

**TOWNSHIP OF FAIRFIELD
ORDINANCE #2017-03**

**AN ORDINANCE TO AMEND CHAPTER FORTY FIVE ARTICLE III SECTION 45-7.1
OF THE CODE OF THE TOWNSHIP OF FAIRFIELD**

WHEREAS, it has come to the attention of the governing body that the Township Ordinance Section 7.1 fails to properly define the manner in which the Township regulates measurement of Building Height, and

WHEREAS, the Governing Body intends to measure Building Height relative to a building's or structure's relationship to the area immediately surrounding such building or structure, in place of the current measurement that measures height relative to street curbing in front of the lot on which said building or structure is located or the center of the roadway where no such curbing exists, and

WHEREAS, the Governing Body finds that it is in the public interest to amend the definition of Building Height.

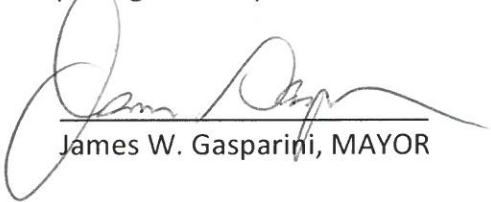
NOW, THEREFORE BE IT ORDAINED, by the Mayor and Township Council of the Township of Fairfield, County of Essex, New Jersey, as follows:

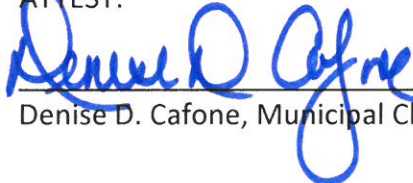
1. Chapter 45 Article III Section 7.1 of the Ordinance of the Township of Fairfield is hereby amended as follows:

Section 45-7.1 Paragraph 1 Definition of Building Height is amended by the deletion of Paragraph 1 and its replacement with the following:

Building Height shall be measured as follows: The vertical distance measured from the original grade, measured ten feet from the building or structure foundation, at twenty foot intervals around the building or structure (and at all points opposite corners of the building or structure where the ten foot lines intersect), to the highest roof beams on a flat roof, to the deck level on a mansard roof, and to the highest ridge line for gable, hip and gambrel roofs. If the building or structure wall is less than forty feet in length, the measurement shall be taken at the midpoint of the wall. Where a retaining wall bisects the ten foot dimension, an additional measurement shall be taken using the average height between the top and bottom of the retaining wall. (See accompanying two figures for pictorial examples of measurements).

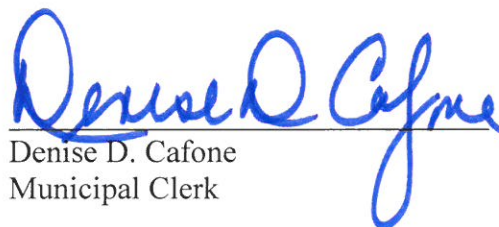
2. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
3. If any section, paragraph, clause or provision of this ordinance shall be adjudged to be invalid, such adjudication shall apply only to that section, paragraph, clause or provision so adjudged, and the remainder of this ordinance shall be deemed valid and effective.
4. This Ordinance shall take effect immediately upon passage and publication in accordance with law.


James W. Gasparini, MAYOR

ATTEST:

Denise D. Cafone, Municipal Clerk

NOTICE

NOTICE is hereby given that the foregoing Ordinance was submitted in writing at a meeting of the Mayor and Council of the Township of Fairfield, County of Essex, State of New Jersey, held on **January 23, 2017** introduced and read by title and passed first reading, and that said Governing Body will further consider the same for second reading and final passage thereof at a meeting to be held on **February 27, 2017 at 7:00 p.m.**, at the Municipal Building, 230 Fairfield Road, Fairfield New Jersey, at which time and place a public hearing will be held thereon by the Governing Body and all persons and citizens of interest shall have an opportunity to be heard concerning same.


Denise D. Cafone
Municipal Clerk

INTRODUCTION OF ORDINANCE - JANUARY 23, 2017:
ORDINANCE #2017-03 - AN ORDINANCE TO AMEND CHAPTER FORTY FIVE
ARTICLE III SECTION 45-7.1 OF THE CODE OF THE TOWNSHIP OF FAIRFIELD

INTRODUCED BY: COUNCILMAN LAFORGIA
SECONDED BY: COUNCILMAN CIFELLI
PUBLISHED: FEBRUARY 2, 2017

ROLL CALL VOTE

GOVERNING BODY	AYES	NAYS	ABSTAIN	ABSENT	NOT VOTING
COUNCIL PRESIDENT MICHAEL B. MCGLYNN	X				
COUNCILMAN THOMAS J. MORGAN	X				
COUNCILMAN JOSEPH CIFELLI	X				
COUNCILMAN JOHN LAFORGIA	X				
MAYOR JAMES GASPARINI	X				

2ND READING AND PUBLIC HEARING – FEBRUARY 27, 2017

INTRODUCED BY: COUNCILMAN LAFORGIA
SECONDED BY: COUNCILMAN CIFELLI
PUBLISHED: MARCH 2, 2017

ROLL CALL VOTE

GOVERNING BODY	AYES	NAYS	ABSTAIN	ABSENT	NOT VOTING
COUNCIL PRESIDENT MICHAEL B. MCGLYNN				X	
COUNCILMAN THOMAS J. MORGAN	X				
COUNCILMAN JOSEPH CIFELLI	X				
COUNCILMAN JOHN LAFORGIA	X				
MAYOR JAMES GASPARINI	X				