



## TOWN OF MANALAPAN AGENDA ITEM SUMMARY

**Meeting Date:** August 25, 2015

**Agenda Item No.:** PH 2

**Agenda Item Name:** **Ordinance #338- (First Reading)** Amending Chapters 50, 91, 153 and 157 in order to clarify requirements for plantings in the swale areas.

**ACTION REQUESTED:** Discussion  Approval

### **BACKGROUND:**

The draft ordinance on swale plantings was discussed July 28<sup>th</sup> and Town Manager Stumpf was asked to submit a full list of trees that could be safely planted in the swales. A list has been compiled from several cities that regulate swale plantings. The Town Engineer, has stated that in her opinion trees should not be planted in the swales on Point Manalapan due to their configuration. She has also indicated that there should be a 6' clear zone maintained at all times in swales. She has provided the following explanation of the purpose of a swale: Grassed swales are designed to promote the conveyance of storm water and acts as a filter to ultimately replenish our aquifer. Trees planted in a grassed swale impede the movement of storm water, limit the volume of potential storm water being transported/stored and compromise the rate at which water can be infiltrated into the groundwater.

### **ATTACHMENT:**

- Approved Tree List for Swale Plantings
- Ordinance #338



# TOWN OF MANALAPAN

600 South Ocean Boulevard, Manalapan, Florida 33462-3398

Telephone (561) 585-9477 Fax (561) 585-9498

Email: [townhall@manalapan.org](mailto:townhall@manalapan.org) [www.manalapan.org](http://www.manalapan.org)

## APPROVED TREE LIST FOR SWALE PLANTINGS

### COMMON NAME

### SCIENTIFIC NAME

#### TREES

Alexander Palm	<i>Ptychosperma elegans</i>
Bottlebrush	<i>Callistemon</i> spp.
Buttercup Tree	<i>Cochlospermum vitifolium</i>
Frangipanitree	<i>Plumeria</i>
Golden Rain Tree	<i>Koelreuteria formosana</i>
Inkwood	<i>Exothea paniculata</i>
Jatropha	<i>Jatropha multifida</i>
Jerusalem Thorn	<i>Parkinsonia aculeata</i>
Juniper	<i>Juniper</i> spp.
Lignum Vitae	<i>Guaiaacum sanctum</i>
Ligustrum	<i>Ligustrum japonicum</i>
Loquat	<i>Eriobotrya japonica</i>
Little Gem Magnolia	<i>magnolia grandiflora</i>
Madagascar Olive	<i>Noronhia emarginata</i>
Pigeon Plum	<i>Coccoloba diversifolia</i>
Paradise Tree	<i>Simarouba glauca</i>
Pitch Apple	<i>Clusia rosea</i>
Purple Tabebuia	<i>Tabebuia impetiginosa</i>
Red Maple	<i>Acer rubrum</i>
Satinleaf	<i>Chrysophyllum olivifome</i>
Screw Pine	<i>Pandanus utilis</i>
Shoals Creek Chastetree	<i>Vitex agnus-castus</i>
Silver Buttonwood	<i>Conocarpus erectus</i>
Southern Red Cedar	<i>Juniper silicicola</i>
Southern Wax Myrtle	<i>Myrica cerifera</i>
Sweet Bay	<i>Magnolia virginiana</i>
Trumpet Tree, Tree of Gold	<i>Tabebuia argentea</i>
Whitegeiger	<i>Cordia sebestena</i>



# TOWN OF MANALAPAN

600 South Ocean Boulevard, Manalapan, Florida 33462-3398

Telephone (561) 585-9477 Fax (561) 585-9498

Email: [townhall@manalapan.org](mailto:townhall@manalapan.org) [www.manalapan.org](http://www.manalapan.org)

## PALMS

Chinese Fan Palm  
Christmas Palm  
European Fan Palm  
Florida Thatch Palm  
Foxtail Palm  
India Date Palm  
Lady Palm  
Montgomery Palm  
Pigmy Date Palm  
Pindo Palm  
Reclinata Date Palm  
Reed Palm  
Saw Palmetto  
Spindle Palm  
Sylvester Palm  
Washington Palm

*Livistonia chinensis*  
*Veitchia merrillii*  
*Chamaerops humilis*  
*Thrinax radiata*  
*Wodyetia bifurcata*  
*Phoenix sylvestris*  
*Rhapis excels*  
*Veitchia arecina*  
*Phoenix roebelenii*  
*Butia capitata*  
*Phoenix reclinata*  
*Chamaedorea* spp.  
*Serenoa repens*  
*Mascarena verschaffetii*  
*Phoenix sylvestris*  
*Washingtonia robusta*

## ORDINANCE NO. 338

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF MANALAPAN, FLORIDA, AMENDING THE CODE OF ORDINANCES AT CHAPTERS 50, 91, 153, AND 157 TO CLARIFY EXISTING LANGUAGE, ADD A NEW DEFINITION, AND ADD SECTIONS AND SUBSECTIONS RELATED TO ROADSIDE SWALES, CHANGES OF GRADE, REQUIRED DRAINAGE, MAINTENANCE OF SWALE AREAS, AND TREES IN SWALE AREAS; PROVIDING THAT EACH AND EVERY OTHER SECTION AND SUBSECTION OF CHAPTERS 50, 91, 153, AND 157 SHALL REMAIN IN FULL FORCE AND EFFECT AS PREVIOUSLY ENACTED; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, Chapters 50, 91, 153, and 157 of the code of ordinances provide regulations for sewers, streets and sidewalks, flood damage prevention, and landscape and vegetation management in the Town of Manalapan; and

WHEREAS, the Town Commission desires to amend chapters 50, 91, 153, and 157 to clarify existing language, add a new definition, and add new sections and subsections, which shall be numbered §§ 50.43, 91.06, 153.108, 157.74(D), 157.84, and 157.85; and

WHEREAS, the Town Commission believes these amendments, new sections, and subsections, will allow the Town to regulate roadside swales, changes of grade, required drainage, maintenance of swale areas, and trees in swale areas to mitigate storm water drainage, avoid flooding, and provide additional peace of mind to the residents and visitors of Manalapan; and

WHEREAS, the Town Commission believes these revisions to the Code of Ordinances are in the best interest, health, safety, and welfare of the citizens of Manalapan.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF MANALAPAN, FLORIDA:

**Section 1.** That the Code of Ordinances, Town of Manalapan, Florida, is hereby amended by adding a section, to be numbered § 50.43, which reads as follows:

### **§ 50.43 ROADSIDE SWALES**

*Roadside swales within street rights-of-way shall be constructed in accordance with approved typical sections for the development under consideration. Swale cross-sections shall be designed to carry runoff to the edge of pavement or to the edge of improved property that is adjacent to the right-of-way. Surplus water from roadside swales shall be diverted into the Town's storm water system or via another method that is approved by the Town. Trees must be approved and permitted in accordance § 157.85 before placement in roadside swales. Permitted trees shall be placed in roadside swales in a matter that does not compromise the design and function of roadside swales*

**Section 2.** That the Code of Ordinances, Town of Manalapan, Florida, is hereby amended by adding a section, to be numbered § 91.06, which section reads as follows:

**§ 91.06 CHANGES OF GRADE.**

No person shall cause the change of a road grade that abuts any property or cause the change of a right-of-way grade in a matter that blocks or impedes proper and adequate drainage into the swale of road.

**Section 3.** That §153.108 of the Code of Ordinances, Town of Manalapan, Florida, is hereby amended by adding a subsection, to be numbered §153.108(G), which subsection reads as follows:

**§ 153.108(G) DRAINAGE REQUIRED.**

Swales shall be installed where public or private rights-of-way are wide enough to accommodate both the roadway and a viable swale. Swales shall be no less than six inches below the elevation of the nearest edge of the roadway. The normal design of a swale shall be not less than eight feet in width with a contour slope of 1:8. Variations in these criteria may be made by the town manager in conjunction with the town engineer and building official to accommodate individual property limitations. It is prohibited to plant trees in swales without a permit from the town and approval from the Architectural Commission. All such trees shall be planted and maintained in accordance with the requirements of § 157.85. Where it is not practical to install a swale, other means of retaining, detaining, and transporting runoff shall be installed with the approval of the town engineer.

**Section 4.** That §157.03 of the Code of Ordinances, Town of Manalapan, Florida, is hereby amended by adding a new definition to read as follows:

**SAFE SIGHT TRIANGLE.** A point of measurement whereby an individual in a vehicle has the ability to sight a prescribed distance without pulling onto a vehicular thoroughfare.

**SWALE AREAS.** Those areas lying between the road and sidewalk that are the property of the Town as part of its road and drainage rights-of-way.

All other definitions shall remain the same as previously adopted.

**Section 5.** That §157.74 of the Code of Ordinances, Town of Manalapan, Florida, is hereby amended by adding a subsection, to be numbered §157.74(D), which subsection reads as follows:

§§ 157.74(A)–(C) shall remain the same as previously adopted.

(D) No trees shall be planted in the Swale Areas except by the Town or by property owners that have obtained a permit from the Town and written approval from the Architectural Commission. Trees must be approved and permitted in accordance § 157.85 before placement in roadside swales.

**Section 6.** That the Code of Ordinances, Town of Manalapan, Florida, is hereby amended by adding a section, to be numbered § 157.84, which section reads as follows:

**§157.84 MAINTENANCE OF SWALE AREAS**

Swale Areas will be maintained by the adjacent property owner or tenant.

**Section 7.** That the Code of Ordinances, Town of Manalapan, Florida, is hereby amended by adding a section, to be numbered § 157.85, which section reads as follows:

**§ 157.85 TREES IN SWALE AREAS**

The following regulations will govern the location and variety of trees planted in Swale Areas:

1. Only the trees set forth below may be planted in Swale Areas:

Insert table here.

\* Invasive plant species that are listed by the Florida Exotic Pest Plant Council, coconut trees, fruit trees, fruit shrubs, and species that are prohibited by § 157.06 are specifically prohibited from planting in Swale Areas.

2. Swale trees must be planted in a manner that does not impede the flow and storage of storm water in roadside swales. Swale trees shall be planted and maintained to provide safe sight distances and a Safe Sight Triangle as described in § 157.78. Incidental plantings of flowers and grasses may be maintained without permit subject to the criteria described in this section.
3. Swale trees will be planted to avoid interference with overhead utility lines in accordance with Florida Power and Light Company's "Right Tree in the Right Place" list and § 157.74.

**Section 8.** Each and every other section of chapters 50, 91, 153 and 157 shall remain in full force and effect as previously enacted.

**Section 9.** All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

**Section 10.** Should any section or provision of this ordinance or any portion thereof, any paragraph, sentence or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder of this ordinance.

**Section 11.** Specific authority is hereby granted to codify this ordinance.

**Section 12.** This ordinance shall take effect immediately upon adoption.

FIRST READING this 25<sup>th</sup> day of August, 2015.

SECOND READING this \_\_\_\_ day of September, 2015.

TOWN OF MANALAPAN

\_\_\_\_\_  
DAVID CHEIFETZ, MAYOR

ATTEST: (SEAL)

\_\_\_\_\_  
LISA PETERSEN, TOWN CLERK



## TOWN OF MANALAPAN AGENDA ITEM SUMMARY

**Meeting Date:** August 25, 2015

**Agenda Item No.:** PH.3

**Agenda Item Name:** Ordinance #340-Amending Chapter 72 (First Reading)

**ACTION REQUESTED:** Discussion  Approval

### BACKGROUND:

At the June Commission meeting, staff asked the Commission to consider expanding the hours that allow for parking in the swales. This would only apply to residents and their guests/domestic help. Currently the code allows parking for only four hours. This item was discussed on July 28<sup>th</sup> and the Commission directed Town Attorney Davis to draft an ordinance that expanded swale parking for resident's use to eight hours and also stipulated that landscapers and service vehicles can only park their vehicles in front of homes that they are servicing.

### ATTACHMENTS:

- Ordinance #340



**ORDINANCE 340**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF MANALAPAN, FLORIDA, AMENDING THE CODE OF ORDINANCES AT CHAPTER 72. VEHICLE PARKING REGULATIONS, TO REVISE ON STREET AND SWALE PARKING REGULATIONS, PROVIDING FOR EIGHT (8) HOUR SWALE PARKING IN CERTAIN CIRCUMSTANCES, UPDATING CERTAIN DEFINITIONS IN CONFORMANCE WITH STATE LAW, REPEALING OUTDATED PROVISIONS AND GENERALLY CLARIFYING OTHER EXISTING REGULATIONS; PROVIDING THAT EACH AND EVERY OTHER SECTION AND SUBSECTION OF CHAPTER 72. VEHICLE PARKING REGULATIONS. SHALL REMAIN IN FULL FORCE AND EFFECT AS PREVIOUSLY ADOPTED; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

**WHEREAS,** The Town Commission of the Town of Manalapan desires to allow up to eight (8) hours for parking on swale areas under limited circumstances for certain non-commercial vehicles; and

**WHEREAS,** the Town Commission further desires to revise its vehicle parking code in general, to update definitions in conformance with state law, repeal outdated provisions and generally clarify other existing parking regulations; and

**WHEREAS,** the Town Commission believes these amendments to the Town's Code of Ordinances is in the best interest of the citizens of the Town of Manalapan.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF MANALAPAN, FLORIDA THAT**

**Section 1.** The facts and recitations contained in the preamble of this ordinance are adopted and incorporated by reference as if set forth in this section.

**Section 2.** Chapter 72. Vehicle Parking Regulations. of the Code of Ordinances of the Town of Manalapan is hereby amended to revise on street and swale parking regulations, providing for eight (8) hour swale parking in certain circumstances, updating certain definitions in

conformance with state law, repealing outdated provisions and generally clarifying other existing regulations; providing that Chapter 72 shall hereafter read as follows:

## CHAPTER 72: VEHICLE PARKING REGULATIONS

### Section

- 72.01 Definitions
- 72.02 Public streets, rights-of-way and swales
- 72.03 ~~Reserved~~ ~~Restricted near intersections~~
- 72.04 Approved off-street parking
- 72.05 Portable storage unit regulations
- 72.06 - 72.98 Reserved
- 72.99 Penalty

### § 72.01 DEFINITIONS.

For the purpose of this chapter, the The following definitions shall apply to this chapter unless the context clearly indicates or requires a different meaning.

***JURISDICTION OF TOWN.*** In accordance with Fla. Stat. Chapter 316, the town's jurisdiction includes all property located within the town's corporate limits and all roadways located therein except state roads. State roads are specifically exempted from municipal jurisdiction per Section Fla. Stat. sub-section 316.006(2)(a), Florida Statutes.

***PORTABLE STORAGE UNIT.*** Shall ~~mean any~~ Any portable, above-ground containers, including, but not limited to, any storage component of a portable storage or moving system or other containers used for temporary storage of personal property, merchandise or material whether or not the component is on wheels or requires transportation via motor vehicle. Portable storage units are intended only to be used for short-term storage.

***RIGHT OF WAY.*** The paved roadways, the adjacent swales on both sides of the paved roadways, and the sidewalks not in private ownership and designated as a road and/or road right-of-way dedicated to the public or the town. This also includes those portions of driveways that cross over swale and sidewalk areas.

***VEHICLE.*** ~~For the purposes of this section, the term~~ VEHICLE shall include the following:  
Every device, in, upon, or by which any person or property is or may be transported or drawn upon

a highway, excepting devices used exclusively upon stationary rails or tracks. By way of example and not limitation, vehicles shall also include all vehicles propelled by power (other than muscular power) and any non-motorized vehicles which include, but are not limited to, any type of trailer, trailer-and-boat in combination, semi-trailers, and trailer coaches.

**VEHICLE (COMMERCIAL).** Any vehicle, as defined hereinabove, having any commercial, business or advertising print, type or logo of any kind, or otherwise containing equipment for the trade or industry in which the vehicle is or may be used, regardless of vehicle size or weight. Service and delivery vehicles are considered types of commercial vehicles.

**VEHICLE (SERVICE AND/OR DELIVERY).** Any commercial vehicle, ~~as defined hereinabove,~~ that is used to provide as part of an ongoing enterprise that provides the type of services or deliveries that typically are must regularly be performed at the benefitted location for which they are intended to benefit. By way of example and not limitation, service and/or delivery vehicles include commercial vehicles used for This includes but is not limited to landscaping/lawn maintenance services, pool maintenance, vehicle and/or boat detailing service, pest control, plumbers, building contractors and sub-contractors and mail and parcel delivery services.

#### § 72.02 PUBLIC STREETS, RIGHTS-OF-WAY AND SWALES.

(A) *Generally.* It shall be unlawful for any person in charge of any vehicle in the town to stop, leave standing or park any such vehicle within any the rights-of-way in of any road within the town's jurisdiction of the town, except as specifically allowed by the terms of set forth in this chapter, or Chapter 74, dealing with abandoned vehicles, or and Chapter 152, dealing with Building Regulations (construction vehicles with approved parking plans for construction sites) of the Town Code of Ordinances. Such rights-of-ways include the paved roadways, the adjacent swales on both sides of the roadways, sidewalks, driveways over swale areas connecting roadways not in private ownership and designated as a road and/or road right-of-way dedicated to the public or the town.

(B) *Blocking sidewalks, ~~and/or~~ fire-hydrants and intersections prohibited.* It shall be unlawful for any person in charge of any vehicle in the town to stop, leave standing or park any such vehicle in any manner that blocks any sidewalk, or within fifteen (15) feet of a fire hydrant, or within twenty-five (25) feet of either side of any intersection of any street ~~or so as to interfere with, obstruct access to or impede the use of any public sidewalk within the town.~~

(C) Limited exceptions for temporary parking ~~Temporary parking allowed under certain circumstances.~~ Temporary parking, stopping and standing within any rights-of-way in the town, ~~whether attended or unattended,~~ is permitted under the following circumstances:

- (1) In compliance with ~~only to comply with~~ a traffic sign, signal, control, or law enforcement officer traffic control direction;
- (2) In the event of, ~~for~~ vehicle emergency disability, but for no longer than four (4) hours in any 24 hour period;
- (3) Commercial service and delivery vehicles parked completely on the pavement adjacent to the property being serviced, but for no longer than four (4) hours in any 24 hour period. The parking of commercial vehicles in swales, on grass, or other non-paves surfaces is prohibited;
- (4) Non-commercial vehicles parked completely within the swale or having no more than 12 inches of said vehicle extending into the pavement, adjacent to the property being visited or serviced, but for no longer than eight (8) hours in any 24 hour period;
- (5) or for service or use connected with a proximate residence, provided such ~~All~~ temporary parking, stopping or standing authorized by this sub-section shall be in the same direction as and parallel to the lawful movement of traffic ~~in the adjacent lane.~~ When such temporary parking is for vehicle emergency disability or for service or use connected with a proximate residence, such temporary parking shall not exceed four (4) hours total, whether continuous or intermittent, within any twenty-four (24) hour period and the following additional limitations shall apply:
- (6) In accordance with Sec. 152.110, parking of construction vehicles is prohibited in any swale area.

~~(1) Vehicles (not commercial, service or delivery).~~ No more than twelve (12) inches of the vehicle shall encroach upon the paved roadway.

~~(2) Commercial, service and delivery vehicles.~~ Commercial, service and delivery vehicles must be parked entirely on a finished paved or aggregate surface. Parking of such vehicles on swales, grassy, landscaped or other unfinished non-paved areas is strictly prohibited.

(D) Reserved Special parking permit. Temporary parking beyond the allowed four (4) hours may be permitted by submitting an application for a no fee special parking permit to the Town Clerk. Such applications must be submitted during normal Town Hall business hours prior to the

~~requested effective date of the permit. However, if such effective date should fall on a weekend the special permit request must be submitted no later than the end of the business day on the Friday proceeding the requested effective date of the permit. The Town Manager or his designee may approve or deny the application, in whole or in part, and may place conditions of approval upon the application, which in the sole discretion of the Town Manager, are necessary to mitigate the impacts created by the proposed parking. Approved special parking permits shall be valid for the time period stated on the permit. However, in no case shall a special parking permit authorize parking within the right of way of any road for greater than a single twenty-four (24) hour period during any single calendar month. Failure to comply with the application provisions of this sub-section shall result in a twenty-five (25) dollar fee being assessed for such special parking permit.~~

(E) *Limited parking allowed on vacant lots.* It shall also be unlawful for any ~~owner, operator or~~ person ~~in charge of a vehicle~~ to park a ~~such~~ vehicle upon any vacant lot in the town in excess of ~~eight (8)~~ four (4) hours total, whether continuous or intermittent, within any twenty-four (24) hour period. These regulations shall apply to all vacant lots even when the vacant lot is owned by the vehicle operator, is adjacent to the residence owned by the operator of such vehicle, or is owned by a person or entity which has granted permission for such parking. However, this sub-section does not apply to the staging of properly permitted and approved construction vehicles and equipment or in such cases when a valid construction site plan ~~special parking permit~~ has been approved ~~issued~~ for the subject vacant lot. Vehicles parked on vacant lots but which cannot be seen from a public or private roadway or from adjoining properties are exempt from the regulations requirements of this sub-section.

§ 72.03 RESERVED RESTRICTED NEAR INTERSECTIONS.

~~—It shall be unlawful for any persons to park, leave standing or stationary any vehicle within the right of way when such vehicle is within twenty-five (25) feet on either side of any intersection of any street.~~

§ 72.04 APPROVED OFF-STREET PARKING.

(A) Any and all off-street parking spaces, areas being utilized for off-street parking and all access drives to off-street parking, shall conform with the requirements of § 151.564 and must be specifically approved by the town.

(B) Parking on any unpaved areas located in front yards as defined at § 151.003 is strictly prohibited in all zoning districts. Parking on the swale areas is allowed only in accordance with § 72.02.

§ 72.05 PORTABLE STORAGE UNIT REGULATIONS.

(A) *Time limitation.* The temporary use and placement of a portable storage unit for the loading or unloading of items to or from the unit, from or to the residence, is permitted on residential property for a period of time not to exceed seven (7) consecutive days. The Town Manager or designee may grant one (1) extension not to exceed seven (7) additional consecutive days. Only one (1) portable storage unit per residential premises is permitted in any twelve-month period unless there is a change of ownership of the residential premises during such twelve-month period.

(B) *Placement.* The placement of the portable storage unit shall be on either the driveway or approved parking area surface and shall be accomplished in such a manner that no landscaping is damaged as a result. Portable storage units shall not be placed within any right-of-way nor on top of or over any easement.

(C) *Removal of portable storage units during tropical storm and hurricane warning or watch required.* In the event the National Weather Service, National Hurricane Center or appropriate weather agency declares a tropical storm watch or warning or a hurricane watch or warning for any portion of Palm Beach County, Florida, all portable storage units located within the town shall be immediately removed from the property so as not to create a safety hazard because of hurricane or tropical storm force winds. The removal and replacement of any portable unit storage pursuant to this sub-section shall not count toward the twelve-month limitation period as set forth in sub-section (A) above nor shall compliance with this sub-section diminish the total number of days allowed.

§§ 72.06 - 72.98 [RESERVED].

§ 72.99 PENALTY.

(A) Violations of the provisions of this chapter or failure to comply with any of its requirements shall be enforced by any lawful means available to the town and shall subject the violator to the payment of all costs and expenses involved in the case. Each day such violation continues shall be considered a separate offense.

(B) The owner or tenant of any structure, lot, premises, or part thereof and any architect, builder, contractor, agent or other person who commits, participates in, assists in or maintains such violation may each be found guilty of a separate offense ~~and suffer the penalties herein provided.~~

(C) It shall be a violation of this code for any person to destroy, move, remove, deface or obscure any sign or notice erected or posted to further the enforcement ~~pursuant to the requirements~~ of this chapter.

(D) Nothing herein contained shall prevent the town from taking any other lawful action necessary to prevent or remedy any violation of this chapter.

**Section 3.** All other sections and subsections of Chapter 72. Vehicle Parking Regulations. shall remain in full force and effect as previously adopted.

**Section 4.** All ordinances and parts of ordinances in conflict with this amendment are repealed.

**Section 5.** Should any section or portion of this ordinance be declared invalid by a court of competent jurisdiction, the decision will not affect the validity of the remainder of this ordinance.

**Section 6.** Specific authority is granted to codify and incorporate this ordinance into the existing code of ordinances.

**Section 7.** This ordinance shall take effect immediately upon adoption.

[THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]

FIRST READING this \_\_ day of August, 2015.

SECOND AND FINAL READING this \_\_ day of September, 2015.

TOWN OF MANALAPAN

---

DAVID CHEIFETZ, MAYOR

ATTEST:

(SEAL)

---

LISA PETERSEN, TOWN CLERK