

ORDINANCE 2009-31

AN ORDINANCE AMENDING CHAPTER 188 (DEVELOPMENT REGULATIONS) OF THE CODE OF THE TOWNSHIP OF HILLSBOROUGH, COUNTY OF SOMERSET, STATE OF NEW JERSEY, TO ADD THE DEFINITION OF ADULT DAY-CARE CENTER IN SECTION 188-3 AND TO PERMIT ADULT DAY-CARE CENTERS IN THE C-1, OLC, P/R, O-2, HOO, O-5, I-1, I-2, I-3, GI, LI, ED, CDZ, GB AND HS DISTRICTS

BE IT ORDAINED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey as follows:

SECTION 1. Chapter 188 of the Code of the Township of Hillsborough shall be amended by adding the definition of Adult Day-Care Center in Section 3 to read as follows:

ADULT DAY-CARE CENTER- A facility providing care for the elderly and/or functionally impaired adults in a protective setting for part of a 24-hour day.

SECTION 2. Chapter 188 of the Code of the Township of Hillsborough shall be amended by revising Section 100 B(7) to read as follows:

- (7) Child-care and adult day-care centers. Child-care and adult day-care centers shall be subject to site plan approval. Site plan approval is also required where the original site plan does not anticipate use of all or a part of the premises as a child-care or adult day-care center but such use subsequently occurs. No building permit shall be issued for modification of all or part of the premises for use as a child-care or adult day-care center until revised site plan approval has been obtained from the Planning Board or Board of Adjustment, as appropriate.

SECTION 3. Chapter 188 of the Code of the Township of Hillsborough shall be amended by revising Section 101 B(6) to read as follows:

- (6) Child-care and adult day-care centers. Child-care and adult day-care centers shall be subject to site plan approval. Site Plan approval is also required where the original site plan does not anticipate use of all or a part of the premises as a child-care or adult day-care center but such use subsequently occurs. No building permit shall be issued for

modification of all or part of the premises for use as a child-care or adult day-care center until revised site plan approval has been obtained from the Planning Board or Board of Adjustment, as appropriate.

SECTION 4. Chapter 188 of the Code of the Township of Hillsborough shall be amended by revising Section 102 B(4) to read as follows:

- (4) Child-care and adult day-care centers. Child-care and adult day-care centers shall be subject to site plan approval. Site plan approval is also required where the original site plan does not anticipate use of all or a part of the premises as a child-care or adult day-care center but such use subsequently occurs. No building permit shall be issued for modification of all or part of the premises for use as a child-care or adult day-care center until revised site plan approval has been obtained from the Planning Board or Board of Adjustment, as appropriate.

SECTION 5. Chapter 188 of the Code of the Township of Hillsborough shall be amended by revising Section 103 B(8) to read as follows:

- (8) Child-care and adult day-care centers. Child-care and adult day-care centers shall be subject to site plan approval. Site plan approval is also required where the original site plan does not anticipate use of all or a part of the premises as a child-care or adult day-care center but such use subsequently occurs. No building permit shall be issued for modification of all or part of the premises for use as a child-care or adult day-care center until revised site plan approval has been obtained from the Planning Board or Board of Adjustment, as appropriate.

SECTION 6. Chapter 188 of the Code of the Township of Hillsborough shall be amended by revising Section 104 B(4) to read as follows:

- (4) Child-care and adult day-care centers. Child-care and adult day-care centers shall be subject to site plan approval. Site plan approval is also required where the original site plan does not anticipate use of all or a part of the premises as a child-care or adult day-care center but such use subsequently occurs. No building permit shall be issued for modification of all or part of the premises for use as a child-care or adult day-care center until revised site plan approval has been obtained from the Planning Board or Board of Adjustment, as appropriate.

SECTION 7. Chapter 188 of the Code of the Township of Hillsborough shall be amended by revising Section 105 B(10) to read as follows:

- (10) Child-care and adult day-care centers. Child-care and adult day-care centers shall be subject to site plan approval. Site plan approval is also required where the original site plan does not anticipate use of all or a part of the premises as a child-care or adult day-care center but such use subsequently occurs. No building permit shall be issued for

modification of all or part of the premises for use as a child-care or adult day-care center until revised site plan approval has been obtained from the Planning Board or Board of Adjustment, as appropriate.

SECTION 8. Chapter 188 of the Code of the Township of Hillsborough shall be amended by revising Section 106 B(8) to read as follows:

- (8) Child-care and adult day-care centers. Child-care and adult day-care centers shall be subject to site plan approval. Site plan approval is also required where the original site plan does not anticipate use of all or a part of the premises as a child-care or adult day-care center but such use subsequently occurs. No building permit shall be issued for modification of all or part of the premises for use as a child-care or adult day-care center until revised site plan approval has been obtained from the Planning Board or Board of Adjustment, as appropriate.

SECTION 9. Chapter 188 of the Code of the Township of Hillsborough shall be amended by revising Section 107 B(9) to read as follows:

- (9) Child-care and adult day-care centers. Child-care and adult day-care centers shall be subject to site plan approval. Site plan approval is also required where the original site plan does not anticipate use of all or a part of the premises as a child-care or adult day-care center but such use subsequently occurs. No building permit shall be issued for modification of all or part of the premises for use as a child-care or adult day-care center until revised site plan approval has been obtained from the Planning Board or Board of Adjustment, as appropriate.

SECTION 10. Chapter 188 of the Code of the Township of Hillsborough shall be amended by revising Section 107.1 B(9) to read as follows:

- (9) Child-care and adult day-care centers. Child-care and adult day-care centers shall be subject to site plan approval. Site plan approval is also required where the original site plan does not anticipate use of all or a part of the premises as a child-care or adult day-care center but such use subsequently occurs. No building permit shall be issued for modification of all or part of the premises for use as a child-care or adult day-care center until revised site plan approval has been obtained from the Planning Board or Board of Adjustment, as appropriate.

SECTION 11. Chapter 188 of the Code of the Township of Hillsborough shall be amended by revising Section 112 B(10) to read as follows:

- (10) Child-care and adult day-care centers. Child-care and adult day-care centers shall be subject to site plan approval. Site plan approval is also required where the original site plan does not anticipate use of all or a part of the premises as a child-care or adult day-care center but such use subsequently occurs. No building permit shall be issued for

modification of all or part of the premises for use as a child-care or adult day-care center until revised site plan approval has been obtained from the Planning Board or Board of Adjustment, as appropriate.

SECTION 12. Chapter 188 of the Code of the Township of Hillsborough shall be amended by revising Section 113 B(10) to read as follows:

- (10) Child-care and adult day-care centers. Child-care and adult day-care centers shall be subject to site plan approval. Site plan approval is also required where the original site plan does not anticipate use of all or a part of the premises as a child-care or adult day-care center but such use subsequently occurs. No building permit shall be issued for modification of all or part of the premises for use as a child-care or adult day-care center until revised site plan approval has been obtained from the Planning Board or Board of Adjustment, as appropriate.

SECTION 13. Chapter 188 of the Code of the Township of Hillsborough shall be amended by revising Section 113.2 B(10) to read as follows:

- (10) Child-care and adult day-care centers. Child-care and adult day-care centers shall be subject to site plan approval. Site plan approval is also required where the original site plan does not anticipate use of all or a part of the premises as a child-care or adult day-care center but such use subsequently occurs. No building permit shall be issued for modification of all or part of the premises for use as a child-care or adult day-care center until revised site plan approval has been obtained from the Planning Board or Board of Adjustment, as appropriate.

SECTION 14. Chapter 188 of the Code of the Township of Hillsborough shall be amended by revising Section 113.3 B(8) to read as follows:

- (8) Child-care and adult day-care centers. Child-care and adult day-care centers shall be subject to site plan approval. Site plan approval is also required where the original site plan does not anticipate use of all or a part of the premises as a child-care or adult day-care center but such use subsequently occurs. No building permit shall be issued for modification of all or part of the premises for use as a child-care or adult day-care center until revised site plan approval has been obtained from the Planning Board or Board of Adjustment, as appropriate.

SECTION 15. Severability. If any provisions of this ordinance shall be adjudged invalid, such adjudication shall not affect the validity of the remaining provisions, which shall be deemed severable there from.

SECTION 16. Effective Date. This Ordinance shall take effect upon its adoption, passage and publication according to law.

ATTEST:

TOWNSHIP OF HILLSBOROUGH

Kevin P. Davis, Township Clerk

Frank DelCore, Mayor

Introduced: 8/11/09

Published: 8/20/09

Public Hearing: 9/22/09

Adopted: 9/22/09

Published: 10/01/09