurisdiction as invalid, such judgment shall not affect, impair, or invalidate the remainder of this Ordinance; and

SECTION III:

This Ordinance shall take effect immediately upon passage and publication as required by Law.

FIRST READING:
PUBLICATION:
SECOND READING:
FINAL PUBLICATION:

December 4, 2013
December 12, 2013
December 16, 2013
December 19, 2013

ABSENT

MAYOR CHRISTOPHER J. FOX

[Signature]

COMMISSIONER SCOTT W. GOLDEN

[Signature]

COMMISSIONER CORNELIUS J. MAXWELL

I, Donna L. Frederick, RMC, Municipal Clerk of the Borough of West Wildwood, Cape May County, do hereby certify the forgoing to be a true and correct copy of an ordinance introduced at the December 04, 2012 Re-Scheduled Regular Meeting by not less than a two-thirds vote of the full membership of the Board of Commissioners. This Ordinance was finally adopted at a Special Meeting and Public Hearing held on December 16, 2013 at 9:00am at the Borough Hall, 701 W. Glenwood Avenue, West Wildwood, N.J.

[Signature]

Donna L. Frederick, RMC
Municipal Clerk