

**BOROUGH OF WESTWOOD
NOTICE**

NOTICE IS HEREBY GIVEN that the following Ordinance was introduced and passed on first reading on regular meeting of the Mayor and Council on the 25th day of June, 2013, and that said Ordinance will be taken up for further consideration for final passage at a regular meeting of the Mayor and Council to be held on the 16th day of July, 2013 at 8:00 p.m. or as soon thereafter as said matter can be reached, at which time and place all persons who may be interested therein will be given an opportunity to be heard concerning same.

Karen Hughes, Borough Clerk
Borough of Westwood

ORDINANCE NO. 13-19

**AN ORDINANCE TO AMEND CHAPTER 195
ARTICLE XV SUPPLEMENTAL REGULATIONS
GOVERNING CERTAIN USES, PARAGRAPH F
SWIMMING POOLS AND TENNIS COURTS**

BE IT ORDAINED by the Mayor and Council of the Borough of Westwood that Article XV, Supplemental regulations governing certain uses, of the Borough Code shall be amended as follows:

Section number 195-130 F. "Certain accessory structures and uses" shall be amended to add the following:

(5) Temporary accessory swimming pools, defined as a pool that is inflatable or have such structure that does not require being set into existing grade or require ground reinforcement or footings, is disassembled at the end of each season and used exclusively for private purposes. Such a temporary accessory swimming pool shall be capable of containing more than 24 inches of water and have a filter system. A temporary accessory swimming pool is permitted in the R-1 Detached Single Family Residential District by a temporary use permit. Said temporary accessory swimming pool permit shall comply with the applicable regulations as identified herein with the following exceptions:

(a) Time period and applicability. A temporary use permit for a temporary accessory swimming pool shall be required to be obtained from the Zoning Officer. A temporary accessory swimming pool shall be permitted for a time period of no more than 120 days. However, the application for a temporary accessory swimming pool shall comply with local code requirements such as electrical, plumbing and fence requirements and applicable state and federal regulations that may control such structures and their location.

(b) Location. Temporary accessory swimming pools are permitted in the rear yard area in compliance with all applicable setbacks set forth herein. An exception is permitted wherein if a temporary accessory swimming pool is to be located on a corner lot wherein a front yard is adjacent to such rear yard area, the temporary accessory swimming pool shall be setback at a minimum of ½ of the front yard setback requirement in the zone wherein the pool is to be located.

(c) Size. A temporary accessory swimming pool shall not be larger than 475 sf and shall be no higher than six feet from the top of the pool to existing grade at the highest point.

If any section, subsection, part, clause or phrase of this Ordinance shall be declared invalid by judgment of any court of competent jurisdiction, such section, subsection, part, clause or phrase shall be deemed to be severable from the remainder of this Ordinance.

This Ordinance shall take effect immediately upon final passage and publication as required by law.

If any section, subsection, paragraph, sentence or any other part of this ordinance is adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance.

All ordinances or parts of ordinances which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

The Borough Clerk is hereby directed to give notice at least ten (10) days prior to the hearing on the adoption of this ordinance to the Bergen County Planning Board, and to all others entitled thereto pursuant to the provisions of N.J.S.A. 40:55D-15. Upon adoption of this ordinance, after public hearing thereon, the Borough clerk is further directed to publish notice of the passage thereof and to file copy of this ordinance as finally adopted with the Bergen County Planning Board as required by N.J.S.A. 40:55D-16 and with the Borough Tax Assessor.

This ordinance shall take effect after final passage and publication as prescribed by law.

Adopted: _____

Attest:

Approved:

John Birkner, Jr., Mayor

Karen Hughes, Borough Clerk