

Chapter 395

ZONING

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[HISTORY: Adopted by the Mayor and Council of the Borough of Runnemede 1-2-1979 by Ord. No. 329 (Ch. 109 of the 1970 Code). Amendments noted where applicable.]

NOTE: See Ch. 175 for current floodplain management regulations which supersede any conflicting provisions found in this section.

§ 395-1. Title.

This chapter shall be known and may be cited as the "Zoning Ordinance of the Borough of Runnemede."

§ 395-2. Purpose.

This chapter shall be held to be the minimum requirements adopted pursuant to the Municipal Land Use Law, Chapter 291 of the Laws of New Jersey 1975 (N.J.S.A. 40:55D et seq.), in order to promote the public health, safety, morals and general welfare. Among other purposes, the provisions of this chapter are intended to provide adequate light, air and convenience of access; to prevent overcrowding of land or buildings; to avoid undue concentration of population by regulating and limiting the use of land and the height and bulk of buildings wherever erected; to limit and determine the size of yards and other open spaces; and to conserve the value of property and encourage the most appropriate use of land throughout the Borough.

§ 395-3. Creation of districts; Zoning Map. [Amended 3-2-2010 by Ord. No. 10-04; 4-5-2011 by Ord. No. 11-02]

- A. For the purposes of this chapter, the Borough of Runnemede is divided into the following seven classes of districts:

Residence R-1 District

Residence R-2 District

Residence R-3 District

Commercial C District

General Office GO District

Special Economic Development SED District

Limited Access Highway Proximity District

Public/Quasi - Public Lands

- B. The boundaries of the zoning districts are hereby established as shown on the Zoning Map entitled, "Zoning Map, Borough of Runnemede, Camden County, New Jersey, prepared by Bach Associates, PC," which map shall include the ordinance number of the most recent adoption and is hereby declared to be a part of this chapter superseding any and all zoning maps.¹

§ 395-4. Definitions and word usage.

- A. The meaning of all words not defined in this chapter shall be taken from New Jersey Revised Statutes and New Jersey Court interpretations thereof.
- B. Certain words and terms in this chapter are defined for the purpose thereof as follows:

ACCESSORY BUILDING — A building the use of which is customarily incidental to that of a main building and which is located on the same lot as that occupied by the main building.

ACCESSORY USE — A use customarily incidental to the use of a building for dwelling purposes and including:

- (1) Within a main building the office of a surgeon, physician, clergyman, architect, engineer, attorney, accountant, dentist, artist, photographer, teacher of music, real estate, insurance, osteopath, chiropractor and optometrist, or persons residing in such main building, provided that there is no display visible from the street nor advertising except a small professional sign in accordance with § 395-18 of this chapter.
- (2) Customary home occupations such as millinery, dressmaking or interior decorating, provided that there is no display of goods visible from the street and such occupation is conducted in the main building by a person residing therein and does not occupy more than 1/3 of the total aboveground floor area thereof, and provided further that no trading of merchandise is carried on or no personal physical service performed. No exterior advertising is permitted other than a small announcement sign as specified in § 395-18B(2)(b).

ADMINISTRATIVE OFFICER — The Zoning Officer of the Borough.

ALTERATION OF BUILDING — Any change in the supporting members of a building, except such change as may be required for its safety; any addition to a building; or removal of a building from one location to another.

1. Editor's Note: The Zoning Map is on file in the Borough Zoning Office.

APPLICANT — A developer submitting an application for development.

APPLICATION FOR DEVELOPMENT — The application form and all accompanying documents required by ordinance for approval of a subdivision plat, site plan, conditional use, zoning variance or direction of the issuance of a permit pursuant to this chapter.

APPROVING AUTHORITY — The Joint Planning/Zoning Board of Adjustment of the Borough unless a different agency is designated by this chapter.

BLOCK — The length of a street between two street intersections.

BOARDINGHOUSE or ROOMING HOUSE — A dwelling wherein more than three people are sheltered or fed for compensation.

BUFFER AREA — An area in which no building, parking area, driveway (except to provide access to property and which is perpendicular to the buffer area), street, sign (except directional sign) or storage of materials shall be permitted.

BUILDABLE AREA — That central portion of any lot lying between required yards and/or setback lines.

BUILDING — A combination of materials to form a construction adapted to permanent, temporary or continuous occupancy and having a roof.

BUILDING HEIGHT — The vertical distance measured from the mean elevation of the finished grade along the front of the building to the highest point of the roof exclusive of chimneys and similar fixtures.

BUILDING LINE — The line between which it and the property line no building or other structure or portion thereof, except as provided in this chapter, may be erected.

CANNABIS — All parts of the plant *Cannabis sativa* or *Cannabis indica*, whether growing or not, the seeds thereof, and every compound, manufacture, salt, derivative, mixture, or preparation of the plant or its seeds, except those containing resin extracted from the plant, which are cultivated and, when applicable, manufactured in accordance with P.L. 2021, c. 16 (C. 24:6I-31 et al.) for use in cannabis products, but shall not include the weight of any other ingredient combined with cannabis to prepare topical or oral administrations, food, drink, or other product. **[Added 10-5-2021 by Ord. No. 21-13]**

CANNABIS BUSINESS — Any person or entity that holds any of the six classes of licenses established under P.L. 2021, c. 16, the "New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act" (CREAMMA). **[Added 10-5-2021 by Ord. No. 21-13]**

CANNABIS CULTIVATOR — Any licensed person or entity that grows, cultivates, or produces cannabis, and sells, and may transport, this cannabis to other cannabis cultivators, or usable cannabis to cannabis manufacturers, cannabis wholesalers, or cannabis retailers, but not to consumers. This person or entity shall hold a Class 1 cannabis cultivator license. **[Added 10-5-2021 by Ord. No. 21-13]**

CANNABIS DELIVERY SERVICE — Any licensed person or entity that provides courier services for consumer purchases of cannabis items and related supplies fulfilled by a cannabis retailer in order to make deliveries of the cannabis items and related supplies to that consumer, and which services include the ability of a consumer to purchase the cannabis items directly through the cannabis delivery service, which, after presenting the purchase order to the cannabis retailer for fulfillment, is delivered to that consumer. This person or entity shall hold a Class 6 cannabis delivery license. **[Added 10-5-2021 by Ord. No. 21-13]**

CANNABIS DISTRIBUTOR — Any licensed person or entity that transports cannabis in bulk

intrastate from one licensed cannabis cultivator to another licensed cannabis cultivator, or transports cannabis items in bulk intrastate from any one class of licensed cannabis establishment to another class of licensed cannabis establishment, and may engage in the temporary storage of cannabis or cannabis items as necessary to carry out transportation activities. This person or entity shall hold a Class 4 cannabis distributor license.**[Added 10-5-2021 by Ord. No. 21-13]**

CANNABIS ESTABLISHMENT — A cannabis cultivator, a cannabis manufacturer, a cannabis wholesaler, or a cannabis retailer.**[Added 10-5-2021 by Ord. No. 21-13]**

CANNABIS ESTABLISHMENT LICENSE — An establishment with one or many of the licenses to operate as defined by the CREAMMA Act:**[Added 10-5-2021 by Ord. No. 21-13]**

- (1) Class 1: Cannabis cultivator license, for facilities involved in growing and cultivating cannabis;
- (2) Class 2: Cannabis manufacturer license, for facilities involved in the manufacturing, preparation, and packaging of cannabis items;
- (3) Class 3: Cannabis wholesaler license, for facilities involved in obtaining and selling cannabis items for later resale by other licensees;
- (4) Class 4: Cannabis distributor license, for businesses involved in transporting cannabis plants in bulk from one licensed cultivator to another licensed cultivator, or cannabis items in bulk from any type of licensed cannabis business to another;
- (5) Class 5: Cannabis retailer license, for locations at which cannabis items and related supplies are sold to consumers; and
- (6) Class 6: Cannabis delivery license, for businesses providing courier services for consumer purchases that are fulfilled by a licensed cannabis retailer in order to make deliveries of the purchased items to a consumer, and which service would include the ability of a consumer to make a purchase directly through the cannabis delivery service which would be presented by the delivery service for fulfillment by a retailer and then delivered to a consumer.

CANNABIS MANUFACTURER — Any licensed person or entity that processes cannabis items in this state by purchasing or otherwise obtaining usable cannabis, manufacturing, preparing, and packaging cannabis items, and selling, and optionally transporting, these items to other cannabis manufacturers, cannabis wholesalers, or cannabis retailers, but not to consumers. This person or entity shall hold a Class 2 cannabis manufacturer license.**[Added 10-5-2021 by Ord. No. 21-13]**

CANNABIS PRODUCT — A product containing usable cannabis, cannabis extract, or any other cannabis resin and other ingredients intended for human consumption or use, including a product intended to be applied to the skin or hair, edible cannabis products, ointments, and tinctures. "Cannabis product" does not include i) usable cannabis by itself; or ii) cannabis extract by itself; or iii) any other cannabis resin by itself.**[Added 10-5-2021 by Ord. No. 21-13]**

CANNABIS RETAILER — Any licensed person or entity that purchases or otherwise obtains usable cannabis from cannabis cultivators and cannabis items from cannabis manufacturers or cannabis wholesalers, and sells these to consumers from a retail store, and may use a cannabis delivery service or a certified cannabis handler for the off-premises delivery of cannabis items and related supplies to consumers. A cannabis retailer shall also accept consumer purchases to be fulfilled from its retail store that are presented by a cannabis delivery service which will be delivered by the cannabis delivery service to that consumer. This person or entity shall hold a Class 5 cannabis retailer license.**[Added 10-5-2021 by Ord. No. 21-13]**

CANNABIS WHOLESALER — Any licensed person or entity that purchases or otherwise obtains, stores, sells or otherwise transfers, and may transport, cannabis items for the purpose of resale or other transfer to either another cannabis wholesaler or to a cannabis retailer, but not to consumers. This person or entity shall hold a Class 3 cannabis wholesaler license.**[Added 10-5-2021 by Ord. No. 21-13]**

CENTER LINE OF STREET — The line midway between and parallel to the two street property lines, or as otherwise determined by the Mayor and Council.

CLUBHOUSE — A building to house a club or social organization not conducted for profit and which is not an adjunct to or operated by or in connection with a public tavern, cafe or other public place.

CONDITIONAL USE — A use permitted in a particular zoning district only upon a showing that such use in a specified location will comply with the conditions and standards for the location or operation of such use as contained in this chapter, and upon the issuance of an authorization therefor by the Joint Planning/Zoning Board of Adjustment.

CORNER LOT — A lot, in any district or zone, fronting on two streets at their intersection. Said lot shall be deemed to have two front yards for the purposes of establishing setback requirements in the district or zone.**[Amended 8-6-2014 by Ord. No. 14-16]**

COURTS — An unoccupied open space other than a yard as herein defined.

(1) **OUTER COURT** — One which is open to a street or rear yard for its entire width.

(2) **INNER COURT** — Any other court.

CURBSIDE PICK-UP — The dedication of up to two parking spaces for pickup on the site of the restaurant, subject to Planning Board approval of the use and site plan approval.**[Added 4-5-2011 by Ord. No. 11-02]**

DEVELOPER — The legal or beneficial owner or owners of a lot or of any land proposed to be included in a proposed development, including the holder of an option or contract to purchase, or other person having an enforceable proprietary interest in such land.

DEVELOPMENT — The division of a parcel of land into two or more parcels, the construction, reconstruction, conversion, structural alteration, relocation or enlargement of any building or other structure or of any mining, excavation or landfill, and any use or change in the use of any buildings or other structure or land or extension of use of land, for which permission may be required pursuant to this chapter.

DEVELOPMENT REGULATION — This chapter, Chapter 331, Subdivision of Land and Site Plan Review, of this Code, Official Map Ordinance or other municipal regulation of the use and development of land, or amendment thereto, adopted and filed pursuant to Chapter 291 of the Laws of New Jersey 1975.²

DUPLEX — A building consisting of two family-type living units.

DWELLING HOUSE — A detached house designed for and occupied exclusively as a residence.

DWELLING, MULTIFAMILY — A dwelling or group of dwellings containing separate family-type living units but which may have joint services or facilities for both or all.

DWELLING, SINGLE-FAMILY — A detached house designed and arranged for the use of a single

2. Editor's Note: See N.J.S.A. 40:55D et seq.

household including two or more people living as a family.

DWELLING UNIT — One or more rooms providing complete living facilities for one or more persons, including equipment for cooking or provisions for same, room or rooms for living, sleeping, eating and bathing facilities.

FAST-FOOD RESTAURANT — An establishment whose principal business is the sale of pre-prepared or rapidly prepared food directly to the customer in a ready-to-consume state for consumption either within the restaurant or building, in vehicles on the premises, or off the premises. **[Added 4-5-2011 by Ord. No. 11-02]**

FRONT YARD — Space between the established building line or the front main wall of a building and the front property line.

GARDEN APARTMENT — A building or series of buildings, under single ownership, with common yards, open spaces, recreation areas and garages and parking areas, no more than 2 1/2 stories in height, containing two or more suites of rooms on each floor, equipped for separate housekeeping.

HISTORIC SITE — Any building, structure, area or property that is significant in the history, architecture, archeology or culture of this state, its communities or the nation and has been so designated pursuant to applicable state and federal law.

JUNKYARD — The use of more than 100 square feet of the area of any lot, whether inside or outside the building, for the storage, keeping or abandonment of worn-out, cast-off or discarded articles or materials.

LAND — Includes improvements and fixtures on, above or below the surface.

LOT — A designated parcel, tract or area of land established by a plat or otherwise as permitted by law and to be used, developed or built upon as a unit.

LOT AREA — The total area within the property lines of a lot.

LOT COVERAGE — The percentage of lot area covered by the principal building, accessory buildings, driveways, sidewalks, patios and any structure that can be defined as an impervious coverage. **[Amended 8-4-2021 by Ord. No. 21-09]**

LOT DEPTH — The depth of a lot is the mean measured distance of a line drawn from the street line to the rear lot line drawn at right angles to the front property line.

LOT LINE — Any line defining the outer limits of a lot.

LOT WIDTH — The width of a lot shall be the distance between the side lot line of a lot measured at and along a line parallel to the front lot line which is drawn at a distance therefrom equal to the required depth of the front yard.

NONCONFORMING LOT — A lot the area, dimension or location of which was lawful prior to the adoption, revision or amendment of this chapter but which fails to conform to the requirements of the zoning district in which it is located by reason of such adoption, revision or amendment.

NONCONFORMING STRUCTURE — A structure the size, dimension or location of which was lawful prior to the adoption, revision or amendment of this chapter but which fails to conform to the requirements of the zoning district in which it is located by reason of such adoption, revision or amendment.

NONCONFORMING USE — A use or activity which was lawful prior to the adoption, revision or amendment of this chapter but which fails to conform to the requirements of the zoning district in which it is located by reason of such adoption, revision or amendment.

PLAT — A map or maps of a subdivision or site plan.

PRIVATE GARAGE — A building or part thereof accessory to a main building and providing for storage of an automobile or automobiles only.

PUBLIC OR STORAGE GARAGE — A building or part thereof, other than a private garage, for the storage of motor vehicles and in which service station activities may be carried on; a garage conducted as and for a business.

PUBLIC UTILITY — A closely regulated enterprise with a franchise for providing the public with a utility service deemed necessary for the public health, safety and welfare. Such utilities include electric, gas, water, and sewer infrastructure. Public utilities do not include radio stations or wireless communications facilities (governed by Chapter 388).**[Added 12-30-2014 by Ord. No. 14-24]**

PUBLIC UTILITY FACILITIES — Buildings, structures and facilities, including generating and switching stations, repeaters, antennas, transmitters and receivers, valves, and all buildings and structures related to the furnishing of utility services such as electric, gas, telephone, water, and sewer to the public.**[Added 12-30-2014 by Ord. No. 14-24]**

PUMPING STATION — A building or structure containing the necessary equipment to pump a fluid to a higher level.**[Added 12-30-2014 by Ord. No. 14-24]**

REAR YARD — An open space on the same lot with a building, between the rear wall of the building and the rear line of the lot, unoccupied except for accessory buildings and open porches which, in the aggregate, shall occupy not more than 35% of the area. In the case of a corner lot, the owner may designate either of the two interior lot lines as the rear lot line.

RESTAURANT — An establishment where food and drink are prepared, served and consumed, mostly within the principal building, though restaurants may include takeout.**[Added 4-5-2011 by Ord. No. 11-02]**

RESTAURANT, DRIVE-THROUGH or DRIVE-IN — An establishment where food or beverages are sold in a form ready for consumption, where all or a significant part of the consumption takes place outside the confines of the restaurant and where ordering and pickup of food may take place from an automobile.**[Added 4-5-2011 by Ord. No. 11-02]**

ROWHOUSE — Three or more attached houses in a row, with party walls.

SEMI-FIREPROOF CONSTRUCTION — Construction in which the structural members are of approved noncombustible construction having the necessary strength and stability and having fire-resistance ratings of not less than four hours for exterior nonbearing walls and wall panels and not less than three hours for columns and for wall-supporting girders and trusses, and in which exterior and interior bearing walls, if any, are of approved masonry or reinforced concrete.

SETBACK LINE — A line drawn at a distance from a lot line equal to the required depth of the respective front, side or rear yard area.

SIDE YARD — An unobstructed open space on the same lot with a building, between the building and the side line of the lot, and extending through from the front to the rear yard, into which space there is no extension of building parts.

SIGHT TRIANGLE — A triangular-shaped portion of land established at street intersections or at intersections of driveways and streets in which nothing is erected, placed, planted, or allowed to grow in such a manner as to limit or obstruct the sight distance of motorists entering or leaving the intersection (also known as a "sight easement").**[Added 11-5-2014 by Ord. No. 14-20]**

SIGN — Any object, device, display or structure, or part thereof, situated outdoors that is used to

advertise, identify, display, direct, or attract attention to an object, person, institution, organization, business, product, service, event, or location by any means, including words, letters, figures, design, symbols, fixtures, colors, illumination, or projected images; and including banners, pennants, flags and similar devices. Signs do not include: the flag or emblem of any nation, federal, state, or municipal government; merchandise, pictures or models of products or services incorporated in an indoor window display; works of art that in no way identify a product; or score boards located on athletic fields. **[Amended 11-5-2014 by Ord. No. 14-20]**

SIGN, ANIMATED — Any sign or part of a sign that changes physical position, light intensity, or colors and that requires electrical energy. This definition does not include signs which indicate time, temperature, or date. **[Added 11-5-2014 by Ord. No. 14-20]**

SIGN AREA — That area enclosed by one continuous line connecting the extreme points or edges of a sign, including the advertising surface and any framing, trim, or molding but not including the supporting structure. Except where specifically prohibited, all signs may be double-faced, and the maximum area restrictions shall apply to each side of the sign. Where the sign is supported by a post or pylon whose surface is being used for advertising purposes, the area of this post, pylon or other supporting members shall be considered as part of the total allowable sign area. Where the name or advertising message on a sign is divided between a number of panels or parts, the total area of all of the panels or parts shall be considered as one sign, and where a sign consists of individual letters or numbers (such as for channel letters on a facade sign), the area of the sign shall be considered as the total area of the smallest rectangle or rectangles which can collectively enclose all of the letters or numbers, including any open space or hole within the sign's face or any appendage protruding outside the sign's face.

SIGN, BANNER — A temporary sign constructed of cloth, canvas, plastic, or other flexible material, typically suspended or hung by cord, string, or rope from a structure. **[Added 11-5-2014 by Ord. No. 14-20]**

SIGN, BILLBOARD — A sign structure and/or sign utilized for advertising an establishment, an activity, a product, service or entertainment, which is solid, produced, manufactured, available or furnished at a place other than on the property on which said sign structure and/or sign is located. **[Added 11-5-2014 by Ord. No. 14-20]**

SIGN, CHANGEABLE COPY — A sign designed to allow the changing of copy through manual, mechanical, or electrical means including time and temperature. **[Added 11-5-2014 by Ord. No. 14-20]**

SIGN, DIRECTIONAL — Signs limited to directional messages such as "enter" or "exit," principally for pedestrian and vehicular traffic. **[Added 11-5-2014 by Ord. No. 14-20]**

SIGN, DIRECTORY — A sign listing the tenants or occupants of a building or group or buildings and that may indicate their respective professions or business activities. **[Added 11-5-2014 by Ord. No. 14-20]**

SIGN, FACADE — The sign fastened to or painted on the wall of a building or structure in such a manner that the wall becomes the supporting structure for, or forms the background surface of, the sign and that does not project more than 12 inches from such building or structure. **[Added 11-5-2014 by Ord. No. 14-20]**

SIGN, FREESTANDING — Any nonmovable sign not affixed to a building. Freestanding signs include monument (ground) signs and pole (pylon) signs. **[Added 11-5-2014 by Ord. No. 14-20]**

SIGN HEIGHT — In the case of a freestanding sign, sign height is computed from grade level to the greatest height at any one point in the sign.

SIGN ILLUMINATION — A sign illuminated by or exposed to artificial lighting, either by lights on or in the sign or directed to the sign.

- (1) **EXTERNAL** — Illumination of a sign that is affected by an artificial source of light not contained within the sign itself.
- (2) **INTERNAL** — A light source that is concealed or contained within the sign and becomes visible in darkness through a translucent surface.
- (3) **INDIRECT** — A source of external illumination, located away from the sign that lights the sign, but is not itself visible to persons viewing the sign from the adjacent street, sidewalk or property.

SIGN, MENU — A sign associated with a drive-through eating establishment, which lists the foods and beverages available for sale, along with the price per item. Where menu signs are permitted, the name of the restaurant that the drive-through is connected may be included on the sign, as well as the logo.**[Added 11-5-2014 by Ord. No. 14-20]**

SIGN, MONUMENT — A freestanding sign, also known as a "ground sign," that is attached to the ground such that the entire bottom is in contact with the ground and is independent of any other structure.**[Added 11-5-2014 by Ord. No. 14-20]**

SIGN, MULTIPLE OCCUPANCY — Signs relating to a use or facility containing multiple occupancy and tenancy and displaying the various names, professions, and interests of the various tenants.**[Added 11-5-2014 by Ord. No. 14-20]**

SIGN, NONCONFORMING — A sign lawfully erected and maintained prior to the adoption of the current ordinance; that does not conform to the requirements of the current ordinance.³**[Added 11-5-2014 by Ord. No. 14-20]**

SIGN, PORTABLE — A sign not permanently anchored.

SIGN, TEMPORARY — A sign or advertising display designed or intended to be displayed for a limited period of time and that is not permanently affixed to a building, structure, or the ground.**[Added 11-5-2014 by Ord. No. 14-20]**

SIGN, WINDOW — A permanent sign that is painted or mounted onto a windowpane, or that is hung directly inside a window solely for the purpose or effect of identifying the premises from the sidewalk or street; or a temporary sign advertising special sales, events, or products.**[Added 11-5-2014 by Ord. No. 14-20]**

SITE PLAN — A development plan of one or more lots on which is shown the existing and proposed conditions of the lot, including but not necessarily limited to topography, vegetation, drainage, floodplains, marshes and waterways; the location of all existing and proposed buildings, drives, parking spaces, walkways, means of ingress and egress, drainage facilities, utility services, landscaping, structures and signs, lighting and screening devices; and other information that may be reasonably required in order to make an informed determination pursuant to Chapter 331, Subdivision of Land and Site Plan Review, of the Code of the Borough of Runnemede requiring review and approval of site plans by the Joint Planning/Zoning Board of Adjustment of the Borough of Runnemede.

STANDARDS OF PERFORMANCE — Standards regulating noise levels, glare, earthborne or sonic vibrations, heat, electronic or atomic radiation, noxious odors, toxic matters, explosive and flammable matters, smoke and airborne particles, waste discharge, screening of unsightly objects

3. Editor's Note: See § 395-18, Signs, for the current sign regulations.

or conditions and such other similar matters as regulated by applicable federal and state laws or municipal ordinances.

STORY — That part of a building between the surface of any floor and the next floor above it or, in its absence, then the finished ceiling or roof above it. A split-level story shall be considered a second story if its floor level is six feet or more.

STREET — Any street, avenue, boulevard, road, parkway, viaduct, drive or other way which is an existing state, county or municipal roadway, or which is shown upon a plat heretofore approved pursuant to law, or which is approved by official action as provided by Chapter 291 of the Laws of New Jersey 1975,⁴ or which is shown on a plat duly filed and recorded in the office of the county recording officer prior to the appointment of a Joint Planning/Zoning Board of Adjustment and the grant to such Board of the power to review plats, and includes the land between the street lines, whether improved or unimproved, and may comprise pavement, shoulders, gutters, curbs, sidewalks, parking areas and other areas within the street lines.

STREET OR PROPERTY LINE — A street or road line is the right-of-way or property line of a street or road or other public thoroughfare, publicly or privately owned, as shown on the records of the Camden County Clerk's office or as otherwise legally established.

STRUCTURE — A combination of materials to form a construction for occupancy, use or ornamentation whether installed on, above or below the surface of a parcel of land.

SUBSTANCE ABUSE COUNSELING OR TREATMENT CENTER — Any facility that provides counseling, treatment and/or therapeutic program for recovering alcoholics and drug addicts. For the purpose of this definition, a substance abuse counseling or treatment center shall not provide food or shelter.**[Added 4-5-2005 by Ord. No. 05-04]**

TOWNHOUSE — Three or more attached houses in a row, with party walls.

USE — The purpose for which land or a building is arranged, designed or intended or for which purpose land or a building is or may be occupied or maintained.

- C. The present tense shall include the future; the singular shall include the plural, and the plural the singular; the word "shall" is always mandatory.

§ 395-5. Applicability of regulations.

- A. No building, structure or premises shall be used or occupied and no building or part thereof or other structure shall be erected, razed, moved, placed, reconstructed, extended, enlarged or altered except in conformity with the regulations herein specified for the district, as shown on the Official Map, in which it is located.⁵
- B. Conformity of buildings. No building, structure or premises shall be erected, altered or used so as to produce greater height, smaller yards or less unoccupied area, and no building shall be occupied by more families than prescribed for such buildings, structures or premises for the district in which it is located.
- C. Site development plans shall be required for all buildings and structures except single-family dwellings or for such accessory uses as private garages, toolhouses, gardens and private greenhouses, incidental to single-family dwellings. Site development plans shall not limit the requirements for

4. Editor's Note: See N.J.S.A. 40:55D et seq.

5. Editor's Note: The Zoning Map is on file in the Borough Zoning Office.

submission of subdivision plans for subdivision approval as otherwise provided in Chapter 331, Subdivision of Land and Site Plan Review, of the Code of the Borough of Runnemede.

§ 395-6. Residence R-1 District.

- A. Permitted buildings, structures and uses. In Residence R-1 Districts, only the following buildings, structures and uses are permitted unless otherwise authorized by the Joint Planning/Zoning Board of Adjustment:
- (1) A single-family dwelling and its customary accessory buildings and accessory uses.
 - (2) Any form of agriculture or horticulture for the private and personal use of the inhabitants of the property.
 - (3) The keeping of any commonly accepted household pets such as dogs, cats, canaries, parakeets, parrots, gold fish, tropical fish, hamsters, gerbils and small monkeys in limited numbers as personal private pets.
- B. Size of lots. No residence or dwelling shall be erected or constructed unless the lot contains at least 6,000 square feet and has frontage of at least 60 feet. If a lot is on the bulb of a cul-de-sac, frontage shall be measured at the setback line, except present existing lots having minimum frontage of 40 feet and a minimum area of 4,000 square feet. All preexisting lots that have residential structures built as of the date of January 1, 2021, and preexisting lots that are larger than 50% of the other lots on the street shall be exempt from this requirement. **[Amended 3-2-2021 by Ord. No. 21-02]**
- C. Building area and minimum foundation and living area.
- (1) The maximum percent of lot coverage, including all buildings, shall not exceed 35% of the total area of the lot.
 - (2) Every dwelling house hereafter erected shall have a minimum floor area as follows:
 - (a) 900 square feet for a one-story dwelling.
 - (b) 1,400 square feet for dwellings of 1 1/2 stories, two stories or 2 1/2 stories.
- D. Height. The height of any building or structure shall be restricted to a maximum of 2 1/2 stories but shall not exceed 30 feet.
- E. Front yards.
- (1) In this residence district where 1/2 or more of the residence buildings situated on one side of the street between two intersecting streets conform to a minimum setback building line, no new building shall be erected and no existing building reconstructed or altered to project beyond such setback building line on the side of the street.
 - (2) In this residence district, where more than 1/2 of the residence buildings situated on one side of the street between intersecting streets do not conform to a minimum setback building line, no new building shall be erected and no existing building reconstructed or altered to project beyond the line of the building having the least setback on that side of the street or a building setback of 10 feet, whichever is greater.
 - (3) When no buildings exist within 100 feet on the same side of the street of the building to be erected, the setback building line shall be not less than 25 feet.

- (4) In the case of a corner lot, any building other than a garage or other outbuilding may be placed within 10 feet of the side street property line.
- F. Rear yards. There shall be a rear yard with a depth of not less than 25 feet.
- G. Side yards. There shall be two side yards, one on each side of every single detached dwelling, together having an aggregate width of not less than 14 feet but neither having a width less than seven feet.
- H. Private detached garages and other accessory buildings. No private detached garage or other accessory building exceeding 100 square feet in area shall be placed closer to a side or rear property line than five feet and should not be placed closer to the street line than 10 feet. Garages shall not exceed 18 feet in height. A one-car garage shall be limited to no larger than 400 square feet and 25 feet in size. In no instance shall there be an enclosed second story. Nothing herein shall prohibit the construction of a garage as part of or attached to the dwelling, in which event the side yard, rear yard, height and area requirements for the dwelling shall apply. **[Amended 3-5-1996 by Ord. No. 96-7; 11-7-2018 by Ord. No. 18-11; 7-11-2023 by Ord. No. 23-07]**

§ 395-7. Residence R-2 District.

- A. Permitted buildings, structures and uses. In Residence R-2 Districts, only the following buildings, structures and uses are permitted unless otherwise authorized by the Joint Planning/Zoning Board of Adjustment:
- (1) A single-family dwelling and its customary accessory buildings and accessory uses.
- B. Size of lots. No residence or dwelling shall be erected or constructed unless the lot contains at least 20,000 square feet and has frontage of at least 100 feet. If a lot is on the bulb of a cul-de-sac, frontage shall be measured at the setback line.
- C. Building area and minimum foundation and living area.
- (1) The maximum percent of lot coverage, including all buildings, shall not exceed 25% of the total area of the lot.
- (2) Every dwelling hereafter erected shall have a minimum floor area of 1,200 square feet. A dwelling of more than one story shall have a minimum foundation area of 800 square feet.
- D. Height. The height of any building or structure shall be restricted to a maximum of 2 1/2 stories but shall not exceed 30 feet.
- E. Front yards.
- (1) In this residence district where 1/2 or more of the residence buildings situated on one side of the street between two intersecting streets conform to a minimum setback building line, no new building shall be erected and no existing building reconstructed or altered to project beyond such setback building line on the side of the street.
- (2) In this residence district, where more than 1/2 of the residence buildings situated on one side of the street between two intersecting streets do not conform to a minimum setback building line, no new building shall be erected and no existing building reconstructed or altered to project beyond the line of the building having the least setback on that side of the street or a building setback of 30 feet, whichever is greater.
- (3) When no building exists within 100 feet on the same side of the street of the building to be

erected, the setback building line shall not be less than 30 feet.

- (4) In the case of a corner lot, any building other than a garage or other outbuilding may be placed to within 10 feet of the side street property line.
- F. Rear yards. The minimum depth of the rear yard shall be 20% of the depth of a lot but not less than 40 feet from the rear wall of the building or any appurtenance attached thereto.
- G. Side yards. There shall be two side yards with a total of not less than 30 feet. The width of the least side yard shall be not less than 1/3 of the width of the two side yards.
- H. Private detached garages and other accessory buildings. A private detached garage or other accessory building may be erected in any rear yard, provided that such structure and every part thereof is located at least 80 feet from the front property line. No private detached garage or other accessory building exceeding 100 square feet in area shall be placed closer to a side or rear property line than five feet. In an event of a corner lot, no part of any private detached garage or accessory building shall be closer to the side street property line than 45 feet. Garages shall not exceed 18 feet in height. A one-car garage shall be limited to no larger than 30 feet by 24 feet in size. In no instance shall there be an enclosed second story. Nothing herein shall prohibit the construction of a garage as part of or attached to the dwelling, in which event the side yard, rear yard, height and area requirements for the dwelling shall apply. [Amended 3-5-1996 by Ord. No. 96-7; 9-3-2019 by Ord. No. 19-11]

§ 395-8. Residence R-3 District. [Amended 3-5-1996 by Ord. No. 96-7; 4-5-2005 by Ord. No. 05-03; 3-2-2010 by Ord. No. 10-04; 4-5-2011 by Ord. No. 11-02]

- A. Purpose. The purpose of the R-3 Zoning District is to provide medium-density residential areas on the periphery of the R-1 Residential District areas and to promote creative subdivision design that balances residential development with common open space. It is the intent of the R-3 District to encourage clustered single-family and townhouse development types, but also to acknowledge and permit existing multifamily developments within the zone.
- B. Permitted principal buildings, structures and uses. Within Residence R-3 District, only the following buildings, structures and uses are permitted:
- (1) Single-family detached dwellings.
 - (2) Semidetached dwellings (duplexes).
 - (3) Townhouses.
 - (4) Municipal buildings, structures and uses owned or operated by Runnemede Borough.
 - (5) Outdoor public or nonprofit recreation, athletic fields, conservation areas, and parks.
- C. Conditionally permitted uses. Within the R-3 Residential District the following uses are permitted conditional uses:
- (1) Continuing-care retirement units in accordance with the standards set forth in § 395-24C(1), including:
 - (a) Assisted living residences;
 - (b) Nursing units;

- (c) Long-term care units; and
 - (d) Congregate care/independent age-restricted units.
- D. Accessory uses. Accessory uses must be incidental to the primary use.
- (1) Accessory buildings may not be located within the front yard area. Corner lots have two front yards.
 - (2) Accessory buildings equal to or less than 200 square feet in area must be set back a minimum of five feet from side and rear property lines. Accessory structures larger than 200 square feet must meet the set backs required for principal structures.
 - (3) The maximum height for accessory structures is 15 feet. Enclosed second stories are not permitted.
 - (4) The following accessory uses are permitted:
 - (a) Detached garage.
 - [1] Maximum area is 720 square feet (30 feet by 24 feet).
 - [2] The garage shall be set back a minimum of 60 feet from front property line.
 - (b) Sheds. No more than two sheds are permitted on a residential lot.
 - (c) Fences and walls, not exceeding three feet (36 inches) in height in the front yard and six feet in the rear yards.
 - (d) Residential swimming pools, in accordance with Borough requirements.
 - (e) Stormwater management facilities, as regulated by the Borough Code.
- E. Bulk and Area Regulations for the R-3 Zoning District. **[Amended 8-6-2014 by Ord. No. 14-17]**
- (1) The maximum permitted density is three residential units per gross acre.
 - (2) The base minimum lot size is 8,000 square feet per residential unit.
 - (3) Minimum lot size for stormwater management lots or open space lots is 20,000 square feet.
 - (4) Table of Performance Regulations.

	Minor Subdivision, Existing Residential Lots and Conventional Subdivision	Twin/Duplex Units	Townhouse Units
Maximum density	3 du/gross acre ¹	3 du/gross acre	3 du/gross acre
Minimum lot size	8,000 square feet	3,500 square feet per unit	2,000 square feet

	Minor Subdivision, Existing Residential Lots and Conventional Subdivision	Twin/Duplex Units	Townhouse Units
Minimum open space area	n/a	25% of gross tract area	35% of gross tract area
Minimum lot width	80 feet ²	35 feet	20 feet inside 30 feet end unit
Minimum lot depth	100 feet	100 feet	100 feet
Minimum front yard setback ³			
Local roads	30 feet	20 feet	20 feet
County road	40 feet	40 feet	40 feet
Minimum side yard setback	30 feet aggregate Minimum 10 feet each side	0 feet when attached Minimum 10 feet outside	0 feet when attached 10 feet for end unit
Minimum rear yard setback	30 feet	30 feet	30 feet
Maximum impervious coverage On each lot	0.35	0.50	0.50
Maximum height	2 1/2 stories or 30 feet	2 1/2 stories or 35 feet	35 feet
Minimum floor area	1,200 square feet	1,200 square feet	1,000 square feet
Maximum building length	n/a	n/a	120 feet
Minimum distance between 2 freestanding buildings	n/a	20 feet	20 feet

NOTES:

¹ "du/gross acre" means dwelling units per gross acre.

² Width for lots on a cul-de-sac may be measured at the building setback line.

³ For existing residential units see § 395-8G.

F. Design standards for residential development. [Added 8-6-2014 by Ord. No. 14-17⁶]

- (1) The purpose of providing for the development of twin or townhouse units in the R3 Zone is to provide flexibility and a variety of housing types and to encourage a subdivision design approach that considers the environmental and physical attributes of a site, the site's relationship to the surrounding area, and the most desirable and appropriate locations for home sites. The allowance for single-family homes, twin/duplex units, and townhouse units on relatively small lots enables planned residential development that will balance developed areas with the protection of wooded and environmentally sensitive areas on a site. The cluster provisions allow residential developments to be constructed at a lower cost per dwelling for streets, utilities and other site improvements, while also providing recreational opportunities that are appropriate to the needs of and convenient to the residents of the Borough. The cluster provisions may reduce the amount of clearing, grading, and construction disturbance resulting from subdivisions and increase the quantity and quality of open spaces, providing a desirable residential environment through creative development techniques and design arrangements.
- (2) Conservation or open space areas should be centrally located and adjoin as many residential lots as practical in order to increase the value of the lots and provide for the enjoyment of open space by as many residents as possible. A conservation or recreation easement restriction shall be placed on open space areas to ensure that the land will be preserved in perpetuity.
- (3) All open space areas must have a minimum street frontage of 100 feet to ensure access for residents of the development and for maintenance.
- (4) In order to ensure variety among single-family residential dwellings, houses on the same side of the street must be substantially different in appearance than other dwellings within two lots from it. On a cul-de-sac, any lot on the cul-de-sac is considered to be on the same side of the street. All major subdivisions for single-family homes must provide a minimum of three basic house designs with exterior variations possible for each one.
- (5) For all residential units variations in rooflines, heights, projections, and exterior building materials shall be incorporated to distinguish the residential units and add interest.
- (6) The architecture of units with frontage on two streets shall respond to both streets, with architectural details, windows and other elements that respond to the street frontage.
- (7) For townhouses, if trash and recyclables will be stored in common areas, then a trash enclosure shall be provided with sufficient space for trash and recyclable materials. The enclosure must be constructed of masonry with facade materials to match the buildings, must be a minimum of six feet high, and surrounded by a landscape buffer on three sides. A pedestrian entrance to the enclosure must be provided so the gates are not frequently left open.
- (8) Each townhouse unit must have a garage with sufficient space for a vehicle and for storage of trash and recycling containers (if applicable) and other incidental personal items such as bicycles. A deed restriction must prohibit the conversion of the garage to living space.
- (9) Rear yard decks may encroach into the required rear yard by a maximum of 10 feet. For example, if the required rear yard is 30 feet, then an attached deck may be set back a minimum of 20 feet.
- (10) Rear yard fencing must be consistent in style and color among all residential units in a twin/duplex or townhouse development.

6. Editor's Note: This ordinance also provided for the redesignation of former Subsection F as Subsection G.

- (11) For townhouses, in addition to RSIS parking requirements for the residential units, a shared parking area or on street parking for guests to accommodate a minimum of 0.3 vehicle per residential unit shall be provided.

G. Exceptions for existing nonconforming lots.

- (1) Lots that have been previously subdivided (via minor subdivision or final major subdivision) and that have been filed and recorded at the County Clerk's office prior to the effective date of this section, and lots that have been approved and developed with multifamily residential units prior to the effective date of this section, and that were compliant with the zoning requirements prior to the effective date of this section may continue to exist as a conforming lot or use.
- (2) For existing dwellings in the R-3 District, or for individual infill lots in the R-3 District, the front yard requirements are as follows:
 - (a) Where half or more of the residential buildings situated on one side of the street between two intersecting streets conform to a minimum setback building line, no new building shall be erected and no existing building reconstructed or altered to project beyond such setback building line on the side of the street.
 - (b) Where more than half of the residence buildings situated on one side of the street between two intersecting streets do not conform to a minimum setback building line, no new building shall be erected and no existing building reconstructed or altered to project beyond the line of the building having the least setback on that side of the street or a building setback of 30 feet, whichever is greater.

§ 395-9. Commercial C District.

A. Permitted buildings, structures and uses. Only the following shall be permitted: **[Amended 9-2-1980 by Ord. No. 371; 12-4-1990 by Ord. No. 90-15; 8-26-2014 by Ord. No. 14-02]**

- (1) Shopping centers.
- (2) Department stores.
- (3) Medical and dental offices.
- (4) Business offices.
- (5) Offices of government agencies.
- (6) Retail stores.
- (7) Banks (including drive-through lanes).
- (8) Day-care facilities.
- (9) General personal and business services.
- (10) Funeral parlor.
- (11) Theater.
- (12) Grocery and supermarket.

- (13) Bakery and deli.
- (14) Private educational facilities, such as dance instruction or martial arts.
- (15) Restaurants and taverns, not including fast-food, drive-in or drive-through.
- B. Conditionally permitted uses. The following uses are permitted only in accordance with the requirements of § 395-24: **[Added 8-26-2014 by Ord. No. 14-02⁷]**
 - (1) Outdoor dining in accordance with the requirements of § 395-24C(2).
 - (2) Fast food restaurants without drive-through or window facilities in accordance with the requirements of § 395-24C(3).
 - (3) Fast food restaurants with drive-through or window facilities in accordance with the requirements of § 395-24C(4).
 - (4) Wholesale merchandise or servicing shall only be permitted if it is incidental and subordinate to a primarily retail business.
- C. Height. The maximum height of a building shall be 50 feet or four stories whichever is less. **[Amended 4-5-2005 by Ord. No. 05-03]**
- D. Minimum lot frontage; front yard setback. **[Amended 4-5-2005 by Ord. No. 05-03; 3-2-2010 by Ord. No. 10-04]**
 - (1) Minimum lot frontage required is 60 feet.
 - (2) Front yard setback. No new building shall be erected and no existing building reconstructed or altered to project beyond the setback line established by the adjacent buildings presently most distant from the street or within 10 feet of the property line, whichever is greater.
- E. Rear yards. The rear yard setback shall be 10 feet unless the building or portion of the building is used for residential purposes, then the required rear yard setback shall be 20 feet. **[Amended 4-5-2005 by Ord. No. 05-03]**
- F. Side yards. For buildings designed partly for commercial purposes or for other nondwelling purposes, the requirements as specified in § 395-10G of this chapter shall apply.
- G. Buffer area requirements.
 - (1) A landscaped buffer area 20 feet in depth shall be established along any residential zone boundary which coincides with a business, except that, if by reason of topography or tree growth or other natural or man-made features the Joint Planning/Zoning Board of Adjustment determines that adequate year-round separation of residential and business uses exists, the Joint Planning/Zoning Board of Adjustment may waive the buffer area requirement.
 - (2) Buffer areas shall consist of a lawn or ground cover area and massed evergreen trees and shrubs planted in a manner that will provide a continuous visual screen throughout the entire year within a period of two full growing seasons following the planting of the buffer.
 - (3) Evergreen and deciduous shrubs shall have a minimum height of three feet when planted and shall be of varieties which normally grow to a minimum height of six feet within two growing

7. Editor's Note: This ordinance also provided for the renumbering for former Subsections B through H as Subsections C through I.

seasons.

- H. Minimum lot size. The minimum lot size shall be 6,000 square feet. **[Added 4-5-2005 by Ord. No. 05-03]**
- I. Maximum impervious coverage. The maximum impervious coverage of the lot shall be 50%. **[Added 4-5-2005 by Ord. No. 05-03]**

§ 395-10. General Office GO District.

- A. Permitted buildings, structures and uses. In General Office GO Districts, the following buildings, structures and uses are permitted: **[Amended 4-5-2005 by Ord. No. 05-03]**
 - (1) General office uses for professional and commercial offices. The office use must be 75% of the total floor area.
- B. Size of lots. No structures shall be erected or constructed unless the lot contains at least 10,000 square feet and has frontage of at least 80 feet.
- C. Building area and maximum floor area ratio.
 - (1) The maximum percent of lot coverage, including all buildings, shall not exceed 35%.
 - (2) In multistory structures, the maximum floor area ratio shall not exceed 80% of the lot area.
 - (3) The minimum floor area of any structure shall be 1,200 square feet.
- D. Height. The height of any building or structure shall be restricted to a maximum of four stories, but not to exceed 50 feet.
- E. Front yards. In no case shall any building or any part thereof be erected within 25 feet from any property line.
- F. Rear yards. The minimum depth of the rear yard shall not be less than 25 feet.
- G. Side yards. There shall be two side yards with a total of not less than 30 feet. The width of the least side yard shall not be less than 1/3 of the total of the two side yards.
- H. Buffer area requirement. Buffer areas shall be as specified for the Commercial C District in § 395-9F(1).

§ 395-11. Special Economic Development SED District.

- A. Permitted buildings, structures and uses. In the Special Economic Development SED Districts, the following buildings, structures and uses are permitted:
 - (1) Offices for executive or administrative purposes.
 - (2) Scientific or research laboratories.
 - (3) Professional offices, such as medical, dental and professional services.
 - (4) Computer and electric services and rental.
 - (5) Bulk commerce, light industry and other industrial uses including a public garage, automotive

repair shop or fender repair shop, steel and metal fabrication shop, lumberyard, machine shop, laundry, newspaper or job printing building, material establishment, except those which by reason of odor, noise, dust, smoke or use of flammable materials might constitute a nuisance or danger to life and property.

- (6) Warehouse and wholesale trade.
 - (7) Substance abuse counseling or treatment center. **[Added 4-5-2005 by Ord. No. 05-04]**
 - (8) Used automobile businesses.⁸
- B. Size of lots. No structure shall be erected or constructed unless the lot contains at least 20,000 square feet and has frontage of at least 100 feet.
- C. Building area and maximum floor area ratio.
- (1) The maximum percentage of lot coverage of all buildings, including accessory buildings, shall not exceed 35%.
 - (2) The maximum floor area ratio, including accessory buildings, shall not exceed 70% of the lot area.
- D. Height. The maximum height of buildings shall not exceed four stories or 50 feet.
- E. Front yard. There shall be a front yard of 40 feet.
- F. Rear yard. The minimum depth of the rear yard shall be 40 feet.
- G. Side yard. There shall be two side yards with a total of not less than 40 feet. The width of the least side yard shall be not less than 20 feet.
- H. Permitted conditional uses.
- (1) Gasoline filling stations subject to the following standards and requirements:
 - (a) A set of plans, specifications and site plans shall be filed with the Joint Planning/Zoning Board of Adjustment showing in detail the exact location of such filling station, the number of gasoline storage tanks to be installed, the dimensions and capacities of each tank, the depth at which the tanks will be placed below ground, the number of pumps to be installed, the type of structure and accessory buildings to be constructed, the number of automobiles to be garaged and a description of the nature and extent of the proposed use.
 - (b) Minimum lot size shall be 20,000 square feet, and minimum lot width shall be 100 feet.
 - (c) No filling station shall be located within 500 feet of any school, hospital, church or library.
 - (d) No application for a license shall be approved unless all filling pumps and structures are located a minimum of 25 feet from any street line and side and rear property lines and a minimum of 50 feet from the boundary of any residential zone.
 - (e) No building shall be erected unless the same shall be constructed with masonry walls and fire-resistive roof covering.

8. Editor's Note: Added at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

- (f) Electric motors and other spark-emitting devices, when provided, shall be installed in a well-ventilated room where no flammable liquids are stored or handled unless such devices are approved by the Chief of the Fire Department for use in explosive atmosphere.
 - (g) Drainage from crank cases shall be kept in suitable closed metal containers, and an oil interceptor shall be provided subject to the approval of applicable Borough agents. Where flammable liquids are kept, used or handled, provision for or use of dry sand, ashes, chemical extinguishing devices or materials shall be directed by the Fire Department. A reasonable quantity of loose noncombustible absorbents such as sand or ashes shall be kept convenient for use in case of leakage or overflow.
 - (h) All lubrication, repair, painting or similar activities shall be performed within a completely enclosed building.
 - (i) Parking or storage of motor vehicles of any type, except where incidental to purchase of gasoline, authorized repair work or temporary parking or storage of motor vehicles, is prohibited, provided that in no event shall any damaged, wrecked or dismantled vehicle, junk or trailer be kept on the premises for a period exceeding seven days, and further, in no case shall more than five vehicles awaiting repair and service be stored overnight at the premises.
 - (j) No vehicle shall be displayed for sale on the premises.
 - (k) No damaged, wrecked or dismantled vehicle, junk or trailer shall be allowed to remain in the open on the premises but must be kept completely within a building or behind a screen of a minimum of six feet in height of a sealed chain-link type so as not to be visible from the street fronting the premises or from any adjoining property.
- I. Buffer area requirement. Buffer areas shall be as specified for the Commercial C District in § 395-9F(1).

§ 395-12. Limited Access Highway Proximity District. [Added 12-5-2006 by Ord. No. 06-25; amended 3-2-2010 by Ord. No. 10-04]

- A. Purpose. It is the purpose of this district to provide a zoning district which shall provide for the usability of certain lands within the Borough which border limited access highways and have been impacted by the proximity of said highways rendering them of limited usability and permit uses to which said impacted areas may be switched.
- B. Limited Access Proximity District. There is hereby created a Limited Access Highway Proximity District which shall be comprised of lands within the Borough of Runnemede which border upon New Jersey Route 42 , I-295 and the New Jersey Turnpike and extend a distance of 100 feet from the respective rights-of-way of said highways.
- C. Permitted uses. Uses permitted by right in the Limited Access Highway Proximity District are as follows:
 - (1) Outdoor recreational uses and passive or active open space use;
 - (2) Borough governmental buildings and governmental operations and other associated functions in furtherance of the health and welfare of the general public; and
 - (3) Highway billboards.

- D. There shall be no minimum area and bulk regulations applicable in this district; however, highway billboards must conform to the sign regulations set forth in this section.
- (1) No billboards shall be erected in any district except in the Limited Access Highway Proximity District and as permitted in said district.
 - (2) Height. No freestanding sign shall exceed the maximum height of 15 feet except for billboards in the Limited Access Highway Proximity District and no attached sign shall be higher at any point than the roofline of the building. In addition, no attached sign shall project into or hang over a street right-of-way and no sign shall project beyond a building in a manner placing it above an area traversed by motor vehicles such as, but not limited to, driveway and parking areas.
- E. Permitted signs. Limited Access Highway Proximity District.
- (1) No billboard sign face shall have a maximum square footage in excess of 1,000 square feet;
 - (2) No billboard sign shall be higher than is necessary to provide full visibility to the main traveled way of the limited access highway;
 - (3) No billboard sign shall be constructed on or adjoined to any other building or structure. All billboards shall be supported by a single pole affixed to or embedded into the ground;
 - (4) The area surrounding the base of the billboard signs shall be suitably landscaped as directed by the Runnemede Joint Planning/Zoning Board of Adjustment in the site plan process;
 - (5) No portion of any billboard sign shall be located within 200 feet of any residential use within the Borough of Runnemede;
 - (6) The distance from any billboard sign to any other billboard sign shall be as provided by the State of New Jersey, but in no case closer to one another than 500 feet;
 - (7) The lighting of said billboards shall conform to New Jersey and federal sign regulations;
 - (8) All billboard signs shall conform to all state and federal rules governing billboards, including the requirement for an off-site premises sign permit.

§ 395-12.1. Public/Quasi-Public Lands District. [Added 12-30-2014 by Ord. No. 14-24]

- A. Purpose. The purpose of the Public/Quasi-Public Lands District (P) is to identify lands owned and managed by governmental and public educational bodies for a public purpose within the Borough as well as recognize the existence of public utility facilities and structures that may be privately owned, but which are regulated by the state and provide a necessary service to the public.
- B. Permitted principal uses. In the Public/Quasi-Public Lands District, no lot shall be used and no structure shall be erected, altered, or occupied for any purpose except the following:
- (1) Municipal and other governmental buildings.
 - (2) Municipal and other governmental parks, playgrounds, recreation fields, conservation land, and other passive and active open space.
 - (3) Government owned and operated college, elementary, secondary or nursery school, administrative office, or other educational institution (does not include a business or trade

school, dance studio, or similar use for profit).

- (4) Government owned and operated libraries.
- (5) Government owned and operated museums.
- (6) Government owned and maintained rights-of-ways.
- (7) Public utilities such as: electrical substations and equipment, pumping stations, metering stations, water tanks, etc.
- (8) Railroad facilities.
- (9) Government owned and operated stormwater management facilities.

C. Permitted accessory uses.

- (1) Fences, hedges, and walls.
- (2) Off-street parking.
- (3) Playground and recreation equipment.
- (4) Refuse and recycling storage facilities to serve the use on site.
- (5) Storage sheds.
- (6) Signs.
- (7) Sidewalks and walkways.
- (8) Solar energy facilities to serve the use on site.

§ 395-13. Off-street parking and parking lot requirements.

A. Commercial parking lot requirements. Parking lots for the parking of passenger vehicles only, together with entrance and exit rights-of-way, shall be subject to the conditions, regulations and restrictions hereinafter set forth:

- (1) There shall be no repair work or servicing of motor vehicles, and no sales, dead storage or dismantling of any kind, as they are parked on any such parking lots.
- (2) Each parking lot shall be graded, paved and properly drained and shall be so maintained at all times.
- (3) No parking shall be permitted nearer than 20 feet to the property line of any front street or public right-of-way and eight feet to the property line of any side street or public right-of-way.
- (4) No advertising sign or material is to be located in any such parking lots except of a warning, directional and regulatory type and shall be posted in a manner so that the top thereof shall be no more than five feet from the ground level.
- (5) Lighting.
 - (a) Parking lots must be lighted. The standards should be functional and attractive, highlighting buildings, leaving no dark areas on parking lots or around buildings.

- (b) No glare, direct or reflected, shall be allowed to impair the vision of drivers or pedestrians on the parking lot or on adjoining properties, streets and walkways.
 - (c) Parking light standards should be no higher than the maximum allowed building height, casting light down in cone of approximately 135°. Fixtures should be shielded, if necessary, to protect adjacent properties.
 - (d) In the event of hilly or uneven ground, standards may be lowered to prevent overflow of light. Maximum footcandle power should be 1.0 at the property line.
 - (e) Applicants must have a drawing or plan when applying for a variance.
- (6) Any such parking lot is to be adequately screened from adjoining property in a residential district by a hedge or sightly fence or wall not less than three feet high and not more than five feet high, and any screening shall be set back at least five feet from the property line. Along any such lot, adequate bumper guards or other appropriate and adequate stopping devices strong enough to stop motor vehicles traveling at reasonable speeds shall be installed.
- (7) Each and every parking lot established under this section shall have appropriate caution signs and warning devices, and at each point of ingress and egress, two feet within the property line, there shall be erected a stop sign, together with a raised crown across the right-of-way. Said signs shall be similar to the caution and directional signs used by the Borough of Runnemede on the thoroughfares of said Borough and shall be approved by the Zoning Officer of the Borough of Runnemede.
- (8) Prior to the establishment of a parking lot under this section, plans and specifications for said parking lot showing drainage, surfacing, location of directional stop signs, location and specifications for screening and bumper stops, together with any and all requirements of this section, shall be submitted to the Zoning Officer of the Borough of Runnemede for his approval in accordance with this section. No such parking lot shall operate until first having received a use permit from the Zoning Officer of the Borough of Runnemede.

B. Minimum space requirements for off-street parking.

- (1) Minimum space requirements for off-street parking shall be as follows:
- (a) Residence R-1 District: 1 1/2 space per dwelling unit.
 - (b) Residence R-2 District: two spaces per dwelling unit.
 - (c) Residence R-3 District: two spaces per dwelling unit.
 - (d) Commercial:
 - [1] Retail use: one off-street parking space for each 400 square feet of floor space.
 - [2] Offices: one off-street parking space for each 300 square feet of floor space.
 - [3] Theaters and auditoriums: one off-street parking space for each four seats or equivalent accommodations.
 - (e) Special Economic Development SED District:
 - [1] Offices: one off-street parking space for each 300 square feet of floor space.

- [2] Research laboratory: one space for each 600 square feet of floor space.
- [3] Industrial: two spaces for each three employees on the maximum work shift or one space for each 600 square feet of floor space, whichever is greater.
- (2) If there is more than one lot, the parking spaces required shall be the total required for each use, unless it is demonstrated to the Joint Planning/Zoning Board of Adjustment that the uses will not be concurrent.
- (3) These off-street parking requirements can be waived by the Joint Planning/Zoning Board of Adjustment in the C and GO Districts if it is demonstrated that adequate public off-street parking exists within 600 feet of the proposed use or it is felt by the Joint Planning/Zoning Board of Adjustment that additional access driveways to the proposed use will be a detriment to the public safety.

§ 395-14. Loading areas.

- A. Required loading spaces. Off-street commercial and industrial loading areas shall be provided so as to permit the transfer of goods in other than a public right-of-way. A "loading unit" is hereby defined as a space 12 feet in width, 30 feet in length and 14 feet in height, and the number of such spaces to be provided for each commercial or industrial uses shall be as follows:

Total Floor Area (square feet)	Number of Spaces
5,000 to 10,000	1
10,000 to 25,000	2
25,000 to 40,000	3
40,000 to 60,000	4
Each additional 50,000 or portion thereof	1 additional

- B. Location.

- (1) In the Commercial C District, loading spaces shall be provided on the same lot as the principal use and in other than a front yard space.
- (2) In the Special Economic Development District, loading areas may be located in any yard area but not within 30 feet of a public street or residential apartment lot line.

§ 395-15. Fences, hedges and walls. [Amended 10-4-1994 by Ord. No. 94-8; 9-5-2000 by Ord. No. 00-11]

- A. Permitted fences, hedges, and walls. Fences, hedges and/or walls may be erected, altered or reconstructed in any district subject to the following regulations and limitations:
- (1) To a height of eight feet for municipal government use and in the Special Economic Development (SED) District.
 - (2) To a height of six feet in any other district.
 - (3) Barbed wire, razor wire or other electrified, sharp or hazardous points are prohibited on the top

or on any other portion of a fence.

- (4) No person shall erect any fence with a height greater than six feet without first obtaining a permit from the Construction Code Official. **[Amended 12-30-2013 by Ord. No. 13-22]**
 - (5) No person shall erect a fence with a height of six feet or less without first obtaining a permit from the Zoning Officer. Any person wishing to erect a fence of six feet or less shall be required to submit a survey with their zoning application. Fences placed adjacent to the sidewalk shall be installed no closer than two feet from the edge of the sidewalk. A zoning permit shall be required whether a fence is installed in a new location or replacing an existing fence. Replacing an existing fence shall be defined as replacing more than 25% of an existing fence within any twelve-month period. The costs of the application and zoning permit shall total \$65. **[Added 12-30-2013 by Ord. No. 13-22; amended 10-24-2017 by Ord. No. 17-15]**
 - (6) No person shall install any concrete driveway, private sidewalk, steps, porch, patio, or any other flat concrete work not required to obtain a permit under the New Jersey Uniform Construction Code without first obtaining a permit from the Zoning Officer. A permit is required whether the installation is at a new location or replacing an existing installation. The cost of the application and permit for the installation of a private sidewalk and steps shall total \$25. The cost of the application and permit for the installation of a porch, patio, or any other flat concrete work not required to obtain a permit under the New Jersey Uniform Construction Code shall total \$50. **[Added 12-30-2013 by Ord. No. 13-22]**
- B. Front yard fences are those which project past the required or existing front yard line of the building as determined by the Construction Code Official. These fences shall not exceed 48 inches in height and shall be of chain link or other see-through construction. Stockade-type fences are not permitted in any front yard area.
 - C. Fences and hedges at intersecting streets. A corner lot shall comply with fence regulations for front yard areas outlined in Subsection B above, on each property line and yard adjacent to a street.
 - D. Placement of fence. A fence in any district shall have its most pleasant or decorative side facing the adjacent lot. The pleasant or decorative side of a fence may face an applicant's yard where such fence will be adjacent to a preexisting opaque fence or screening of the same height or higher on the adjoining property.
 - E. Vehicular vision. The owner or tenants of land shall keep all shrubbery, hedges and other plant life, existing within 10 feet of any roadway and within 25 feet of the intersection of two roadways, cut to a height of not more than 2 1/2 feet where it shall be necessary and expedient for the preservation of the public safety. If such violation occurs, the owner or tenant shall be given written notice advising that cutting must be done within 10 days of notice. If the owner or tenant fails to cut the same within the time required, the Borough may cut such shrubbery, hedges or plant life and so shall certify same. Such cutting costs shall be charged against the lands of the owner and become a lien upon such lands and shall be assessed and levied upon the lands as other taxes, with the same rights of collection and enforcement as in the collection of taxes.
 - F. Erection within property lines; encroachment. All fences, hedges, walls, shrubbery or other structures must be erected within the property lines, and no fence, hedge, wall, shrubbery or other structure, shall be erected so as to encroach upon a public right-of-way.
 - G. Maintenance. All fences, hedges, walls, shrubbery or other structures shall be maintained in a safe, sound and upright condition.

- H. Unsafe fences and walls. If the Construction Code Official, upon inspection, determines that any fence, wall or other structure, or any portion thereof, is not being maintained in a safe, sound or upright condition, he shall notify the owner of his findings in writing, stating briefly the reasons for such findings, and order such fence, wall, other structure, or portion thereof, repaired or removed within seven days of the date of the written notice.

§ 395-16. Adult entertainment and places of amusement.

- A. Statement of policy. In the development and execution of this chapter, it is recognized that there are some uses which, because of their very nature, are recognized as having serious objectionable operational characteristics, particularly when several of them are concentrated under circumstances having a deleterious effect upon the adjacent areas. Special regulation of these uses is necessary to ensure that these adverse effects will not contribute to the blighting or downgrading of the surrounding neighborhood.

- B. Definitions. As used in this section, the following terms shall have the meanings indicated:

ADULT BOOKSTORE — An establishment having as a substantial or significant portion of its stock-in-trade books, magazines, other periodicals, films and other viewing materials which are distinguished or characterized by their emphasis on matters depicting, describing or relating to specified sexual activities, sexual conduct or specified anatomical areas, or an establishment with a segment or section of the premises devoted to the sale, rental or display of such material.

ADULT THEATER — An enclosed building or any part thereof, or any area used for presenting a live show, demonstration or activity distinguished or characterized by an emphasis on matters revealing or relating to specified anatomical areas, sexual conduct or specified sexual activities for observations for patrons therein.

MOTION PICTURE — Film or films, continuous slides or pictures of any nature in which any person is shown, depicted or revealed in any act of sexual or sadomasochistic activity.

SADOMASOCHISTIC ACTIVITY — Flagellation or torture by or upon a human being who is nude or clad in undergarments or in revealing or bizarre costumes or the condition of one who is nude or so clothed and is being fettered, bound or otherwise physically restrained.

SEXUAL CONDUCT OR ACTIVITY — Human masturbation, sexual intercourse or any touching of the genitals, pubic areas or buttocks of the human male or female or the breasts of the female, whether alone or between members of the same or opposite sex or between humans and animals in an act of apparent sexual stimulation or gratification, whether all the activities or conduct described above are real or simulated.

SPECIFIED ANATOMICAL AREA — Less than completely and opaquely covered human genitals, pubic region, buttock or female breast below a point immediately above the top of the areola or human genitals in a discernibly turgid state, even if covered.

SPECIFIED SEXUAL ACTIVITY — Human genitals in a state of sexual stimulation or arousal; any act of human masturbation, sexual intercourse or sodomy; or fondling or other erotic touching of human genitals, pubic region, buttock or female breasts.

- C. Adult bookstores, adult motion-picture theaters, adult theaters, poolrooms, billiard parlors and coin-operated amusement centers are hereby deemed to be regulated uses.
- D. No such regulated uses may be located within 1,000 feet of any other regulated use nor within a residentially zoned area or 1,000 feet of the boundaries thereof as such are shown on the map

accompanying this chapter and made a part thereof and entitled "Zoning Map of Runnemede, New Jersey."^{9,10}

§ 395-17. Used automobile businesses. [Amended 4-5-1988 by Ord. No. 88-5; 3-2-2010 by Ord. No. 10-04; 9-4-2001 by Ord. No. 01-15; 8-7-2024 by Ord. No. 24-17]

- A. Definitions. For the purpose of this section, the following words and terms when hereinafter used shall have the meanings ascribed to them as follows:

HIS — Includes "their," "her" or "its."

PERSON — Includes any individual, firm, partnership, corporation, receiver, trustee, executor and administrator.

USED MOTOR VEHICLE and USED MOTOR VEHICLE DEALER — Shall have the same meanings as those given in N.J.S.A. 39:10-2, which statute is a part of the Motor Vehicle Certificate of Ownership Law.

- B. A used car business shall be considered and treated as one business if such business is conducted on two separate but contiguous lots or in buildings on two separate but contiguous lots, and it shall also be considered as one business even though it is conducted on two separate noncontiguous lots or in buildings which are located on two noncontiguous lots, provided that the boundaries of any part of such lots, or of lots having buildings thereon, on or in which such a business is conducted, are not separated by more than 100 feet, and also provided that only one office or headquarters controls, operates and manages the entire business and that it is one operation. The application for a license, as hereinafter provided, shall include the description of the entire area or areas on or in which such business is to be conducted, and one license shall be issued for the entire operation.
- C. No person shall hereafter conduct or engage in the business of selling used motor vehicles on any lot or inside of any building in the Borough of Runnemede without first obtaining a municipal license for such purpose. In order to obtain the license, as aforesaid, it shall be necessary for the person desiring to engage in the business aforesaid to file an application therefor with the Clerk of the Borough of Runnemede, which application shall contain the following information:
- (1) If the applicant is an individual trading in his own name, then his name and the place of his residence; if the applicant is a person trading under a trade name, then his name and the place of his residence and the trade name under which he does or intends to do business.
 - (2) If the applicant is a partnership, then the names and addresses of the respective partners and the trade name under which the partnership does or intends to do business.
 - (3) If the applicant is a foreign corporation, then the name of the state in which it is incorporated and a statement as to whether or not the corporation is licensed to do business in the State of New Jersey and the name of the registered agent and the names and places of residence of its officers and directors.
 - (4) If the applicant is a domestic corporation, then the name and address of its registered agent and the names and places of residence of its officers and directors.

9. Editor's Note: The Zoning Map is on file in the Borough Zoning Office.

10. Editor's Note: Original § 109-15E, regarding violations and penalties, which immediately followed this subsection, was deleted 3-2-2010 by Ord. No. 10-04. See now § 395-22, Violations and penalties.

- (5) If the business is to be conducted on an open lot, a description by distance or measurement of such lot intended to be used by the applicant in the conduct of such business.
- (6) The name and address of the corporate surety on the applicant's bond as required by Subsection E(3) of this section.
- (7) A plan or survey showing the existing or proposed entrance or entrances, exit or exits to the premises at or on which said business is to be conducted.
- (8) The size, location and description of any existing structure on such lot or any proposed structure which is to be constructed and maintained on any such lot and the location and description of the sanitary facilities and rest room accommodations which must be maintained upon or in connection therewith or which are located within a reasonable distance of such open lot or structure on or at which such business is to be conducted and which is described in the application.
- (9) The number and date of issue of a license from the Motor Vehicle Division permitting the operation of a business for the buying and selling of used motor vehicles.

D. General regulations.

- (1) Every such open lot or place of business used or intended to be used by licensees under this chapter shall have maintained on the premises where such business is to be conducted or in connection therewith, or within a reasonable distance thereof, sanitary facilities in accordance with the regulations of the Board of Health of the Borough of Runnemede.
- (2) Every structure of any kind or nature erected on such lot shall also comply with the building regulations of the Borough of Runnemede.
- (3) Every open lot used in the conduct of such business shall be illuminated from 1/2 hour after sunset to sunrise of each following day with electric lights which shall be installed and maintained in accordance with the rules and regulations of the underwriters and shall be subject to their approval or disapproval.
- (4) Every applicant, as aforesaid, shall furnish with his application a plan showing at least one entrance or approach to said place of business from the street immediately adjacent thereto, which entrance shall not be constructed or maintained until the licensee has reset the curbing and reconstructed the adjoining sidewalk in accordance with the rules and regulations of the Borough of Runnemede; provided, however, that such licensee, upon abandonment of the business, as aforesaid, shall replace forthwith the curbing and sidewalk in conformance with the rules and regulations of the Borough of Runnemede pertaining thereto.
- (5) Number of licenses; existing licenses; district restrictions.
 - (a) The number of municipal licenses to be issued for the purposes of operating used automobile businesses shall be limited to three.
 - (b) All licenses issued at the time of passage of this amended Subsection D(5) (five total) shall remain in full force and effect subject to the conditions of this chapter until such time as that particular used automobile business is abandoned, the license is not renewed or there is a change of use of the property or any other reason set forth in § 395-19. The existing licenses are not transferable from place to place in the Borough, except to the SED District, per Subsection D(5)(c) below.

- (c) A used automobile business shall only be permitted in the SED (Special Economic Development) District. All used automobile locations presently licensed in the Borough of Runnemede at the time of passage of this amended Subsection D(5) shall remain in full force and effect subject to the conditions of this chapter, until abandoned, the license is not renewed or there is a change of use of the property or any other reason set forth in § 395-19. The existing licenses are not transferable from place to place in the Borough, except to the SED District.

E. Conditions.

- (1) As a condition precedent to the issuance of a municipal license, as aforesaid, the applicant shall obtain permits, and shall pay the fees established therefor, from the Construction Code Official and any other agents or agencies of the Borough of Runnemede that may require the issuance of permits for any purpose that may be associated with the requirements for operation of a business as herein specified and shall also produce, for inspection, the license issued by the New Jersey Motor Vehicle Division for the operation of a business as a used motor vehicle dealer.
- (2) Each applicant, after his request has been properly approved, shall pay to the Clerk of the Borough of Runnemede an annual license fee of \$50 before such license may be issued to him, which license fee shall be an annual license fee, and such license shall expire on the 31st day of January in each calendar year. Such license fee shall be prorated on a monthly basis with relation to the month of issuance and the time of expiration.
- (3) Prior to the issuance of the license for the purpose aforesaid, the applicant shall make, execute and deliver a bond to the Borough of Runnemede in the amount of \$1,000, conditioned upon the faithful performance of the terms of this chapter, with a corporate surety thereon, which corporate surety must be authorized to do business within the State of New Jersey, and such bond shall be subject to the approval of the Solicitor of the Borough as to form and content; such corporate surety bond shall be conditioned upon the faithful compliance and obedience of the licensee with the provisions of this chapter.
- (4) In addition to the requirements herein stated, such licensee shall comply with any rules and regulations hereafter promulgated by the Mayor and Borough Council of the Borough of Runnemede or any of its agencies with respect to the conduct of such business, as aforesaid.

F. Administration.

- (1) Every application received by the Borough Clerk for the purpose aforesaid shall be reported by him at the next following regular meeting of the Mayor and Borough Council of the Borough of Runnemede, and no license shall be issued by the Borough Clerk until such application shall have been approved by the Mayor and Borough Council.
- (2) Any license issued hereunder may be revoked by the Mayor and Borough Council of the Borough of Runnemede for the violation of any of the terms of this chapter, but such revocation shall not relieve the licensee from any of the penalties herein provided.
- (3) Any person conducting a business, as aforesaid, at the time of the adoption of this chapter shall not be required to comply with the provisions of Subsections D(4) and E(1) and (4), and nothing herein contained shall be construed to prevent any person presently operating such a business, as aforesaid, from carrying on such a business without securing a license therefor for a period of 60 days following final publication of this chapter.

- (4) If any provision of this section is contrary to the provision of any New Jersey statute or to any rule or regulation of the Commissioner of Motor Vehicles of New Jersey, then to the extent of such inconsistency, the statute or the rule or regulation, as aforesaid, shall control.

§ 395-18. Signs. [Amended 12-30-2013 by Ord. No. 13-22; 11-5-2014 by Ord. No. 14-20]

- A. Applicability. The provisions of this section shall apply to the construction, erection, alteration, use, type, number, location, size, design, and maintenance of all signs. This section is intended to regulate and control signs and their placement and construction throughout the Borough of Runnemede. Each site plan or subdivision application shall include, where necessary, a sign plan showing the specific design, location, size, height, construction and illumination of proposed signs in accordance with the regulations within this chapter. All signs require a sign permit from the Construction Code Official or Zoning Officer unless specifically exempted, regardless of whether or not the sign is proposed in conjunction with a site plan or subdivision application.
- B. Purpose and intent. The purpose of the sign regulations is to provide a legal framework for a comprehensive and balanced system of signage that will preserve the right of free speech and expression, provide an easy and pleasant communication between people and the built environment, protect the scenic qualities of the Borough, and avoid visual clutter that is potentially harmful to the character of the community, the aesthetics of the Borough, and potentially unsafe for motorists and pedestrians. The sign regulations are intended to minimize the potential for safety hazards, create a more productive, enterprising and professional business atmosphere, and to enhance the architectural and aesthetic character of each zoning district.
- C. Fees. The fee for a sign application and permit is \$25. This applies to both permanent and temporary signs.
- D. Definitions. The definitions in § 395-4 apply.
- E. Grandfather clause. Signs that legally existed prior to the effective date of the sign code section rendering the sign nonconforming are afforded "grandfathered" status and may continue to exist as conforming signs, until such time as they are altered as set forth in Subsection H(3) below.
- F. Exempt signs. The following signs are exempt from the need to secure permits:
- (1) Signs required by law.
 - (2) Official government agency signs, including traffic control or police signs, emergency, historical markers, and signs posted by governmental agencies.
 - (3) Any sign carried by a person.
 - (4) Decorations for any officially recognized holiday, provided that they do not create a fire or traffic hazard and provided that the decorations are removed within 30 days after the holiday.
 - (5) Political signs associated with an election or referendum provided that such signs are on private property, and are erected no more than 30 days prior to the election and are removed within seven days after the day of voting.
 - (6) Temporary yard or garage sale signs, provided that such signs are erected on private property, are no more than four square feet in area, are erected no more than seven days before the sale and are removed within 48 hours after the sale (and in accordance with Chapter 199).

- (7) Temporary real estate signs on the lot on which the real estate for rent or for sale is located shall be limited to one per lot frontage. The signs may not be more than four square feet and four feet high for residential property and eight square feet and six feet high for commercial property. The real estate sign must be removed within 14 days of closing the sale or rental of the property. Open-house signs are permitted only on the day of the open house and not within the public right-of-way.
 - (8) Temporary (30 days or less) banners advertising special community events sponsored by or held by the Borough, county, school district, Fire Department, or other public entity.
 - (9) American, state, county and Borough flags.
 - (10) No-trespassing signs.
 - (11) Signs not exceeding one square foot in area and bearing only property numbers, post box numbers or names of occupants of premises.
 - (12) Directional signs and entrance and exit signs on commercial properties, provided, that such signs do not exceed two square feet in area and do not contain an advertising message, and further provided that the number and location of said signs area approved by the Planning Board pursuant to the Board's procedures.
 - (13) Permanent and temporary window signs visible from the exterior of the building, provided that no more than 25% of the total window and door areas may be covered or obscured by window signs.
 - (14) Integral decorative or architectural features of buildings that do not include letters, trademarks, moving parts, or moving lights.
- G. Prohibited signs. Any other provisions of this section notwithstanding, the following signs shall be prohibited in all zoning districts unless otherwise specified:
- (1) Signs which contain or are an imitation or simulation of an official traffic signal, directional, or warning sign erected or maintained by the State of New Jersey, Camden County or Borough of Runnemede.
 - (2) Signs that hide or obstruct from view any traffic signal or sign, or that obstruct sight triangles.
 - (3) Signs which are designed to move, flash, scroll, or display movement or the illusion of movement, either by mechanical or other means.
 - (4) Signs which contain or consist of banners, posters, pennant ribbons, streamers, strings of light bulbs, spinners, or other similarly moving devices (this does not include permitted flags or permitted temporary signs).
 - (5) Signs which emit odors or smoke or produce noise or sound.
 - (6) Signs located or placed on any tree, telephone or utility pole, or light standard or upon rocks or other natural features.
 - (7) Signs projecting above the roof or the main cornice line of the building to which it is affixed.
 - (8) Outdoor, off-site commercial advertising signs/billboards and signs located on a lot other than the lot occupied by the use, event, or product which such sign advertises.

- (9) Portable signs, such as those on wheels.

H. General regulations and requirements.

- (1) Any sign hereafter erected in Runnemede Borough which is exposed to public view shall conform with the provisions of this article and any other ordinance or regulation of Runnemede Borough, Camden County, or the state or federal government relating to the erection, alteration or maintenance of signs. In the event of conflicting regulations, the most restrictive regulation shall prevail. Signs shall be considered accessory uses in all zoning districts when placed in association with a principal use on the same site and when placed in conformance with the provisions of this chapter.
- (2) Sign plan requirements. No sign other than exempt signs shall be erected without first obtaining a permit from the Code Official. Permit applications for signs larger than two square feet in area shall be accompanied by a plan, drawn to scale, showing details of the sign including dimensions and size, materials, and method of illumination. For facade signs the location on the building must be identified. For freestanding signs, the location on the lot and setbacks from the property lines must be shown. A color photograph of each existing sign on the property shall be submitted with the permit application.
- (3) Nonconforming signs that are structurally altered, relocated or replaced shall comply with the provisions of this chapter. A change in copy for a permitted sign is not an alteration or replacement in accordance with this subsection. Nonconforming signs must be maintained in good condition. If the use of a nonconforming sign ceases for a period of more than 180 days or if the premises upon which the nonconforming sign is located is abandoned, the nonconforming sign must be removed.
- (4) All signs, flags, and banners as provided for in these regulations shall be kept in proper state of repair, in accordance with the Uniform Construction Code and other pertinent regulations. Signs that fall into a state of disrepair so as to become unsightly or to pose a threat to public safety will receive a warning via certified mail from the Zoning Officer, and if after 30 days the sign has not been removed, it may be removed by the Borough at the owner's expense.
- (5) No sign other than official traffic or other similar official signs shall be erected within or project over the right-of-way of any public street or sidewalk except as provided herein.
- (6) Signs shall not be located at the intersection of any streets within the triangular area formed by the right-of-way lines, and a line connecting them at points 25 feet from their intersection. No sign may be placed within a sight triangle as defined by Camden County standards and no sign shall impede or endanger the safety of motorists and pedestrians.
- (7) Illuminated signs in residential zoning districts and in all districts when the lot is immediately adjacent to (including directly across a street) a residential district, must be turned off between the hours of 10:00 p.m. and 6:00 a.m. This does not apply to residential name plates.
- (8) All ground (monument) and freestanding signs must be a minimum of 50 feet from the nearest other freestanding sign.
- (9) Electronic message signs are permitted in Commercial, General Office, SED, Limited Access and Quasi-Public Zones. They are not permitted in R-1, R-2, or R-3 Zones. **[Amended 11-7-2018 by Ord. No. 18-11]**
- (10) Architectural details may extend up to 18 inches on the sides and top of the sign (but may not

exceed the permitted height). For monument or ground signs, the architectural base may be up to 36 inches above grade. More expansive walls or architectural elements require site plan approval.

- (11) Facade/wall signs shall be attached to the face of the building in a plane parallel to such face and projecting not more than 12 inches and shall not extend higher than the top of the parapet. Wall signs shall not cover any doors or windows, nor shall they extend beyond the ends of the wall.
- (12) Ground or freestanding signs must have the address of the site identified on the sign.
- (13) The size of any sign shall be computed by multiplying its greatest height by its greatest length, exclusive of supporting structures. See also the definition of "sign area."
- (14) Signs advertising an establishment or use no longer in existence or a product no longer available shall be removed within 14 days.
- (15) Each sign may have a principal message identifying the name of the business and the service offered. Additional advertising of products and services is not permitted on the sign.
- (16) There should be a consistent sign design theme throughout a particular project. The design theme should include style of lettering, illumination, color, height, construction material, size, and type of sign structure. Color of letters and background should be considered in relation to the color and material of the buildings and where the signs are proposed to be located. Signs should be a subordinate feature of the plan relative to the principal structure. The design of a sign must be integrated into the design of the building to which it relates.
- (17) Each business may have one sign in addition to any permitted permanent signs. Maximum sign size shall not exceed 36 inches by 24 inches and shall promote the business on the business site. The sign shall be unattached and displayed in a safe, secure and approved manner. **[Added 4-7-2020 by Ord. No. 20-04]**
- (18) Corner properties may have two signs, one on each street. **[Added 4-7-2020 by Ord. No. 20-04]**

I. Temporary signs requiring a permit.

- (1) A temporary sign may be erected for residential developments, commercial sites and office zones, provided that the owner must obtain a permit. The signs must be in good repair and may not exceed 24 square feet. **[Amended 11-7-2018 by Ord. No. 18-11]**
- (2) Temporary "grand opening" or special "sale" signs are permitted for commercial uses, including occupants of a shopping center, on a limited basis. Such sign may not exceed 24 square feet. Each site or use may display such signs for not more than a total of six weeks out of a calendar year. The sign must comply with all requirements to protect the public health and safety.

J. Sign standards for residential zones and residential uses.

- (1) Name plate and address. Single-family residential lots may erect a name plate and/or address not exceeding 1.5 square feet in an area situated within the property lines and not exceeding three feet in height.
- (2) Sale and rental. No more than one nonilluminated temporary real estate sign indicating the prospective or completed sale, lease, or rental of the premises upon which it is located, which conform to the following:

- (a) Maximum sign area is four square feet and maximum height is four feet.
 - (b) Such sign shall be removed within 14 days after consummation of a lease or sales transaction.
- (3) Residential subdivision. Permanent identification signs for major subdivisions or multifamily residential developments shall conform to the following:
 - (a) Size shall not exceed 20 square feet in area and six feet in height.
 - (b) One sign per street frontage (frontage of the development on an arterial road) is permitted or one sign per entry into the development, provided that the entrances are separated by a minimum of 300 feet, with a maximum of two signs.
 - (c) Signs must be set back a minimum of 10 feet from the right-of-way.
 - (d) Development signs that are proposed within a median must be shown on the final subdivision plan.
 - (e) For fee-simple subdivision developments, development signs should be placed on land owned and maintained by a homeowners' association or must be placed in a sign easement dedicated to the HOA for maintenance of the sign.
- (4) Projects under development. A sign indicating development of premises by a builder, construction company, or developer shall conform to the following:
 - (a) Size shall not exceed 12 square feet in area and six feet in height.
 - (b) Signs shall be limited to one sign per street frontage or one sign for every 300 feet of street frontage with a maximum of two signs.
 - (c) The sign shall not be erected until the site plan or subdivision application is approved by the Planning or Zoning Board.
 - (d) The sign shall be removed once the project is completed or upon the issuance of the final C.O.
- K. Signs for public, semipublic, and institutional uses. The following standards apply to signs for public, semipublic, and institutional uses, such as public or parochial schools, churches or places of worship, playgrounds, parks, government buildings, utility uses, etc.
 - (1) One freestanding monument sign is permitted per street frontage to identify the site.
 - (2) Maximum sign area for freestanding monument sign is 24 square feet.
 - (3) Maximum freestanding sign height is eight feet.
 - (4) Minimum setback from property lines is 10 feet.
 - (5) In addition to the twenty-four-square-foot maximum, a changeable copy or electronic message board a maximum of 16 square feet in area may be included as part of the sign (must be attached and not a separate sign) for public schools, public parks and playgrounds, churches, libraries, and government buildings only.
 - (a) The message may not change more often than every 30 seconds.

- (b) The message board may only have one color.
- (c) If in a residential zone or adjacent to a residential zone, the message board must be turned off between 10:00 p.m. and 6:00 a.m.

(6) One facade sign is permitted per street frontage, not to exceed 32 square feet in area.

L. Signs for the General Office (GO) Zone.

- (1) Each business establishment with access from the outside shall be permitted one facade sign located on or attached to the principal facade of said establishment on each street frontage.
- (2) Facade signs may not exceed 15% of the principal facade area or 40 square feet, whichever is less.
- (3) Each site may have one freestanding monument style sign per street frontage, not to exceed 20 square feet and six feet in height.
- (4) Freestanding signs must be set back a minimum of five feet from the right-of-way and a minimum of 10 feet from side property lines.
- (5) Signs may be internally or externally illuminated. Internal illumination for signs must be designed so that only the letters (copy) are translucent and the remainder of the sign is opaque. External illumination must be directed at the sign as not to cause glare.
- (6) A total increase in size and height of up to 10% may be allowed for monument or ground signs that are designed with carved or sandblasted copy and borders and a brick or stone base that complement the building design.
- (7) The base of a freestanding or monument sign shall have a landscaped area around the base, a minimum of 1.5 times the area of the sign. For example a twenty-four-square-foot sign must have a minimum thirty-six-square-foot landscaped area consisting of evergreen shrubs, ground cover, flowers, or other plant material.

M. Signs for Commercial (C) and Special Economic Development (SED) Zones.

- (1) Retail, restaurant, and service uses.
 - (a) Each business establishment on the ground floor of a structure may have one facade sign located or attached to the principal facade of said establishment on each street frontage and one freestanding sign on each street frontage.
 - (b) Buildings that have secondary facades visible from public areas from multiple directions within a site may have a second facade sign facing the parking area or internal access drive. The second facade sign may not be at the rear of a building when the rear is primarily a service and loading area.
 - (c) Facade signs may not exceed 15% of the principal facade area or 80 square feet, whichever is less. Retail stores containing more than 20,000 square feet GLA may have a facade sign not exceeding 100 square feet.
 - (d) Each freestanding sign shall not exceed 20 square feet for each 50 feet of roadway frontage or 80 square feet, whichever is less.
 - (e) Each freestanding sign must be set back a minimum of five feet from the right-of-way

(property line) and shall not exceed 18 feet in height. The support structure must be designed with brick, stone or other architectural material to complement the building and site. **[Amended 11-7-2018 by Ord. No. 18-11]**

- (f) A total increase in size of up to 10% may be allowed for monument or ground signs that do not exceed eight feet in height and are designed with carved or sandblasted copy and borders and a brick or stone base that complement the building design.
 - (g) Signs may be internally or externally illuminated. Internal illumination for signs must be designed so that only the letters (copy) are translucent and the remainder of the sign is opaque. External illumination must be directed at the sign as not to cause glare.
 - (h) The base of a freestanding or monument sign shall have a landscaped area around the base, a minimum of 1.5 times the area of the sign. For example a twenty-four-square-foot sign must have a minimum thirty-six-square-foot landscaped area consisting of evergreen shrubs, ground cover, flowers or other plant material.
 - (i) Where a freestanding sign is not proposed in the C zone (such as when the building is close to the right-of-way), a business may instead install a hanging sign to identify the business for pedestrians. The hanging sign may not exceed four square feet and the bottom of the sign must be a minimum of seven feet above the ground.
- (2) Signs for shopping centers or planned commercial developments.
- (a) Shopping centers or commercial developments with more than one use on a site are permitted one multiple-occupancy monument/ground or freestanding sign per street frontage, which may include tenant panels. Individual tenants or occupants may have wall or facade signs or other attached signs as described below, but may not have individual ground or freestanding signs.
 - (b) Maximum area for a freestanding sign for a shopping center is 25 square feet for every 50 feet of roadway frontage, not to exceed 125 square feet.
 - (c) Minimum setback from the right-of-way for a freestanding sign is five feet and the maximum height is 16 feet. The support structure must be designed to with brick, stone or other architectural material to complement the building and site.
 - (d) Facade signs may not exceed 15% of the principal facade area or 80 square feet, whichever is less. Retail stores containing more than 20,000 square feet GLA may have a facade sign not exceeding 100 square feet.
 - (e) A total increase in size of up to 10% may be allowed for monument or ground signs that do not exceed eight feet in height and are designed with carved or sandblasted copy and borders and a brick or stone base that complement the building design.
 - (f) Signs may be internally or externally illuminated. Internal illumination for signs must be designed so that only the letters (copy) are translucent and the remainder of the sign is opaque. External illumination must be directed at the sign as not to cause glare.
 - (g) The base of a freestanding or monument sign shall have a landscaped area around the base, a minimum of 1.5 times the area of the sign. For example a twenty-four-square-foot sign must have a minimum thirty-six-square-foot landscaped area consisting of evergreen shrubs, ground cover, flowers, or other plant material.

(3) Signs for office and industrial use.

- (a) Each office or industrial structure is permitted one facade sign identifying the name of the building, located on or attached to the principal facade on each street frontage.
 - (b) Any individual business within an office or industrial structure may only have its own facade sign if there is direct public access from the building to the outside.
 - (c) Facade sign size shall not exceed an area equal to or less than 10% of the principal facade area (including window and door area) on which they are displayed, or a maximum of 80 square feet.
 - (d) Freestanding sign. Each office or industrial building may have one ground/monument sign on each street frontage, set back a minimum of five feet from the right-of-way and 10 feet from side property lines. The maximum freestanding sign area is 30 square feet and the maximum height is eight feet.
 - (e) A total increase in size and height of up to 10% may be allowed for monument or ground signs that are designed with carved or sandblasted copy and borders and a brick or stone base that complement the building design.
 - (f) Signs may be internally or externally illuminated. Internal illumination for signs must be designed so that only the letters (copy) are translucent and the remainder of the sign is opaque. External illumination must be directed at the sign as not to cause glare.
 - (g) The base of a freestanding or monument sign shall have a landscaped area around the base, a minimum of 1.5 times the area of the sign. For example a twenty-four-square-foot sign must have a minimum thirty-six-square-foot landscaped area consisting of evergreen shrubs, ground cover, flowers, or other plant material.
- (4) Menu signs for permitted drive-through restaurants. Drive-through restaurants are permitted one menu sign, which may include the name and logo of the restaurant to which the drive-through is attached, and shall conform to the following:
- (a) Maximum area is 45 square feet.
 - (b) Maximum height is seven feet six inches.
- (5) Signs for gasoline filling stations.
- (a) Where a gasoline filling station has been permitted by zoning or by variance, a sign is permitted on the canopy covering the gas pump islands.
 - (b) One sign is permitted per street frontage, and the maximum permitted area per sign is 16 square feet.
 - (c) The minimum clearance under the sign and canopy is 10 feet.

§ 395-19. Nonconforming uses.

- A. Continuance. Except as otherwise provided in this chapter, the lawful use of land or buildings existing at the date of the adoption of this chapter may be continued, although such use or building does not conform to the regulations specified by this chapter for the zone in which such land or building is located; provided, however:

- (1) That no nonconforming lot shall be further reduced in size.
 - (2) That no nonconforming building shall be enlarged, extended or increased unless such enlargement would tend to reduce the degree of nonconformance.
 - (3) That no nonconforming use may be expanded.
- B. Abandonment. A nonconforming use shall be presumed to be abandoned when there occurs a cessation of such use or activity by an apparent act or failure to act on the part of the tenant or owner to reinstate such use within a period of six months from the date of cessation or discontinuance. Such use shall not thereafter be reinstated and the structure shall not be reoccupied except in conformance with this chapter.
- C. Restoration. If any nonconforming building is destroyed by reason of windstorm, fire, explosion or other act of God or the public enemy to any extent of more than 50% of the physical structure as determined by the Construction Code Official, then such destruction shall be deemed complete destruction, and the structure may not be rebuilt, restored or repaired except in conformity with the regulations of this chapter. Nothing in this chapter shall prevent the strengthening or restoring to a safe condition of any wall, floor or roof which has been declared unsafe by the Construction Code Official.
- D. Reversion. No nonconforming use shall, if once changed into a conforming use, be changed back again into a nonconforming use.
- E. Alterations. A nonconforming building may not be altered so as to increase in any manner the degree of nonconformance.
- F. Construction approved prior to chapter. Nothing herein contained shall require any change in plans, construction or designated use of a building for which a building permit has been heretofore issued prior to the date of the adoption of this chapter.
- G. District changes. Whenever the boundaries of a zone shall be changed so as to transfer an area from one zoning district to another zone of a different classification, the foregoing provisions shall also apply to any nonconforming use existing therein or created thereby.
- H. Nonconforming signs. In cases where a portable or protruding sign of permanent materials or a sign structurally part of a building shall be destroyed or required because of a change of sign, the replacement shall conform to the provisions of this chapter.

§ 395-20. Miscellaneous regulations.

- A. No structure or building of a portable nature in excess of 150 square feet or a vehicle of any kind or trailer or tractor shall be permitted to be located or operated upon any lot in the Borough of Runnemede for dwelling purposes or for the purpose of selling food, merchandise or commodities of any kind, nor shall such portable structure, building or vehicle be permitted in the Borough of Runnemede for any other purpose without prior approval of the Joint Planning/Zoning Board of Adjustment and governing body.
- B. It is hereby required that the owner or tenant of lands shall keep all bushes, hedges and other plant life cut, within 10 feet of any right-of-way and within 25 feet of the closest intersecting curbline, to a height that will not obstruct sight distances where the Construction Code Enforcement Agency shall deem it necessary and expedient for the preservation of the public safety. If the Construction Code Enforcement Agency shall deem such cutting necessary, it shall notify the owner or tenant to cut the

same within the time provided. If the owner fails to cut same within five days after notice, the Construction Code Enforcement Agency shall direct the cutting of such bushes, hedges or other plant life and shall certify the cutting thereof to the governing body. Such costs shall be charged against the lands of the owner and become a lien upon such lands and shall be assessed and levied upon the lands as other taxes, with the same rights of collection and enforcement and in the same manner as taxes.

- C. No internal combustion engine shall be operated except for vehicular traction or where essential for the emergency use of a public utility, but this shall not be construed to prohibit lawn mower engines and portable garden tools or the installation and operation of an internal combustion engine to generate electrical current for the sole use of the particular premises whereon the same is located, provided that same have and use proper or approved mufflers to deaden exhaust noises.
- D. Any use or purpose which will create or which is likely to create conditions of hazard, smoke, fumes, noise, odor or dust detrimental to the health, safety or general welfare to the community is prohibited.
- E. All outside fuel storage tanks, specifically though not limited to home fuel oil storage tanks, shall be situate in an enclosure, which enclosure shall be of such material to prevent the spillage, seepage or other contamination of the ground. Said enclosure shall meet the requirements of the applicable State Building Code requirements. **[Added 1-2-1991 by Ord. No. 90-18¹¹; amended 3-2-2010 by Ord. No. 10-04]**
- F. It shall be unlawful for any person to use or pretend to use or have any skills in physiognomy, palmistry or like crafty science or pretend to tell destinies or fortunes within the Borough of Runnemede, County of Camden and State of New Jersey. **[Added 6-3-1997 by Ord. No. 97-12]**

§ 395-21. Administration and enforcement.

- A. Interpretation. In interpreting and applying the provisions of this chapter, said provisions shall be held to be the minimum requirements for the promotion of public safety, convenience and general welfare.
- B. Enforcement. The provisions of this chapter shall be enforced by the Code Enforcement Officer, hereafter called the "Zoning Officer." It shall be the duty of the Zoning Officer to keep a record of all permits issued with special conditions. **[Amended 3-5-2013 by Ord. No. 13-01]**
- C. Permit required.
 - (1) Prior to the erection, construction or structural alteration of any building, structure or portion thereof, or change in use of any building, lot or parcel of land, application forms in triplicate shall be obtained from the Building Subcode Official and be filled out by the owner or his or her authorized agent. Such forms shall be filed with the Building Subcode Official, and each copy shall be accompanied by a plot plan meeting the specifications of Chapter 331, Subdivision of Land and Site Plan Review, of the Code of the Borough of Runnemede. In addition, as expressed in Chapter 331, six copies of the application and attached plat shall be forwarded to the Secretary of the Joint Planning/Zoning Board of Adjustment.
 - (2) The application mentioned above shall be in such form as the governing body shall prescribe and shall contain the name and address of the owner of the land and the exact nature of the work to be done, the name of the contractor or builder, the cost of the work and such other pertinent information as the governing body shall by resolution from time to time designate. Said

11. Editor's Note: This ordinance also provided that any storage tank previously installed must comply with the requirements of Subsection E within six months of the effective date of this ordinance.

application may be combined with an application for a building permit.

- (3) The applicant shall submit a zoning application fee payable to the Borough of Runnemede in the amount of \$25 for residential zoning applications and \$50 for commercial zoning applications. The aforementioned fee shall be submitted with the zoning application. **[Added 7-2-2013 by Ord. No. 13-09]**
- (4) No person shall erect or construct any garden-type utility shed or similar structure that is 200 square feet or less and which does not contain a water, gas, oil or sewer connection without first obtaining a zoning permit issued by the Zoning Officer. The shed or structure shall be placed at a distance of at least five feet from the side and rear property lines and shall not be placed in the front yard of the property as determined by the Zoning Officer. A corner property shall be deemed to have two front yards. The cost of the application and permit shall total \$25. A copy of the property survey shall be provided with the application. **[Added 12-30-2013 by Ord. No. 13-22; amended 6-5-2019 by Ord. No. 19-04]**
- (5) All permits shall expire one year after they are issued. **[Added 6-5-2019 by Ord. No. 19-04]**
- (6) A zoning permit shall be required for any swimming pool, steps, deck, structures or any other addition to the property that would involve property line setback requirements. The cost of the application and permit shall be \$25 for residential and \$50 for commercial. A copy of the property survey shall be provided with the application. **[Added 6-5-2019 by Ord. No. 19-05]**

D. Certificate of occupancy.

- (1) Certificate of occupancy. Certificate required. Upon completion of the erection, change, enlargement or alteration of any building or portion thereof, authorized by any construction permit, prior to occupancy or use, the holder of such permit shall notify the Construction Code Official of such completion. Upon receipt of the necessary documents from the subcode officials and the zoning officer, if applicable, the Construction Code Official shall issue the certificate of occupancy. No such building shall be occupied or lot used until a certificate of occupancy has been issued in accordance with the section. If such occupancy occurs, it shall be deemed a violation of this chapter. **[Amended 9-4-1990 by Ord. No. 90-13; 3-5-1996 by Ord. No. 96-6; 2-1-2005 by Ord. No. 05-01]**
- (2) Certificate of continued occupancy. Whenever there shall occur a change of occupancy or ownership in any residential or commercial building, or part thereof, including a change in apartment dwelling units without a change of zoning use, a certificate of continued occupancy shall be required. **[Amended 3-5-1996 by Ord. No. 96-6; 2-1-2005 by Ord. No. 05-01; 12-30-2013 by Ord. No. 13-22]**
- (3) Whenever the aforesaid change shall occur, the owner of said dwelling or premises shall notify the Construction Code Official at least 10 days prior to such change in occupancy and make the dwelling or premises available to the Construction Code Official or his designee for inspection to determine if said dwelling or premises is in compliance with the terms of all applicable statutes, ordinances, law and regulations. If the Construction Code Official determines that there is compliance, a new occupancy certificate will be issued provided that all applicable fees have been paid. If, after inspection, the Construction Code Official determines the said dwelling or premises is not in compliance, then no certificate of continued occupancy shall be issued until such compliance is achieved. A new inspection will be required unless the deficiencies are corrected within 90 days of the initial inspection. Any occupancy by a new owner or tenant without said certificate having been issued shall be deemed in violation of this chapter.

[Amended 3-5-1996 by Ord. No. 96-6; 2-1-2005 by Ord. No. 05-01; 6-5-2019 by Ord. No. 19-04]

- (4) (Reserved)¹²
- (5) Whenever the aforesaid change of use shall occur, the owner of said dwelling or premises shall notify the Construction Code Official at least 10 days prior to such change in use and make the dwelling or premises available to the Construction Code Official or his designee for inspection to determine if the said dwelling or premises is in compliance with the terms of all applicable statutes, ordinances, laws and regulations. If the Construction Code Official determines that there is a compliance, a change of use certificate shall be issued provided that all applicable fees have been paid. If after inspection, the Construction Code Official determines the said dwelling or premises not in compliance, then no certificate of change of use shall be issued until such compliance is achieved. Any occupancy or use without said certificate having been issued shall be deemed in violation of this chapter. **[Amended 3-5-1996 by Ord. No. 96-6; 2-1-2005 by Ord. No. 05-01]**
- (6) Fees. **[Amended 3-5-1996 by Ord. No. 96-6; 2-1-2005 by Ord. No. 05-01; 3-4-2008 by Ord. No. 08-04]**
- (a) In addition to certain fees set forth in Chapter 120 of the Code of the Borough of Runnemede, the Mayor and Council of the Borough of Runnemede shall determine a fee schedule, charges and expenses as well as collection procedures for all permits, certificates and other matter pertaining to this chapter. The certificate fees shall be posted in the office of the Borough Construction Code Official and are as follows:
- (b) Fee schedules.
- [1] Certificate of occupancy: See Chapter 120, Construction Codes, Uniform.
- [2] Certificate of continued occupancy:
- [a] Commercial structures: \$150.
- [b] Single-family dwellings: \$100.
- [c] Duplex: \$100.
- [d] Apartments per dwelling unit: \$50.
- [3] Change use of certificate: \$120.
- [a] Reinspection fees. After the initial inspection and one reinspection if the violations have not been corrected a reinspection fee of \$25 will be charged.
- (c) The Mayor and Council of the Borough of Runnemede from time to time shall be empowered to reevaluate the fee schedule and make necessary changes to it.
- (7) Revocation. On the serving of notice of any violation of any of the provisions or requirements with respect to any building or use thereof or of land, as specified in this chapter, the certificate of occupancy for such use shall thereupon without further action be null and void. A new certificate of occupancy shall be required for any further use of such building or land.

12. Editor's Note: Former Subsection D(4), Change of use certificate, as amended, was repealed 6-5-2019 by Ord. No. 19-05.

- (8) Filing. A monthly report of the certificates of occupancy issued shall be filed with the Tax Assessor. A record of all certificates of occupancy issued shall be kept in the office of the Construction Code Official.
- (9) Pre-operational inspection. Whenever plans and specifications are required by N.J.A.C. 8:24-9.1 to be submitted to the health authority, the health authority shall inspect the retail food establishment prior to the start of operations, to determine compliance with the New Jersey Chapter 24 Food Code. This inspection shall occur prior to the issuance of a certificate of occupancy or a continued certificate of occupancy. **[Amended 4-3-2018 by Ord. No. 18-04]**
- E. Temporary use permits. It is recognized that it may be in accordance with the purposes of this chapter to permit temporary activities for a limited period of time, which uses may be prohibited by other provisions of this chapter. If such uses are of such a nature and are so located that at the time of the petition they will in no way exert a detrimental effect upon the uses of land and activities normally permitted in the zone and will contribute materially to the welfare of the Borough, particularly in a state of emergency, under conditions peculiar to the time and place involved, then the Joint Planning/Board of Adjustment may, by resolution, after written application, subject to all regulations for the issuance of special permits elsewhere specified, issue a permit for a period not to exceed six months. Such period may be extended not more than once for an additional period of six months.
- F. Special permits. An application for any special permit specified in this chapter shall be made to the Joint Planning/Zoning Board of Adjustment. After a hearing, the Joint Planning/Zoning Board of Adjustment may instruct the Construction Code Official that a permit be granted if, in its judgment, any one of such cases will not be detrimental to the health, safety and general welfare of the Borough and is deemed necessary for its convenience. In approving any such application, the Joint Planning/Zoning Board of Adjustment may impose any conditions that it deems necessary to accomplish the reasonable application of applicable standards as provided in the appropriate sections of this chapter and may deny any such application, but only in accordance with said standards.¹³

§ 395-22. Violations and penalties. [Amended 3-2-2010 by Ord. No. 10-04]

Violations of any provisions of this chapter shall be punishable as provided in § 1-15, General penalty, of this Code.

§ 395-23. Scope.

It is not intended by this chapter to repeal, abrogate, annul or in any way impair or interfere with existing provisions of other laws or ordinances, except those specifically repealed by this chapter, or with private restrictions placed upon property by covenant, deed or other private agreement or with restrictive covenants running with the land to which the Borough is a party. Where this chapter imposes a greater restriction upon the land, building or structure than is imposed or required by such existing provisions of law, ordinance, contract or deed, the provisions of this chapter shall control.

§ 395-24. Conditional uses. [Added 4-5-2011 by Ord. No. 11-02]

- A. The uses listed within this section are conditionally permitted in the zoning districts where the uses are specifically listed, and in accordance with the standards set forth in this section.
- B. Before a building permit or certificate of occupancy shall be issued for any conditional use as

13. Editor's Note: Original § 109-20G, Board of Adjustment, which immediately followed this subsection, was deleted 3-2-2010 by Ord. No. 10-04.

permitted by this chapter, an application shall be made to the Planning Board. The Planning Board shall grant or deny said application within 95 days of submission of a completed application by the applicant to the Planning Board, or within such further time as may be consented to by the applicant.

C. Uses and standards.

- (1) Continuing-care retirement units, including assisted living residences, nursing units, long-term care units, and congregate care/independent age-restricted units. The following standards apply:
 - (a) Minimum lot size is four acres.
 - (b) The maximum density is 20 units/rooms/beds per acre.
 - (c) The maximum building height is three stories or 40 feet.
 - (d) Minimum lot width is 200 feet.
 - (e) Minimum front yard setback is 50 feet.
 - (f) Minimum side yard setback is 25 feet each side.
 - (g) Minimum rear yard setback is 50 feet.
 - (h) Maximum impervious coverage ratio is 6/10.
 - (i) There shall be a landscaped buffer area a minimum of 15 feet in width around the perimeter of the property. The buffer area shall contain a mix of deciduous shade trees and evergreens to provide a continuous year-round buffer.
 - (j) A common open space/courtyard area a minimum of 10,000 square feet in area must be provided, and must include shade trees, benches and/or tables and walking paths.
 - (k) Parking shall be provided at a ratio of one space per three beds (1:3) plus one per employee on the busiest shift.
 - (l) All other Borough Code requirements not preempted by the requirements set forth above also apply.
- (2) Outdoor dining. **[Added 8-26-2014 by Ord. No. 14-02]**
 - (a) Outdoor dining/seating must be ancillary to an approved permanent restaurant use.
 - (b) The outdoor dining/seating area must be shown on a plan at a maximum scale of one inch equals 30 feet.
 - (c) The outdoor dining/seating area must be directly adjacent to the principal structure.
 - (d) The outdoor dining/seating area may not impede the sidewalk. If outdoor seating is proposed along a pedestrian route, a minimum five-foot-wide sidewalk area must remain unobstructed for pedestrian travel. If the existing sidewalk is only four feet wide, then the existing width may remain.
 - (e) If adjacent to a parking area, the outdoor dining area must be delineated with a structural impediment, to be approved by the Planning Board.
 - (f) The number of seats proposed shall be considered in determining the parking requirements

for the site.

- (g) If the outdoor seating area will have speakers for background music, the speakers may not be utilized between 10:00 p.m. and 7:00 a.m.
 - (h) The edge of the outdoor seating area must be set back a minimum of 25 feet from any adjacent single-family residential lot, and an adequate buffer in accordance with § 395-9F must be provided.
 - (i) If the restaurant is not a full-service restaurant, then permanent receptacles for trash and recyclables must be provided within the outdoor seating area for patron use.
- (3) Fast food restaurants without drive-through or window facilities. **[Added 8-26-2014 by Ord. No. 14-02]**
- (a) The minimum gross floor area for the use is 1,200 square feet.
 - (b) Food service must take place inside a building (not through a window to the outside).
 - (c) The restaurant must provide trash and recycling receptacles both inside and outside the building for customer use. Those receptacles placed outside must be secured and visually compatible with the overall development.
 - (d) The number of tables and seats must be provided on the application.
 - (e) If outdoor seating is proposed, the outdoor dining/seating area must comply with the requirements of § 395-24C(2).
 - (f) Signage shall conform to the requirements for the zoning district.
 - (g) An enclosure for trash and recyclable materials must be provided to serve the facility and must be sufficiently sized to contain dumpsters/containers for trash and recyclable materials.
 - [1] New trash enclosures shall be masonry structures a minimum of six feet high, with an exterior facade to match the principal buildings.
 - [2] New trash enclosures not be located in the front yard and must be set back a minimum of five feet from side and rear property lines.
- (4) Fast food with drive-through or window facilities. **[Added 8-26-2014 by Ord. No. 14-02]**
- (a) Minimum lot size is 20,000 square feet.
 - (b) Traffic impact information must be provided in a report submitted with the application to establish the nature and extent of the anticipated customer volume, and to establish that such volume can be accommodated at the proposed location without substantial adverse impact upon the required or existing on-site parking, existing and proposed driveways, and pedestrian and vehicular movements into, within, and out of the site.
 - (c) The number of tables and seats must be provided on the application.
 - (d) If outdoor seating is proposed, the outdoor dining/seating area must comply with the requirements of § 395-24C(2).

- (e) Signage shall conform to the requirements for the zoning district except for a menu board as noted below.
- (f) For drive-through facilities, one freestanding menu board sign is permitted, in addition to other permitted signs, not to exceed seven feet six inches in height and 45 square feet in area.
- (g) An enclosure for trash and recyclable materials must be provided to serve the facility and must be sufficiently sized to contain dumpsters/containers for trash and recyclable materials.
 - [1] Trash enclosures shall be masonry structures a minimum of six feet high, with an exterior facade to match the principal buildings.
 - [2] Trash enclosures may not be located in the front yard and must be set back a minimum of five feet from side and rear property lines.
- (h) The restaurant must provide trash and recycling receptacles both inside and outside the building for customer use. Those receptacles placed outside must be secured and visually compatible with the overall development.
- (i) The drive-through lane must provide sufficient stacking space for a minimum of eight vehicles to queue.
- (j) Drive-through service speakers shall not be utilized between the hours of 10:00 p.m. and 6:00 a.m. if the property is within 100 feet of a residential zone.
- (k) Drive-through window areas and vehicle stacking lanes must be buffered from adjacent properties with evergreen trees. The landscaped buffer must be a minimum of eight feet in width. If adjacent properties are residential, a fence must also be provided within the buffer area.
- (l) Pedestrian crosswalks must be provided at logical pedestrian crossing points to ensure safe pedestrian circulation around and within the site.

§ 395-24.1. Prohibited uses. [Added 7-27-2021 by Ord. No. 21-07]

- A. All classes of cannabis establishments or cannabis distributors or cannabis delivery services as said terms are defined in Section 3 of P.L. 2021, c. 16, but not delivery of cannabis items and related supplies by a delivery service.

§ 395-25. Home businesses. [Added 3-3-2015 by Ord. No. 15-04]

- A. A home business shall be a permitted use in all residential zoning districts, subject to the following conditions:
 - (1) The gross area devoted to the home business use shall not exceed the lesser of 250 square feet or 10% of the total gross floor living area of the residential property. The area devoted to the business shall be contiguous.
 - (2) The home business shall only be operated by the resident owner of the residential dwelling.
 - (3) The home business shall be conducted entirely within the primary dwelling or any other accessory building located on the same lot, and only one such use shall be conducted on the

premises.

- (4) No more than two clients or patrons may be on the premises for business or professional purposes at any one time. However, in no event shall more than one more vehicle of a client or patron be parked on the street, subject to the provisions of Subsection A(12). **[Amended 9-6-2016 by Ord. No. 16-08]**
 - (5) There shall be no display or products visible from the street, nor shall any article be sold or offered for sale on or from the premises.
 - (6) The residential character of the lot and building shall not be changed or altered.
 - (7) No sign identifying or advertising the home occupation shall be permitted.
 - (8) No more than one nonresident full-time or part-time employee shall be permitted.
 - (9) No sounds emanating from the home occupation use shall be audible outside the residence.
 - (10) No equipment shall be used which will cause interference with radio and television reception in neighboring dwellings, nor create other nuisances by its operation.
 - (11) Deliveries shall be limited to package services such as United Parcel Service, Federal Express or other recognized delivery service.
 - (12) No additional parking shall be generated by such occupation in excess of one automobile; except, if the premises has no driveway, then one commercial vehicle, not exceeding 8,000 pounds registered weight, may also park on the street. In no event shall the total number of vehicles parked on the street exceed two, which would include the owner's vehicle and/or the employee's vehicle and/or the commercial vehicle and/or a client or patron's vehicle. Existing parking regulations regarding the size of the vehicles shall take precedence over this subsection. **[Amended 9-6-2016 by Ord. No. 16-08]**
 - (13) No business shall be conducted at the site before 8:00 a.m. or later than 9:00 p.m.
 - (14) Only one business vehicle, combined with a trailer, if any, not exceeding 8,000 pounds registered weight, shall be permitted on the residential property, said vehicle must be parked in the driveway. Existing parking regulations regarding the size of the vehicles shall take precedence over this subsection. **[Amended 9-6-2016 by Ord. No. 16-08]**
 - (15) There shall be no outside storage of any kind related to the home business.
 - (16) All home business uses shall specifically maintain solid waste containers which shall comply with the following standards:
 - (a) The container shall be watertight and of metal or plastic with a tight-fitting cover and handles. Each container shall have a capacity of not less than 20 gallons nor more than 40 gallons and shall not exceed 50 pounds when containing solid waste material. The volume of solid waste generated from the home business, together with other residential solid waste, shall not exceed 10 receptacles, bags, boxes, bundles, or a combination thereof.
- B. Family day-care homes are permitted as per the provisions of N.J.S.A. 40:55D-66.5a et seq.
- C. Prohibited home businesses. The following uses are specifically prohibited as home businesses:
- (1) Auto repair, refurbishing or servicing.

- (2) Retail or wholesale sales of goods, equipment, chattels, fixtures, materials, supplies or any other merchantable items.
 - (3) Restaurant or other food distribution or sales.
 - (4) Tattoo or piercing.
 - (5) Psychic readings.
 - (6) Massage parlors.
 - (7) Firearm repair.
 - (8) Boarding homes.
 - (9) Any other forms of business which are specifically prohibited in any commercial district.
- D. All home businesses must be registered annually with the Clerk of the Borough of Runnemede. An annual application/registration fee of \$50 shall be paid. The resident shall be required to secure a permit prior to the commencement of any such use. The Construction Code Official or Zoning Officer or their designee, of the Borough of Runnemede shall inspect the premises to insure compliance with the standards set forth herein for such home businesses. Any permit shall not be transferrable to a subsequent owner of the property. The annual permit is good for the calendar year, without regard to the month in which it is applied for and issued. **[Amended 9-6-2016 by Ord. No. 16-08]**
- E. Home business owners must comply with all provisions of the Construction Code and all provisions of any other applicable codes, both prior to the issuance of the initial permit and continuing as long as the business is operational. **[Amended 9-6-2016 by Ord. No. 16-08]**
- F. The Code Enforcement Officer and/or Zoning Officer and/or their designee shall enforce the provisions of this section. **[Added 9-6-2016 by Ord. No. 16-08]**
- G. Operation of a home business without the required permit shall result in immediate cessation of business operations. A home business operating without a permit or a home business operating after a permit has been revoked shall be subject to a fine of \$250. If the operation continues after a period of six days, on the seventh day and every day thereafter, the owner shall be subject to a fine of \$250 per day. **[Added 9-6-2016 by Ord. No. 16-08]**
- H. Violations of the parking regulations and other portions of this ordinance shall result in fines of \$250 a day for the first through the seventh day, \$500 a day for the next seven days, and \$1,000 a day on the fifteenth day and every day thereafter. The violations in this section may be imposed in addition to the violations contained in Subsection G. **[Added 9-6-2016 by Ord. No. 16-08]**
- I. Where all the requirements set forth herein are met, no site plan application shall be required. **[Added 9-6-2016 by Ord. No. 16-08]**

§ 395-26. Cannabis Establishment Conditionally Permitted Use Overlay Zone. [Added 10-5-2021 by Ord. No. 21-13; 10-4-2022 by Ord. No. 22-13; 12-30-2024 by Ord. No. 24-24]

- A. Purpose and intent. The purpose and intent of the Cannabis Establishment Conditionally Permitted Use Overlay Zone is to provide appropriate type of facility in appropriate location within the Borough while promoting economic growth that will preserve and maintain health, safety and welfare of the Borough and its residents.

- B. Conditional use. Cannabis establishments based on the types of licenses shall be permitted as a conditionally permitted overlay zone in the following districts:

Type of Class	Zone Permitted
Class 1, 2, 3, 4, 5 and 6	Special Economic Development (SED)
Class 5	Special Economic Development, Commercial, Redevelopment

- C. Conditions of operation for cannabis establishments.

- (1) All cannabis establishments Classes 1 through 6 located within the Borough shall meet all requirements for licensure and hold the appropriate license issued by the Cannabis Regulatory Commission, Department of Treasury, State of New Jersey.
- (2) No cannabis establishment shall permit on-site consumption of cannabis or cannabis-related products, including no on-site sales and consumption of alcohol or tobacco products.
- (3) No outside storage of any cannabis, cannabis products or cannabis-related materials shall be permitted.
- (4) Hours of operation of any cannabis retail facility shall be limited from 9:00 a.m. to 9:00 p.m., seven days a week; however, hours of operation of any drive-through services of any cannabis retail facility shall be limited from 8:00 a.m. to 9:00 p.m., seven days a week.
- (5) For each cannabis establishment located within the Borough, a security plan to be approved by the Runnemede Police Department shall be provided to demonstrate how the facility will maintain effective security and control of the operations. The plan should include the following, but not be limited to:
 - (a) Type of security systems to be installed.
 - (b) Installation, operation and maintenance of security cameras covering all interior and exterior parking lots, loading areas and other such areas of the establishments.
 - (c) Tracking and recordkeeping of products and materials.
 - (d) Type of lighting provided in and around the establishments.
 - (e) Location on-site security team and guard on premises.
- (6) The Borough of Runnemede shall permit a maximum of four licenses for cannabis establishments of any classification from Classes 1 through 6. No more than two retail cannabis establishments of Class 5 shall be permitted within the Borough. Following the proper approvals by the State of New Jersey and the Runnemede Planning/Zoning Board, the Mayor and Council shall be responsible for the issuance of a final license.

- D. Conditions of performance standards.

- (1) All cannabis establishments, particularly Classes 1, 2, 3, 4 and 5, shall provide detailed information on odor control from these sites. This shall include air treatment systems with sufficient odor-absorbing ventilation and exhaust systems such that any odors generated inside the facility are not detectable by a person of reasonable sensitivity anywhere on adjacent

property, within public rights-of-way, or within any other unit located in the same building if the use occupies a portion of a building.

- (2) All cannabis establishments shall provide for noise mitigation features designed to minimize disturbance from machinery, processing and/or packaging operations, loading and other noise-generating equipment or machinery. All licensed facilities must operate within applicable state decibel requirements.
- (3) Loitering, disruption to and/or obstruction of the free passage of persons or vehicles in the immediate vicinity of the property shall be considered unlawful.

E. Conditions of site development standards.

- (1) All cannabis establishment operations such as cultivation, manufacturing, wholesale packaging and retail shall be conducted within a building. No operations shall be conducted outside.
- (2) Class 1, Class 2, Class 3 and Class 4 shall have minimum lot area of five acres.
- (3) No cannabis establishments shall be located within 200 feet of a house of worship, school, or day care.
- (4) Parking. Each cannabis establishment shall comply with the parking regulations. The following parking schedule shall be used to calculate the required number of off-street parking spaces per use. Where the calculation results in a fraction of a space, the required number of parking spaces shall be rounded to the nearest whole number.
 - (a) Cannabis cultivator: one per every 1,000 square feet of gross floor area or one per two employees at maximum shift.
 - (b) Cannabis delivery service: one per every 1,000 square feet of gross floor area, plus one parking space for every delivery driver or fleet vehicle.
 - (c) Cannabis distributor: one per every 1,000 square feet of gross floor area.
 - (d) Cannabis manufacturer: one per every 1,000 square feet of gross floor area or one per two employees at maximum shift.
 - (e) Cannabis retailer: one per every 300 square feet of gross floor area.
 - (f) Cannabis wholesaler: one per every 1,000 square feet of gross floor area.
- (5) Signage. Signage shall comply with section on signs and flagpole regulations of the Land Use Ordinance.

F. Cannabis transfer tax and user tax.

- (1) Pursuant to Section 40 of the New Jersey Cannabis Regulatory, Enforcement and Marketplace Modernization Act, a 2% municipal transfer tax shall be imposed on the lawful sale of cannabis on all sales or transfers of cannabis products from a licensed cannabis entity, as defined herein, except for the sales or transfers of cannabis products from a cannabis wholesaler, which shall be taxed at a percentage rate of 1% on all sales or transfers of cannabis products.
- (2) There is hereby established a cannabis user tax in the Borough of Runnemede at the same rates set forth in Subsection F(1) herein which shall apply to any licensed cannabis entity which holds concurrent licenses and operates more than one cannabis establishment. The cannabis user tax

shall apply to the value of each transfer or use of cannabis or cannabis items not otherwise subject to the cannabis transfer tax from the licensed cannabis entity's establishments either without or outside the Borough of Runnemede.

- (3) The cannabis municipal tax shall be in addition to any other tax or fee imposed pursuant to statute or local ordinance or resolution by any governmental entity upon the lawful purchase of cannabis. Any transaction for which the transfer or user tax is imposed or could be imposed, pursuant to this section, other than those which generate receipts from retail sales by cannabis retailers shall be exempt from the tax imposed under the Sales and Use Tax Act.¹⁴
- (4) The transfer tax or user tax imposed by this article shall be collected or paid, and remitted to Runnemede by the cannabis establishment from the cannabis establishment purchasing or receiving the cannabis or cannabis item. The transfer tax or user tax shall be stated, charged, and shown separately on any sales slip, invoice, receipt or other statement or memorandum of the price paid or payable, or equivalent value of the transfer, for the cannabis or cannabis item.
- (5) Every cannabis establishment required to collect a transfer tax or user tax imposed by ordinance pursuant to this section shall be personally liable for the transfer tax or user tax imposed, collected, or required to be collected under this section. Any cannabis establishment shall have the same right with respect to collecting tax or user tax from another cannabis establishment as if the transferor user tax was part of the purchase price of the cannabis or cannabis item and payable at the same time; provided, however, that the Tax Collector of Runnemede shall be joined as a party in any action or proceeding brought to collect the transfer tax.
- (6) No cannabis establishment required to collect a transfer tax or user tax imposed by this section shall advertise or hold out to any person or to the public in general, in any manner directly or indirectly that the transfer tax or user tax will not be separately charged and stated to another cannabis establishment, or that the transfer tax or user tax will be refunded to the cannabis establishment.
- (7) All revenues collected from the transfer tax or user tax imposed by ordinance pursuant to this section shall be remitted to the Runnemede Chief Financial Officer on a quarterly basis payable for the prior three month's activities and due at the same time as quarterly dates for the collection of property taxes. The revenues due on February 1 of each year shall include all transfer taxes and user taxes collected for the immediate prior months of October, November, and December. The revenues due on May 1 of each year shall include all transfer taxes and user taxes collected for the immediate prior months of January, February and March. The revenues due on August 1 of each year shall include all transfer taxes and user taxes collected for the immediate prior months of April, May, and June. The revenues due on November 1 of each year shall include all transfer taxes and user taxes collected for the immediate prior months of July, August, and September. There shall be a ten-day grace period typically permitted for property tax payments. There shall be no extension of the cannabis transfer tax/user tax grace period without a resolution of the Governing Body authorizing a specific extension.
- (8) All payments to Runnemede shall be accompanied by certain supporting data and made in a manner prescribed by the Chief Financial Officer. The licensed cannabis entity operating within the Borough shall file on an annual basis no later than February 1 of each year a financial report from an independent accountant certifying as to the annual revenues for the preceding year.
- (9) The Chief Financial Officer or his/her designee shall collect and administer the local cannabis

14. Editor's Note: See N.J.S.A. 54:32B-1 et seq.

transfer tax and user tax imposed by this subsection. The Borough shall enforce the payment of delinquent local cannabis transfer tax in the same manner and at the same interest rates as provided for municipal real property taxes.

- (10) In the event that the local cannabis transfer tax and user tax imposed by this section is not paid as and when due by a cannabis business, the unpaid balance, and any interest accruing thereon, shall be a lien on the parcel of real property comprising the cannabis business in the same manner as all other unpaid municipal taxes, fees, or other charges. The lien shall be superior and paramount to the interest in the parcel of any owner, lessee, tenant, mortgagee or other person, except the lien of municipal taxes, and shall be on parity with and deemed equal to the municipal lien on the parcel for unpaid property taxes due and owing in the same year. The lien shall be enforced as a municipal lien in the same manner as all other municipal liens are enforced.
 - (11) Each assumption or absorption by a licensee of the tax shall be deemed a separate offense and each representation or advertisement by a licensee for each day that the representation or advertisement continues shall be deemed a separate offense.
 - (12) Any licensee who violates any of the provisions of this section shall, upon conviction thereof, be liable for penalties or any combination thereof as set forth in the Code of the Borough of Runnemede, in the discretion of the Judge of the Municipal Court before whom such a violation is heard and conviction made. Each day that a violation occurs shall be deemed a separate and distinct violation, subject to the penalty provisions of this section.
 - (13) A copy of this section shall be transmitted to the State Treasurer and to every licensed cannabis entity within the Borough of Runnemede.
- G. Fees. The initial application fee for a license with the Borough of Runnemede shall be \$250. The fee for the annual renewal of the license shall be \$100.