

TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX, STATE OF NEW JERSEY

ORDINANCE NO. 2009-15

ORDINANCE TO AMEND THE GENERAL ORDINANCES OF THE TOWNSHIP  
OF ANDOVER, CHAPTER 190 "ZONING" SECTION 190-36  
"PRIVATE HOUSING OF EQUINE ANIMALS"

**WHEREAS**, due to an inconsistency in Chapter 190-36A and Table 1, Uses Permitted in Residential Zones, an amendment is hereby addressed in this Ordinance.

**NOW, THEREFORE, BE IT ORDAINED**, by the Township Committee of the Township of Andover, County of Sussex, State of New Jersey, as follows:

**SECTION 1.** Chapter 190, Zoning, Article V, General Provisions, is amended to read as follows:

§ 190-36 Private housing of equine animals.

**Section 1.** A. The private housing of equine animals is a permitted accessory use in the R-1, R-2, R-2.5 and R-3 Zones as indicated in Table 1 at the end of this chapter, provided the lot is large enough to provide one acre for the house and two acres for the first horse, with one additional acre for each additional horse. *Private housing of equine animals is prohibited in all R0.5 zones.*

**Section 2.** The Township Clerk is hereby directed to give notice at least ten (10) days prior to the hearing on the adoption of this Ordinance to the Sussex County Planning Board and to all other persons entitled thereto pursuant to N.J.S.A. 40:55D-15 and N.J.S.A. 40:55D-63 (if required). Upon the 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 the Ordinance as finally adopted with the Sussex County Planning Board as required by N.J.S.A. 40:55D-16. The Clerk shall also forthwith transmit a copy of this Ordinance after final passage to the Township Tax Assessor as required by N.J.S.A. 40:49-2.1.

**Section 3.** This Ordinance may be renumbered for modification purposes.

**Section 4.** All ordinances of the Township of Andover which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

**Section 5.** If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

**Section 6.** This Ordinance shall take effect immediately upon final passage, approval and publication as required by law.

**NOTICE IS HEREBY GIVEN**, that the foregoing Ordinance was introduced in writing at a meeting of the Mayor and Township Committee of the Township of Andover, County of Sussex and State of New Jersey, held on the 13<sup>th</sup> day of April, 2009, introduced and read by title and passed on the first reading and that the said Governing Body will further consider the same for second reading and final passage thereon at a meeting to be held on the 11<sup>th</sup> day of May, 2009, at 7:30 p.m., prevailing time, at the Municipal Building in said Township, at which time and place a public hearing will be held thereon by the Governing Body and all persons and citizens in interest shall have an opportunity to be heard concerning same.

Vita Thompson, R.M.C.  
Municipal Clerk

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Vita Thompson, R.M.C.

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Robert O. Smith, Mayor

**INTRODUCED:** April 13, 2009  
**ADOPTED:** May 11, 2009  
**CERTIFIED:** May 12, 2009

**EFFECTIVE DATE:** May 14, 2009

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NOTICE OF FINAL ADOPTION

**NOTICE** is hereby given that the above entitled ordinance was introduced and passed on first reading at a meeting of the Township Committee of the Township of Andover held at the Municipal Building on the 27<sup>th</sup> day of April 2009. The same came up for final adoption at a meeting of the Township Committee of the Township of Andover held at the Municipal Building on the 11<sup>th</sup> day of May 2009, and, after all persons present were given an opportunity to be heard concerning same, it was finally passed and adopted and will be in full force in the Township according to law.

Vita Thompson, R.M.C.  
Municipal Clerk