

**TOWNSHIP OF FRANKLIN**  
**O-12-2020**

**ORDINANCE OF THE TOWNSHIP OF FRANKLIN, COUNTY OF  
GLOUCESTER, AND STATE OF NEW JERSEY, AMENDING CHAPTER 253 OF  
THE CODE OF THE TOWNSHIP OF FRANKLIN ENTITLED “LAND  
DEVELOPMENT”**

**WHEREAS**, Chapter 253 of the Code of the Township of Franklin, entitled, “LAND DEVELOPMENT promotes orderly development, limits congestion on streets, protects against hazards, regulates intensity of use, regulates location of buildings, establishes standards of development, encourages good aesthetics, prohibits incompatible uses, regulates alterations of existing buildings, conserves taxable value of land and implements the Master Plan of the Township; and

**WHEREAS**, Article IX, Chapter 253-86 establishes zones or districts of classes within the Township of Franklin; and

**WHEREAS**, Article X, establishes General Zoning Provisions within the Township of Franklin; and

**WHEREAS**, the Township of Franklin supports Agricultural uses in all areas of the Township; and

**WHEREAS**, pursuant to N.J.S.A. 40:48-2, the Governing Body is authorized to enact and amend ordinances as deemed necessary for the preservation of the public health, safety and welfare and as may be necessary to carry into effect the powers and duties conferred and imposed upon the Township by law.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Township Committee of the Township of Franklin, County of Gloucester and State of New Jersey as follows:

Revise Article I, Chapter 253-3, entitled “Definitions”, B. “Agricultural or Horticultural Purpose or Use:

Any production of plants or animals useful to man, including but not limited to: forages or sod crops; grains and feed crops; dairy animals and dairy products; poultry and poultry products; livestock, including beef cattle, sheep, swine, horses, ponies, mules or goats, and including the breeding and grazing of any or all such animals; bees and apiary products; fur animals; aquatic organisms as part of aquaculture; trees and forest products; fruits of all kinds, including grapes, nuts and berries; vegetables; nursery, floral, ornamental and greenhouse products; or any land devoted to and meeting the requirements and qualifications for payments or other compensation pursuant to a soil conservation program under an agency of the federal government. **Agricultural or Horticultural Purpose or use can include production, harvesting, storage, grading, packaging, processing and the wholesale and retail marketing of crops, plants, animals and other related**

**commodities and the use and application of techniques and methods of soil preparation and management, fertilization, weed, disease and pest control, disposal of farm waste, irrigation, drainage and water management and grazing.**

Agricultural or horticultural use does not include earth extraction, land mining or land filling operations which are not incidental to existing agricultural operations. Examples of such incidental agricultural operations include, but are not limited to, harvesting, drainage and irrigation and grading incidental thereto.

Establish Chapter 253-96-2, entitled, "Permitted uses," The following uses shall be permitted in all of the Districts established under Article IX, Chapter 253-86:

"A. Agricultural uses, Agricultural use shall mean the use of the Premises for common farm site activities including, but not limited to: production, harvesting, storage, grading, packaging, processing and the wholesale and retail marketing of crops, plants, animals and other related commodities and the use and application of techniques and methods of soil preparation and management, fertilization, weed, disease and pest control, disposal of farm waste, irrigation, drainage and water management and grazing.

**SECTION 3:** All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

**SECTION 4:** If the provisions of any section, subsection, paragraph, subdivision, or clause of this Ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this Ordinance.

**SECTION 5:** This Ordinance shall be referred to the Township Planning Board for review.

**SECTION 6:** Upon adoption of this Ordinance after public hearing thereon, the Township Clerk is further directed to publish notice of the passage thereof and to file a copy of this Ordinance with the County Planning Board, the Pinelands Commission and other agencies as required by law.

**SECTION 7:** This Ordinance shall take effect immediately upon final passage and publication in accordance with law.

Attest:

Township of Franklin

\_\_\_\_\_  
BARBARA FREIJOMIL, RMC

\_\_\_\_\_  
MAYOR JOHN BRUNO

#### **CERTIFICATION**

I, Barbara Freijomil, Clerk of the Township of Franklin, County of Gloucester, do hereby certify that the foregoing Ordinance was introduced at the meeting of the Township of Franklin held on October 27, 2020 and thereafter duly advertised in the legal newspaper of the Township at least ten (10) days prior to it being considered for final passage and adoption at a subsequent meeting to be held on November 10, 2020, at which time any person interested therein will be given an opportunity to be heard.

\_\_\_\_\_

BARBARA FREIJOMIL  
Township Clerk

Introduced October 27, 2020

<b>Name</b>	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>
Flaim				
Bruno				
Petsch-Wilson				x
Doyle				
Deegan				

Adopted November 10, 2020

<b>Name</b>	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>
Flaim				
Bruno				
Petsch-Wilson				
Doyle				
Deegan				