

ORDINANCE NO. 08-02

AN ORDINANCE OF THE TOWNSHIP OF LACEY,  
COUNTY OF OCEAN, STATE OF NEW JERSEY,  
AMENDING AND SUPPLEMENTING CHAPTER 335 OF  
THE TOWNSHIP CODE, ENTITLED "ZONING," SO AS TO  
AMEND SECTION 335-57.1 ENTITLED "AGE RESTRICTED  
PLANNED UNIT RESIDENTIAL DEVELOPMENT ZONE"  
AND SECTION 335-78, ENTITLED "CONDITIONAL USE  
PERMITS," SECTIONS 335-78C(19)(f)[1][a] AND 335-  
57.1D(2)(a)[1] TO DESIGNATE AGE RESTRICTIONS FOR  
AGE RESTRICTED DEVELOPMENTS

**BE IT ORDAINED**, by the Mayor and Township Committee of the Township of  
Lacey, County of Ocean, State of New Jersey, as follows:

**SECTION 1.** Section 335-57.1 of the Township Code of the Township of Lacey,  
entitled "Age-Restricted Planned Unit Residential Development Zone" is hereby amended and  
supplemented so as to amend the age restricted requirements in § 335-57.1D(2)(a)[1] as follows:

[a] At least 80% of the units in the development must be  
occupied by a husband or wife over 55 years of age; there  
is no age requirement for the spouse of such husband or  
wife.

A maximum of 20% of the units in the development can be  
occupied by a husband or wife over 48 years of age; there  
is no age requirement for the spouse of such husband or wife.

**SECTION 2.** Section 335-78 of the Township Code of the Township of Lacey,  
entitled "Conditional use permits," is hereby amended and supplemented so as to amend the age-  
restricted requirements in § 335-78C(19)(f)[1][a] as follows:

[a] At least 80% of the units in the development must be  
occupied by a husband or wife over 55 years of age; there  
is no age requirement for the spouse of such husband or  
wife.

A maximum of 20% of the units in the development can be  
occupied by a husband or wife over 48 years of age; there  
is no age requirement for the spouse of such husband or wife.

**SECTION 3.** All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

**SECTION 4.** If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

**SECTION 5.** After introduction of this ordinance, the Township Clerk shall send a copy of this ordinance to the Township Planning Board for its review and comment. The Township Clerk shall also send copies of this ordinance to all adjoining municipalities pursuant to N.J.S.A. 40:55D-26 and to the Ocean County Planning Board pursuant to N.J.S.A. 40:55D-16 by certified mail at least ten (10) days prior to the proposed second reading and adoption of this ordinance.

**SECTION 6.** This ordinance shall take effect after second reading and publication as required by law and filing of the ordinance with the Ocean County Planning Board.

**NOTICE**

**NOTICE IS HEREBY GIVEN** that the foregoing ordinance was introduced and passed by the Township Committee on first reading at a meeting of the Township Committee of the Township of Lacey held on the \_\_\_\_ day **January, 2008**, and will be considered for second reading and final passage at a regular meeting of the Township Committee to be held on the \_\_\_\_ day of **January, 2008**, at 8:00 p.m., at the Municipal Building located on Lacey Road in Forked River, New Jersey, at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.

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**VERONICA LAUREIGH, CMC, AAE**  
Township Clerk, Township of Lacey