

Pledge of Allegiance

General Public Comment

Ordinances for Public Hearing and Final Reading

- 1) PUBLIC HEARING and FINAL READING on ORDINANCE NO. 2025-27, ORDINANCE AMENDING ORDINANCE 96-4, AS AMENDED, CHAPTER 425, ARTICLE XV, SECTIONS 425-10 ENTITLED WORD USAGE; DEFINITIONS, TO CLARIFY CERTAIN TERMS INCLUDING “OFFICE” AND “SUBSTANCE ABUSE COUNSELING OR TREATMENT CENTER” AND TO CONSIDER ADDITIONAL TYPES OF OFFICES AND HARM REDUCTION CENTERS AS DEFINED TERMS IN ACCORDANCE WITH RESOLUTION 6667 OF THE CITY OF VINELAND PLANNING BOARD
- 2) PUBLIC HEARING and FINAL READING on ORDINANCE NO. 2025-28, ORDINANCE AMENDING ORDINANCE 96-4, AS AMENDED, CHAPTER 425, ARTICLE XV, SECTIONS 425-293 ENTITLED B-1 BUSINESS ZONE STANDARDS, SECTION 425-294 ENTITLED B-2 BUSINESS ZONE STANDARDS, SECTION 425-295 ENTITLED B-3 BUSINESS ZONE STANDARDS, 425-298 ENTITLED IN-1 INSTITUTIONAL ZONE STANDARDS.

Vineland City Council	
Paul F. Spinelli, Council President	856-364-0085
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Dr. Elizabeth Arthur, Council Member	856-364-0955
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* **Public Comment** provides an opportunity for members of the public to inform the governing body about their views. The governing body prescribes to City Council's by-laws and the NJ Statutes on Open Public Meetings when engaging during public comment. As such, each individual shall have a 5 minute limit to comment; cannot yield time to another individual; may only approach the podium once during public comment for any one topic; vulgar/offensive language is prohibited; and City Council will not engage in dialogue with the public during this time. The governing body maintains model courtesy and respect and requires members of the public to do the same.

ORDINANCE NO. 2025- 27

**ORDINANCE AMENDING ORDINANCE 96-4, AS AMENDED,
CHAPTER 425, ARTICLE XV, SECTIONS 425-10 ENTITLED WORD
USAGE; DEFINITIONS, TO CLARIFY CERTAIN TERMS
INCLUDING “OFFICE” AND “SUBSTANCE ABUSE COUNSELING
OR TREATMENT CENTER” AND TO CONSIDER ADDITIONAL
TYPES OF OFFICES AND HARM REDUCTION CENTERS AS
DEFINED TERMS IN ACCORDANCE WITH RESOLUTION 6667 OF
THE CITY OF VINELAND PLANNING BOARD**

WHEREAS, on January 23, 1996, City Council adopted Ordinance 96-4, as amended, Chapter 425, Article XV, Section 425-270 entitled Zoning; Word Usage; Definitions, wherein the term of “Office” was defined but was not a permitted use in any zone, although certain specific types of offices as defined in Chapter 425 of the Code of the City of Vineland, (Land Use Ordinance) such as “Business Office” “Corporate Office” “Medical Office”, and “Professional Office” were defined and permitted in certain zones specific to their intended use; and

WHEREAS, a question was considered whether the Land Use Ordinance adequately addresses agencies or entities providing services that do not neatly conform to one of the office uses as defined in the City’s current Land Use Ordinance, or adequately consider other types of “medical offices” that have become prevalent in the City; and

WHEREAS, a question was also considered regarding the proper definition of the use “Office” so as to better and more adequately clarify the term and the use; and

WHEREAS, a question was also considered regarding the definition of “Substance Abuse Counseling or Treatment Center”, and whether such uses by definition should include or prohibit in-patient treatment providing shelter and food; and

WHEREAS, on November 13, 2024, the Planning Board of the City of Vineland considered the matters at a regularly scheduled meeting at which time the Board heard testimony from Kathleen Hicks, P.P., Supervising Planner for the City and Ryan R. Headley, P.E., P.P., A.I.C.P., C.M.E., Board Planner and Engineer and reviewed the Ordinance and amendments; and

WHEREAS, after taking testimony and considering the existing Land Use Ordinance, determined it was necessary to amend Chapter 425, Article XV, Section 425-270 to further define the terms noted above, and to create new definitions to encompass the use of entities providing a service or assistance to individuals to be a “Social Service Office,” as well as a new defined terms of “Mental Health Counseling or Treatment Center”, “Harm Reduction Center” and “Sterile Syringe Program”; and

WHEREAS, Based on discussion by the Planning Board, City staff, and a report prepared by professional planning consultants CME Associates, the City Council wishes to amend and update the City’s Land Use Ordinance to address issues related to office uses and substance abuse treatment facilities; and

WHEREAS, City Council finds it to be in the best interest of the City to amend Ordinance 96-4, Chapter 425 Article XV, Section 425-270; and

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Vineland that Ordinance 96-4, as amended, Chapter 425, Article XV, Section 425-270 entitled Zoning; Word Usage; Definitions be amended as follows:

- A. The defined term **OFFICE** shall be deleted in its entirety and replaced as follows:

OFFICE- Any room or group of rooms used for conducting the affairs of a business, profession, service, industry or government. For purposes of this Chapter, if a use established on a property has an on-site office that only serves the use established on that lot and that is clearly subservient to the use established on that lot, said office shall not be considered a separate use.

- B. The defined term **BUSINESS OFFICE** shall be deleted in its entirety and replaced as follows:

BUSINESS OFFICE - Any office, other than a service, professional or medical office as defined herein, rendering services on a fee or contract basis.

- C. The defined term **MEDICAL OFFICE** shall be deleted in its entirety and replaced as follows:

MEDICAL OFFICE - Any office of a recognized medical profession maintained for the conduct of that profession. For purposes of this Chapter, a dentist's, chiropractor's or acupuncturist 's office shall be considered a medical office, while a veterinarian's office shall not be considered a medical office.

- D. The defined term **PROFESSIONAL OFFICE** shall be deleted in its entirety and replaced as follows:

PROFESSIONAL OFFICE - Any office of a member of a recognized profession maintained for the conduct of that profession. For purposes of this Chapter, a medical, social service or veterinarian's office as defined herein, shall not be considered a professional office.

- E. The defined term **SUBSTANCE ABUSE COUNSELING OR TREATMENT CENTER** shall be deleted in its entirety and replaced as follows:

SUBSTANCE ABUSE COUNSELING OR TREATMENT CENTER - Any facility which provides counseling and/or therapeutic programs for recovering alcoholics or drug addicts. For purposes of this Chapter, a Substance Abuse Counseling or Treatment Center shall be out-patient only, providing no food or shelter as part of the regular regimen of treatment or care.

- F. The defined term **SOCIAL SERVICE OFFICE** shall be added as follows:

SOCIAL SERVICE OFFICE - Any office primarily engaged in providing assistance, as opposed to products, to individuals, business, industry, government or other enterprises. For purposes of this Chapter, an office providing child and family support services, veterans support services, adoption services, or similar social services shall be considered a social service office, while any office engaged in providing services for substance abuse, addiction treatment, or similar services shall not be considered a social service office.

- G. The defined term **MENTAL HEALTH COUNSELING OR TREATMENT CENTER** shall be added as follows:

MENTAL HEALTH COUNSELING OR TREATMENT CENTER - Any facility which provides counseling and/or therapeutic programs for persons having mental health issues. For purposes of this Chapter, a Mental Health Counseling or Treatment Center shall be out-patient only, providing no food or shelter as part of the regular regimen of treatment or care. For purposes of this Chapter, the office of a licensed psychologist, clinical therapist, or marriage and family therapist, behavioral therapist, or licensed professional counselor shall be considered a mental health counseling or treatment center, while any office providing services or treatment for substance abuse or addiction shall not be considered a mental health counseling or treatment center.

- H. The defined term **HARM REDUCTION CENTER** shall be added as follows:

HARM REDUCTION CENTER - means an entity that the registered with the New Jersey Department of Health to provide authorized harm reduction services in accordance with the Bloodborne Disease Harm Reduction Act (N.J.S.A. 26:5C-25 through 31),

- I. The defined term **STERILE SYRINGE PROGRAM** shall be added as follows:

STERILE SYRINGE PROGRAM – Any use or program that distributes sterile syringes or needles to injection drug users, as permitted by the New Jersey Department of Health as a component of an authorized **HARM REDUCTION CENTER**.

BE IT FURTHER ORDAINED that any portion of Ordinance 96-4, as amended, Chapter 425, Article XV, Section 425-270 of the Code of the City of Vineland not amended hereby shall remain in full force and effect.

BE IT FURTHER ORDAINED that any ordinance or portion thereof inconsistent herewith shall be void to the extent of such inconsistency.

BE IT FURTHER ORDAINED that should any portion of this Ordinance be deemed unenforceable by a court of competent jurisdiction, the balance hereof shall remain in full force and effect.

Passed first reading: March 11, 2025

Passed final reading: _____

President of Council

Approved by the Mayor:

Mayor

Attest:

City Clerk

ORDINANCE NO. 2025-27

ORDINANCE AMENDING ORDINANCE 96-4, AS AMENDED, CHAPTER 425, ARTICLE XV, SECTIONS 425-10 ENTITLED WORD USAGE; DEFINITIONS, TO CLARIFY CERTAIN TERMS INCLUDING “OFFICE” AND “SUBSTANCE ABUSE COUNSELING OR TREATMENT CENTER” AND TO CONSIDER ADDITIONAL TYPES OF OFFICES AND HARM REDUCTION CENTERS AS DEFINED TERMS IN ACCORDANCE WITH RESOLUTION 6667 OF THE CITY OF VINELAND PLANNING BOARD

WHEREAS, on January 23, 1996, City Council adopted Ordinance 96-4, as amended, Chapter 425, Article XV, Section 425-270 entitled Zoning; Word Usage; Definitions, wherein the term of “Office” was defined but was not a permitted use in any zone, although certain specific types of offices as defined in Chapter 425 of the Code of the City of Vineland, (Land Use Ordinance) such as “Business Office” “Corporate Office” “Medical Office”, and “Professional Office” were defined and permitted in certain zones specific to their intended use; and

WHEREAS, a question was considered whether the Land Use Ordinance adequately addresses agencies or entities providing services that do not neatly conform to one of the office uses as defined in the City’s current Land Use Ordinance, or adequately consider other types of “medical offices” that have become prevalent in the City; and

WHEREAS, a question was also considered regarding the proper definition of the use “Office” so as to better and more adequately clarify the term and the use; and

WHEREAS, a question was also considered regarding the definition of “Substance Abuse Counseling or Treatment Center”, and whether such uses by definition should include or prohibit in-patient treatment providing shelter and food; and

WHEREAS, on November 13, 2024, the Planning Board of the City of Vineland considered the matters at a regularly scheduled meeting at which time the Board heard testimony from Kathleen Hicks, P.P., Supervising Planner for the City and Ryan R. Headley, P.E., P.P., A.I.C.P., C.M.E., Board Planner and Engineer and reviewed the Ordinance and amendments; and

WHEREAS, after taking testimony and considering the existing Land Use Ordinance, determined it was necessary to amend Chapter 425, Article XV, Section 425-270 to further define the terms noted above, and to create new definitions to encompass the use of entities providing a service or assistance to individuals to be a “Social Service Office;” as well as a new defined terms of “Mental Health Counseling or Treatment Center”, “Harm Reduction Center” and “Sterile Syringe Program”; and

WHEREAS, Based on discussion by the Planning Board, City staff, and a report prepared by professional planning consultants CME Associates, the City Council wishes to amend and update the City’s Land Use Ordinance to address issues related to office uses and substance abuse treatment facilities; and

WHEREAS, City Council finds it to be in the best interest of the City to amend Ordinance 96-4, Chapter 425 Article XV, Section 425-270; and

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Vineland that Ordinance 96-4, as amended, Chapter 425, Article XV, Section 425-270 entitled Zoning; Word Usage; Definitions be amended as follows:

- A. The defined term **OFFICE** shall be deleted in its entirety and replaced as follows:

OFFICE- Any room or group of rooms used for conducting the affairs of a business, profession, service, industry or government. For purposes of this Chapter, if a use established on a property has an on-site office that only serves the use established on that lot and that is clearly subservient to the use established on that lot, said office shall not be considered a separate use.

- B. The defined term **BUSINESS OFFICE** shall be deleted in its entirety and replaced as follows:

BUSINESS OFFICE - Any office, other than a service, professional or medical office as defined herein, rendering services on a fee or contract basis.

- C. The defined term **MEDICAL OFFICE** shall be deleted in its entirety and replaced as follows:

MEDICAL OFFICE - Any office of a recognized medical profession maintained for the conduct of that profession. For purposes of this Chapter, a dentist's, chiropractor's or acupuncturist 's office shall be considered a medical office, while a veterinarian's office shall not be considered a medical office.

- D. The defined term **PROFESSIONAL OFFICE** shall be deleted in its entirety and replaced as follows:

PROFESSIONAL OFFICE - Any office of a member of a recognized profession maintained for the conduct of that profession. For purposes of this Chapter, a medical, social service or veterinarian's office as defined herein, shall not be considered a professional office.

- E. The defined term **SUBSTANCE ABUSE COUNSELING OR TREATMENT CENTER** shall be deleted in its entirety and replaced as follows:

SUBSTANCE ABUSE COUNSELING OR TREATMENT CENTER - Any facility which provides counseling and/or therapeutic programs for recovering alcoholics or drug addicts. For purposes of this Chapter, a Substance Abuse Counseling or Treatment Center shall be out-patient only, providing no food or shelter as part of the regular regimen of treatment or care.

- F. The defined term **SOCIAL SERVICE OFFICE** shall be added as follows:

SOCIAL SERVICE OFFICE - Any office primarily engaged in providing assistance, as opposed to products, to individuals, business, industry, government or other enterprises. For purposes of this Chapter, an office providing child and family support services, veterans support services, adoption services, or similar social services shall be considered a social service office, while any office engaged in providing services for substance abuse, addiction treatment, mental health, harm reduction, or similar services shall not be considered a social service office.

- G. The defined term **MENTAL HEALTH COUNSELING OR TREATMENT CENTER** shall be added as follows:

MENTAL HEALTH COUNSELING OR TREATMENT CENTER - Any facility which provides counseling and/or therapeutic programs for persons having mental health issues. For purposes of this Chapter, a Mental Health Counseling or Treatment Center shall be out-patient only, providing no food or shelter as part of the regular regimen of treatment or care. For purposes of this Chapter, the office of a licensed psychologist, clinical therapist, or marriage and family therapist, behavioral therapist, or licensed professional counselor shall be considered a mental health counseling or treatment center, while any office providing services or treatment for substance abuse or addiction shall not be considered a mental health counseling or treatment center.

- H. The defined term **HARM REDUCTION CENTER** shall be added as follows:

HARM REDUCTION CENTER - means an entity that the registered with the New Jersey Department of Health to provide authorized harm reduction services in accordance with the Bloodborne Disease Harm Reduction Act (N.J.S.A. 26:5C- 25 through 31), which may include services for injection drug users such as education on safer use of illegal or controlled substances, access to life-saving medication, drug safety testing equipment and supplies, drug addiction treatment resources or counseling, or similar programs.

- I. The defined term **STERILE SYRINGE PROGRAM** shall be added as follows:

STERILE SYRINGE PROGRAM – Any use or program that distributes sterile syringes or needles to injection drug users, as permitted by the New Jersey Department of Health as a component of an authorized **HARM REDUCTION CENTER**.

BE IT FURTHER ORDAINED that any portion of Ordinance 96-4, as amended, Chapter 425, Article XV, Section 425-270 of the Code of the City of Vineland not amended hereby shall remain in full force and effect.

BE IT FURTHER ORDAINED that any ordinance or portion thereof inconsistent herewith shall be void to the extent of such inconsistency.

BE IT FURTHER ORDAINED that should any portion of this Ordinance be deemed unenforceable by a court of competent jurisdiction, the balance hereof shall remain in full force and effect.

Passed first reading: March 11, 2025

Passed as reintroduced: April 8, 2025

Passed final reading: _____

Approved by the Mayor:

Mayor

President of Council

Attest:

City Clerk

ORDINANCE NO. 2025-27

ORDINANCE AMENDING ORDINANCE 96-4, AS AMENDED, CHAPTER 425, ARTICLE XV, SECTIONS 425-10 ENTITLED WORD USAGE; DEFINITIONS, TO CLARIFY CERTAIN TERMS INCLUDING “OFFICE” AND “SUBSTANCE ABUSE COUNSELING OR TREATMENT CENTER” AND TO CONSIDER ADDITIONAL TYPES OF OFFICES AND HARM REDUCTION CENTERS AS DEFINED TERMS IN ACCORDANCE WITH RESOLUTION 6667 OF THE CITY OF VINELAND PLANNING BOARD

WHEREAS, on January 23, 1996, City Council adopted Ordinance 96-4, as amended, Chapter 425, Article XV, Section 425-270 entitled Zoning; Word Usage; Definitions, wherein the term of “Office” was defined but was not a permitted use in any zone, although certain specific types of offices as defined in Chapter 425 of the Code of the City of Vineland, (Land Use Ordinance) such as “Business Office” “Corporate Office” “Medical Office”, and “Professional Office” were defined and permitted in certain zones specific to their intended use; and

WHEREAS, a question was considered whether the Land Use Ordinance adequately addresses agencies or entities providing services that do not neatly conform to one of the office uses as defined in the City’s current Land Use Ordinance, or adequately consider other types of “medical offices” that have become prevalent in the City; and

WHEREAS, a question was also considered regarding the proper definition of the use “Office” so as to better and more adequately clarify the term and the use; and

WHEREAS, a question was also considered regarding the definition of “Substance Abuse Counseling or Treatment Center”, and whether such uses by definition should include or prohibit in-patient treatment providing shelter and food; and

WHEREAS, on November 13, 2024, the Planning Board of the City of Vineland considered the matters at a regularly scheduled meeting at which time the Board heard testimony from Kathleen Hicks, P.P., Supervising Planner for the City and Ryan R. Headley, P.E., P.P., A.I.C.P., C.M.E., Board Planner and Engineer and reviewed the Ordinance and amendments; and

WHEREAS, after taking testimony and considering the existing Land Use Ordinance, determined it was necessary to amend Chapter 425, Article XV, Section 425-270 to further define the terms noted above, and to create new definitions to encompass the use of entities providing a service or assistance to individuals to be a “Social Service Office;” as well as a new defined terms of “Mental Health Counseling or Treatment Center”, “Harm Reduction Center” and “Sterile Syringe Program”; and

WHEREAS, Based on discussion by the Planning Board, City staff, and a report prepared by professional planning consultants CME Associates, the City Council wishes to amend and update the City’s Land Use Ordinance to address issues related to office uses and substance abuse treatment facilities; and

WHEREAS, City Council finds it to be in the best interest of the City to amend Ordinance 96-4, Chapter 425 Article XV, Section 425-270; and

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Vineland that Ordinance 96-4, as amended, Chapter 425, Article XV, Section 425-270 entitled Zoning; Word Usage; Definitions be amended as follows:

- A. The defined term **OFFICE** shall be deleted in its entirety and replaced as follows:

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- E. The defined term **SUBSTANCE ABUSE COUNSELING OR TREATMENT CENTER** shall be deleted in its entirety and replaced as follows:

SUBSTANCE ABUSE COUNSELING OR TREATMENT CENTER - Any facility which provides counseling and/or therapeutic programs for recovering alcoholics or drug addicts. For purposes of this Chapter, a Substance Abuse Counseling or Treatment Center shall be out-patient only, providing no food or shelter as part of the regular regimen of treatment or care.

- F. The defined term **SOCIAL SERVICE OFFICE** shall be added as follows:

SOCIAL SERVICE OFFICE - Any office primarily engaged in providing assistance, as opposed to products, to individuals, business, industry, government or other enterprises. For purposes of this Chapter, an office providing child and family support services, veterans support services, adoption services, or similar social services shall be considered a social service office, while any office engaged in providing services for substance abuse, addiction treatment, mental health, harm reduction, or similar services shall not be considered a social service office.

- G. The defined term **MENTAL HEALTH COUNSELING OR TREATMENT CENTER** shall be added as follows:

MENTAL HEALTH COUNSELING OR TREATMENT CENTER - Any facility which provides counseling and/or therapeutic programs for persons having mental health issues. For purposes of this Chapter, a Mental Health Counseling or Treatment Center shall be out-patient only, providing no food or shelter as part of the regular regimen of treatment or care. For purposes of this Chapter, the office of a licensed psychologist, clinical therapist, or marriage and family therapist, behavioral therapist, or licensed professional counselor shall be considered a mental health counseling or treatment center, while any office providing services or treatment for substance abuse or addiction shall not be considered a mental health counseling or treatment center.

- H. The defined term **HARM REDUCTION CENTER** shall be added as follows:

HARM REDUCTION CENTER - means an entity that the registered with the New Jersey Department of Health to provide authorized harm reduction services in accordance with the Bloodborne Disease Harm Reduction Act (N.J.S.A. 26:5C- 25 through 31), which may include services for injection drug users such as education on safer use of illegal or controlled substances, access to life-saving medication, drug safety testing equipment and supplies, drug addiction treatment resources or counseling, or similar programs.

- I. The defined term **STERILE SYRINGE PROGRAM** shall be added as follows:

STERILE SYRINGE PROGRAM – Any use or program that distributes sterile syringes or needles to injection drug users, as permitted by the New Jersey Department of Health as a component of an authorized **HARM REDUCTION CENTER**.

BE IT FURTHER ORDAINED that any portion of Ordinance 96-4, as amended, Chapter 425, Article XV, Section 425-270 of the Code of the City of Vineland not amended hereby shall remain in full force and effect.

BE IT FURTHER ORDAINED that any ordinance or portion thereof inconsistent herewith shall be void to the extent of such inconsistency.

BE IT FURTHER ORDAINED that should any portion of this Ordinance be deemed unenforceable by a court of competent jurisdiction, the balance hereof shall remain in full force and effect.

Passed first reading: March 11, 2025

Passed as reintroduced: April 8, 2025

Passed final reading: _____

Approved by the Mayor:

Mayor

President of Council

Attest:

City Clerk

ORDINANCE NO. 2025- 28

**ORDINANCE AMENDING ORDINANCE 96-4, AS AMENDED,
CHAPTER 425, ARTICLE XV, SECTIONS 425-293 ENTITLED B-1
BUSINESS ZONE STANDARDS, SECTION 425-294 ENTITLED B-2
BUSINESS ZONE STANDARDS, SECTION 425-295 ENTITLED B-3
BUSINESS ZONE STANDARDS, 425-298 ENTITLED IN-1
INSTITUTIONAL ZONE STANDARDS.**

WHEREAS, City Council has, by Ordinance 96-4, as amended, Chapter 425, Article XV, established zoning standards for all zones within the City, including B-1 Business Zones, B-2 Business Zones, B-3 Business zones, IN-1 Institutional Zones; and

WHEREAS, City Council is obligated to adopt Land Use Ordinances “with reasonable consideration to the character of each district and its peculiar suitability for particular uses and to encourage the most appropriate use of land” in accordance with the Municipal Land Use Law at N.J.S.A. 40:55D-62; and

WHEREAS, City Council moved to request the Planning Board consider an examination of all permitted uses within the B-2 Business Zone in particular and all the Business Zones in general as some uses as currently defined may be incompatible with those existing in the district, and not meet the purpose of the B-2 Business Zone and therefore not the most appropriate use of land within the B-2 Business Zone; and

WHEREAS, Section 425-294 entitled B-2 Business Zone Standards has as permitted uses “All uses permitted in the B-1 Zone, in addition to those uses enumerated as prohibitive uses in the B-1 Zone, and “Substance Abuse Counseling or Treatment Centers” are prohibited uses in the B-1 Zone and therefore permitted in the B-2 Zone; and

WHEREAS, “Substance Abuse Counseling or Treatment Center” is a permitted use in a B-2 Business Zone. However, in contrast, Section §425-294 of the Code entitled B-2 Business Zone specifically states, ‘It is the purpose of these zones to recognize and preserve commercial areas which are specifically intended to provide convenient service to surrounding neighborhoods. Because of the necessary interface with residential zones, it is important that negative impacts be minimized....”

WHEREAS, on November 13, 2024 the Planning Board of the City of Vineland considered the motion of City Council and has taken testimony from Kathleen Hicks, P.P. City Planner and Ryan Headley, P.E., P.P., A.I.C.P., C.M.E. Board Planner and Engineer. Planning opining that Substance Abuse Counseling or Treatment Centers do not properly “interface with residential zones as required by Section 425-294 of the Code and therefore should not be permitted in the B-2 Zone and further should be limited in scope to out-patient service with no shelter or food being provided; and

WHEREAS, further testimony elicited indicated that the newly defined use of “Social Service Office” would best be located within the B-3 Business Zone and IN-1 Institutional Zone reasonably considering the character of the different zones and their peculiar suitability for the use prescribed by a “Social Service Office;” and

WHEREAS, through the report of professional planning consultant CME Associates, in addition to testimony of Planner Hicks and Engineer Headley at a Planning Board hearing, further indicated that out-patient treatment for mental health issues is not adequately addressed in the Zoning Ordinance and the newly defined use of “Mental Health Counseling or Treatment Centers” should be permitted within the B-2 Business Zone, B-3 Business Zone and IN-1 Institutional Zone reasonably considering the character of the different zones and their peculiar suitability for the use prescribed by a “Mental Health Counseling or Treatment Center”; and

WHEREAS, the defined uses of “substance abuse counseling or treatment center”, “medical office”, and “mental health counseling or treatment center” do not adequately address the specific activities associated with a harm reduction center as defined by the State of New Jersey in the Harm Reduction Act at N.J.A.C. 26:5C-26 et seq.; and

WHEREAS, due to the particular nature of the activities associated with a “harm reduction center”, particularly programs that provide sterile syringe distribution, these uses warrant unique treatment in the City’s Land Use Ordinance to properly determine appropriate locations and regulatory controls; and

WHEREAS, after considering the testimony, the resolution of the Planning Board, and the professional planning report, the City Council has determined that there is a need to amend Chapter 425, Article XV, Section 425-293, B-1 Business Zone to specifically prohibit Mental Health Counseling or Treatment Centers in said zone in addition to the other prohibited uses enumerated therein; to amend Section 425-294 B-2 Business Zone to include as prohibited uses in the B-2 Zone Substance Abuse Counseling or Treatment Centers; amend Section 425-295, B-3 Business Zone and 425-298 IN-1 Institutional Zone to have as permitted uses in said zones “Social Service Office,” and “Mental Health Counseling or Treatment Centers; and

WHEREAS, the City Council further determines it necessary to amend Chapter 425, Article XV, Section 425-295 B-3 Business Zone and 425-298 IN-1 Institutional Zone to permit “harm reduction centers” as a permitted use in the IN-1 Zone, and conditionally permitted use in B-3 Zone subject to certain conditional use requirements; and

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Vineland that Ordinance 96-4, as amended, Chapter 425, Article XV entitled Zoning, specifically Sections 425-293 entitled B-1 Business Zone, 425-294 entitled B-2 Business Zone, Section 425-295 entitled B-3 Business Zone and 425-298 entitled IN-1 Institutional Zones be amended as follows:

1. Section 425-293 **B-1 Business Zone Standards** shall be amended with the addition of the following

E. Prohibited Uses in the B-1 Business Zone Shall be as follows:

(8) Mental Health Counseling or Treatment Center

(9) Harm Reduction Center

2. Section 425-294 B-2 Business Zone Standards Section B(1) shall be deleted in its entirety and replaced as follows:

B. Permitted uses. Permitted uses in the B-2 Business Zone shall be as follows:

(1) All uses permitted in the B-1 Zone, in addition those uses enumerated as prohibited uses in the B-1 Zone with the exceptions of Substance Abuse Counseling or Treatment Center and Harm Reduction Center which shall be prohibited in the B-2 Zone.

3. Section 425-295 B-3 Business Zone Standards Section B (2) shall be amended as follows

B. Permitted uses. Permitted uses in the B-3 Business Zone shall be as follows:

(26) Social Service Office

(27) Mental Health Counseling or Treatment Center

4. Section 425-295 B-3 Business Zone Standards Section D (5) shall be added as follows:

D. Conditional uses. Conditional uses in the B-3 Business Zone shall be as follows:

(5) Harm Reduction Center

5. Section 425-298, IN-1 Institutional Zone Standards Section B shall be amended with the addition of the following:

B. Permitted uses. Permitted uses in the IN-1 Institutional Zone shall be as follows:

(21) Social Service Office

(22) Mental Health Counseling or Treatment Center

(23) Harm Reduction Center

6. Section 425-298, IN-1 Institutional Zone Standards Section D shall be amended with the addition of the following:

D. Conditional uses. Conditional uses in the IN-1 Institutional Zone shall be as follows:

(3) Sterile Syringe Program

7. Section 425-304 Conditional uses shall be amended with the addition of the following:

A. The following conditional uses are established in the City of Vineland:

(13) Harm Reduction Center, subject to the following conditional use requirements:

- (a) the use shall be located a minimum of 1,000 feet from any of the following uses: child day care facility; public elementary, middle, or high school; playground; public park; or house of worship, as measured from property the nearest points of any property line;
- (b) the program must be duly licensed and registered by the NJ Department of Health
- (c) Hours of operation shall be limited to 7:00 AM to 8:00 PM;
- (d) In addition to any other required submission items for a site plan application, the facility operator must provide a plan for addressing loitering by users during and after operational hours;
- (e) the facility must disclose whether it may seek to operate a “sterile syringe program” or any kind of supervised drug use or injection site programs at the facility. Any program that would include such accessory uses must also provide a plan for accessing emergency services.
- (f) A sterile syringe program may be permitted as an accessory use to a harm reduction center only if such sterile syringe program is operated as a mobile program where sterile syringes are delivered or collected by a mobile vehicle operated by the program, and not as a fixed location where syringes and/or needles are distributed to users directly from the site.

(14) Sterile Syringe Program, subject to the following conditional use requirements:

- (a) A sterile syringe program at a fixed location shall be permitted only as an accessory to a Harm Reduction Center, Hospital, Emergency Medical Service Facility, or Substance Abuse Counseling or Treatment Center located in the IN-1 Institutional Zone;

BE IT FURTHER ORDAINED that any portion of Ordinance 96-4, as amended, Chapter 425, Article XV, of the Code of the City of Vineland not amended hereby shall remain in full force and effect.

BE IT FURTHER ORDAINED that any ordinance or portion thereof inconsistent herewith shall be void to the extent of such inconsistency.

BE IT FURTHER ORDAINED that should any portion of this Ordinance be deemed unenforceable by a court of competent jurisdiction, the balance hereof shall remain in full force and effect.

Passed first reading: March 11, 2025

Passed final reading: _____

President of Council

Approved by the Mayor:

Mayor

Attest:

City Clerk

ORDINANCE NO. 2025-28

**ORDINANCE AMENDING ORDINANCE 96-4, AS AMENDED,
CHAPTER 425, ARTICLE XV, SECTIONS 425-293 ENTITLED B-1
BUSINESS ZONE STANDARDS, SECTION 425-294 ENTITLED B-2
BUSINESS ZONE STANDARDS, SECTION 425-295 ENTITLED B-3
BUSINESS ZONE STANDARDS, 425-298 ENTITLED IN-1
INSTITUTIONAL ZONE STANDARDS.**

WHEREAS, City Council has, by Ordinance 96-4, as amended, Chapter 425, Article XV, established zoning standards for all zones within the City, including B-1 Business Zones, B-2 Business Zones, B-3 Business zones, IN-1 Institutional Zones; and

WHEREAS, City Council is obligated to adopt Land Use Ordinances “with reasonable consideration to the character of each district and its peculiar suitability for particular uses and to encourage the most appropriate use of land” in accordance with the Municipal Land Use Law at N.J.S.A. 40:55D-62; and

WHEREAS, City Council moved to request the Planning Board consider an examination of all permitted uses within the B-2 Business Zone in particular and all the Business Zones in general as some uses as currently defined may be incompatible with those existing in the district, and not meet the purpose of the B-2 Business Zone and therefore not the most appropriate use of land within the B-2 Business Zone; and

WHEREAS, Section 425-294 entitled B-2 Business Zone Standards has as permitted uses “All uses permitted in the B-1 Zone, in addition to those uses enumerated as prohibitive uses in the B-1 Zone, and “Substance Abuse Counseling or Treatment Centers” are prohibited uses in the B-1 Zone and therefore permitted in the B-2 Zone; and

WHEREAS, “Substance Abuse Counseling or Treatment Center” is a permitted use in a B-2 Business Zone. However, in contrast, Section §425-294 of the Code entitled B-2 Business Zone specifically states, ‘It is the purpose of these zones to recognize and preserve commercial areas which are specifically intended to provide convenient service to surrounding neighborhoods. Because of the necessary interface with residential zones, it is important that negative impacts be minimized....’

WHEREAS, on November 13, 2024 the Planning Board of the City of Vineland considered the motion of City Council and has taken testimony from Kathleen Hicks, P.P. City Planner and Ryan Headley, P.E., P.P., A.I.C.P., C.M.E. Board Planner and Engineer. Planning opining that Substance Abuse Counseling or Treatment Centers do not properly “interface with residential zones as required by Section 425-294 of the Code and therefore should not be permitted in the B-2 Zone and further should be limited in scope to out-patient service with no shelter or food being provided; and

WHEREAS, further testimony elicited indicated that the newly defined use of “Social Service Office” would best be located within the B-3 Business Zone and IN-1 Institutional Zone reasonably considering the character of the different zones and their peculiar suitability for the use prescribed by a “Social Service Office;” and

WHEREAS, through the report of professional planning consultant CME Associates, in addition to testimony of Planner Hicks and Engineer Headley at a Planning Board hearing, further indicated that out-patient treatment for mental health issues is not adequately addressed in the Zoning Ordinance and the newly defined use of “Mental Health Counseling or Treatment Centers” should be permitted within the B-3 Business Zone and IN-1 Institutional Zone reasonably considering the character of the different zones and their peculiar suitability for the use prescribed by a “Mental Health Counseling or Treatment Center”; and

WHEREAS, the defined uses of “substance abuse counseling or treatment center”, “medical office”, and “mental health counseling or treatment center” do not adequately address the specific activities associated with a harm reduction center as defined by the State of New Jersey in the Harm Reduction Act at N.J.A.C. 26:5C-26 et seq.; and

WHEREAS, due to the particular nature of the activities associated with a “harm reduction center”, particularly programs that provide sterile syringe distribution, these uses warrant unique treatment in the City’s Land Use Ordinance to properly determine appropriate locations and regulatory controls; and

WHEREAS, after considering the testimony, the resolution of the Planning Board, and the professional planning report, the City Council has determined that there is a need to amend Chapter 425, Article XV, Section 425-293, B-1 Business Zone to specifically prohibit Mental Health Counseling or Treatment Centers in said zone in addition to the other prohibited uses enumerated therein; to amend Section 425-294 B-2 Business Zone to include as prohibited uses in the B-2 Zone Substance Abuse Counseling or Treatment Centers; amend Section 425-295, B-3 Business Zone and 425-298 IN-1 Institutional Zone to have as permitted uses in said zones “Social Service Office,” and “Mental Health Counseling or Treatment Centers; and

WHEREAS, the City Council further determines it necessary to amend Chapter 425, Article XV, Section 425-295 B-3 Business Zone and 425-298 IN-1 Institutional Zone to permit “harm reduction centers” as a permitted use in the IN-1 Zone, and conditionally permitted use in B-3 Zone subject to certain conditional use requirements; and

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Vineland that Ordinance 96-4, as amended, Chapter 425, Article XV entitled Zoning, specifically Sections 425-293 entitled B-1 Business Zone, 425-294 entitled B-2 Business Zone, Section 425-295 entitled B-3 Business Zone and 425-298 entitled IN-1 Institutional Zones be amended as follows:

1. Section 425-293 **B-1 Business Zone Standards** shall be amended with the addition of the following
 - E. Prohibited Uses in the B-1 Business Zone Shall be as follows:
 - (8) Mental Health Counseling or Treatment Center
 - (9) Harm Reduction Center

2. Section 425-294 B-2 Business Zone Standards Section B(1) shall be deleted in its entirety and replaced as follows:

B. Permitted uses. Permitted uses in the B-2 Business Zone shall be as follows:

(1) All uses permitted in the B-1 Zone, in addition those uses enumerated as prohibited uses in the B-1 Zone with the exceptions of Substance Abuse Counseling or Treatment Center, Mental Health Counseling or Treatment Center and Harm Reduction Center which shall be prohibited in the B-2 Zone.

3. Section 425-295 B-3 Business Zone Standards Section B (2) shall be amended as follows

B. Permitted uses. Permitted uses in the B-3 Business Zone shall be as follows:

(26) Social Service Office

(27) Mental Health Counseling or Treatment Center

4. Section 425-295 B-3 Business Zone Standards Section D (5) shall be added as follows:

D. Conditional uses. Conditional uses in the B-3 Business Zone shall be as follows:

(5) Harm Reduction Center

5. Section 425-298, IN-1 Institutional Zone Standards Section B shall be amended with the addition of the following:

B. Permitted uses. Permitted uses in the IN-1 Institutional Zone shall be as follows:

(21) Social Service Office

(22) Mental Health Counseling or Treatment Center

(23) Harm Reduction Center

6. Section 425-298, IN-1 Institutional Zone Standards Section D shall be amended with the addition of the following:

D. Conditional uses. Conditional uses in the IN-1 Institutional Zone shall be as follows:

(3) Sterile Syringe Program

7. Section 425-304 Conditional uses shall be amended with the addition of the following:

A. The following conditional uses are established in the City of Vineland:

(13) Harm Reduction Center, subject to the following conditional use requirements:

(a) the use shall be located a minimum of 1,000 feet from any of the following uses: child day care facility; public or private elementary, middle, or high school; playground; public park; or house of worship, as measured from property the nearest points of any property line;

(b) the program must be duly licensed and registered by the NJ Department of Health

(c) Hours of operation shall be limited to 7:00 AM to 8:00 PM;

(d) In addition to any other required submission items for a site plan application, the facility operator must provide a plan for addressing loitering by users during and after operational hours;

(e) the facility must disclose whether it may seek to operate a “sterile syringe program” or any kind of supervised drug use or injection site programs at the facility. Any program that would include such accessory uses must also provide a plan for accessing emergency services.

(f) A sterile syringe program may be permitted as an accessory use to a harm reduction center only if such sterile syringe program is operated as a mobile program where sterile syringes are delivered or collected by a mobile vehicle operated by the program, and not as a fixed location where syringes and/or needles are distributed to users directly from the site.

(14) Sterile Syringe Program, subject to the following conditional use requirements:

(a) A sterile syringe program at a fixed location shall be permitted only as an accessory to a Harm Reduction Center, Hospital, Emergency Medical Service Facility, or Substance Abuse Counseling or Treatment Center located in the IN-1 Institutional Zone;

BE IT FURTHER ORDAINED that any portion of Ordinance 96-4, as amended, Chapter 425, Article XV, of the Code of the City of Vineland not amended hereby shall remain in full force and effect.

BE IT FURTHER ORDAINED that any ordinance or portion thereof inconsistent herewith shall be void to the extent of such inconsistency.

BE IT FURTHER ORDAINED that should any portion of this Ordinance be deemed unenforceable by a court of competent jurisdiction, the balance hereof shall remain in full force and effect.

Passed first reading: March 11, 2025

Passed as reintroduced: April 8, 2025

Passed final reading: _____

Approved by the Mayor:

Mayor

President of Council

Attest:

City Clerk

ORDINANCE NO. 2025-28

**ORDINANCE AMENDING ORDINANCE 96-4, AS AMENDED,
CHAPTER 425, ARTICLE XV, SECTIONS 425-293 ENTITLED B-1
BUSINESS ZONE STANDARDS, SECTION 425-294 ENTITLED B-2
BUSINESS ZONE STANDARDS, SECTION 425-295 ENTITLED B-3
BUSINESS ZONE STANDARDS, 425-298 ENTITLED IN-1
INSTITUTIONAL ZONE STANDARDS.**

WHEREAS, City Council has, by Ordinance 96-4, as amended, Chapter 425, Article XV, established zoning standards for all zones within the City, including B-1 Business Zones, B-2 Business Zones, B-3 Business zones, IN-1 Institutional Zones; and

WHEREAS, City Council is obligated to adopt Land Use Ordinances “with reasonable consideration to the character of each district and its peculiar suitability for particular uses and to encourage the most appropriate use of land” in accordance with the Municipal Land Use Law at N.J.S.A. 40:55D-62; and

WHEREAS, City Council moved to request the Planning Board consider an examination of all permitted uses within the B-2 Business Zone in particular and all the Business Zones in general as some uses as currently defined may be incompatible with those existing in the district, and not meet the purpose of the B-2 Business Zone and therefore not the most appropriate use of land within the B-2 Business Zone; and

WHEREAS, Section 425-294 entitled B-2 Business Zone Standards has as permitted uses “All uses permitted in the B-1 Zone, in addition to those uses enumerated as prohibitive uses in the B-1 Zone, and “Substance Abuse Counseling or Treatment Centers” are prohibited uses in the B-1 Zone and therefore permitted in the B-2 Zone; and

WHEREAS, “Substance Abuse Counseling or Treatment Center” is a permitted use in a B-2 Business Zone. However, in contrast, Section §425-294 of the Code entitled B-2 Business Zone specifically states, ‘It is the purpose of these zones to recognize and preserve commercial areas which are specifically intended to provide convenient service to surrounding neighborhoods. Because of the necessary interface with residential zones, it is important that negative impacts be minimized....’

WHEREAS, on November 13, 2024 the Planning Board of the City of Vineland considered the motion of City Council and has taken testimony from Kathleen Hicks, P.P. City Planner and Ryan Headley, P.E., P.P., A.I.C.P., C.M.E. Board Planner and Engineer. Planning opining that Substance Abuse Counseling or Treatment Centers do not properly “interface with residential zones as required by Section 425-294 of the Code and therefore should not be permitted in the B-2 Zone and further should be limited in scope to out-patient service with no shelter or food being provided; and

WHEREAS, further testimony elicited indicated that the newly defined use of “Social Service Office” would best be located within the B-3 Business Zone and IN-1 Institutional Zone reasonably considering the character of the different zones and their peculiar suitability for the use prescribed by a “Social Service Office;” and

WHEREAS, through the report of professional planning consultant CME Associates, in addition to testimony of Planner Hicks and Engineer Headley at a Planning Board hearing, further indicated that out-patient treatment for mental health issues is not adequately addressed in the Zoning Ordinance and the newly defined use of “Mental Health Counseling or Treatment Centers” should be permitted within the B-3 Business Zone and IN-1 Institutional Zone reasonably considering the character of the different zones and their peculiar suitability for the use prescribed by a “Mental Health Counseling or Treatment Center”; and

WHEREAS, the defined uses of “substance abuse counseling or treatment center”, “medical office”, and “mental health counseling or treatment center” do not adequately address the specific activities associated with a harm reduction center as defined by the State of New Jersey in the Harm Reduction Act at N.J.A.C. 26:5C-26 et seq.; and

WHEREAS, due to the particular nature of the activities associated with a “harm reduction center”, particularly programs that provide sterile syringe distribution, these uses warrant unique treatment in the City’s Land Use Ordinance to properly determine appropriate locations and regulatory controls; and

WHEREAS, after considering the testimony, the resolution of the Planning Board, and the professional planning report, the City Council has determined that there is a need to amend Chapter 425, Article XV, Section 425-293, B-1 Business Zone to specifically prohibit Mental Health Counseling or Treatment Centers in said zone in addition to the other prohibited uses enumerated therein; to amend Section 425-294 B-2 Business Zone to include as prohibited uses in the B-2 Zone Substance Abuse Counseling or Treatment Centers; amend Section 425-295, B-3 Business Zone and 425-298 IN-1 Institutional Zone to have as permitted uses in said zones “Social Service Office,” and “Mental Health Counseling or Treatment Centers; and

WHEREAS, the City Council further determines it necessary to amend Chapter 425, Article XV, Section 425-295 B-3 Business Zone and 425-298 IN-1 Institutional Zone to permit “harm reduction centers” as a permitted use in the IN-1 Zone, and conditionally permitted use in B-3 Zone subject to certain conditional use requirements; and

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Vineland that Ordinance 96-4, as amended, Chapter 425, Article XV entitled Zoning, specifically Sections 425-293 entitled B-1 Business Zone, 425-294 entitled B-2 Business Zone, Section 425-295 entitled B-3 Business Zone and 425-298 entitled IN-1 Institutional Zones be amended as follows:

1. Section 425-293 **B-1 Business Zone Standards** shall be amended with the addition of the following
 - E. Prohibited Uses in the B-1 Business Zone Shall be as follows:
 - (8) Mental Health Counseling or Treatment Center
 - (9) Harm Reduction Center

2. Section 425-294 B-2 Business Zone Standards Section B(1) shall be deleted in its entirety and replaced as follows:

B. Permitted uses. Permitted uses in the B-2 Business Zone shall be as follows:

(1) All uses permitted in the B-1 Zone, in addition those uses enumerated as prohibited uses in the B-1 Zone with the exceptions of Substance Abuse Counseling or Treatment Center, Mental Health Counseling or Treatment Center and Harm Reduction Center which shall be prohibited in the B-2 Zone.

3. Section 425-295 B-3 Business Zone Standards Section B (2) shall be amended as follows

B. Permitted uses. Permitted uses in the B-3 Business Zone shall be as follows:

(26) Social Service Office

(27) Mental Health Counseling or Treatment Center

4. Section 425-295 B-3 Business Zone Standards Section D (5) shall be added as follows:

D. Conditional uses. Conditional uses in the B-3 Business Zone shall be as follows:

(5) Harm Reduction Center

5. Section 425-298, IN-1 Institutional Zone Standards Section B shall be amended with the addition of the following:

B. Permitted uses. Permitted uses in the IN-1 Institutional Zone shall be as follows:

(21) Social Service Office

(22) Mental Health Counseling or Treatment Center

(23) Harm Reduction Center

6. Section 425-298, IN-1 Institutional Zone Standards Section D shall be amended with the addition of the following:

D. Conditional uses. Conditional uses in the IN-1 Institutional Zone shall be as follows:

(3) Sterile Syringe Program

7. Section 425-304 Conditional uses shall be amended with the addition of the following:

A. The following conditional uses are established in the City of Vineland:

(13) Harm Reduction Center, subject to the following conditional use requirements:

(a) the use shall be located a minimum of 1,000 feet from any of the following uses: child day care facility; public or private elementary, middle, or high school; playground; public park; or house of worship, as measured from property the nearest points of any property line;

(b) the program must be duly licensed and registered by the NJ Department of Health

(c) Hours of operation shall be limited to 7:00 AM to 8:00 PM;

(d) In addition to any other required submission items for a site plan application, the facility operator must provide a plan for addressing loitering by users during and after operational hours;

(e) the facility must disclose whether it may seek to operate a “sterile syringe program” or any kind of supervised drug use or injection site programs at the facility. Any program that would include such accessory uses must also provide a plan for accessing emergency services.

(f) A sterile syringe program may be permitted as an accessory use to a harm reduction center only if such sterile syringe program is operated as a mobile program where sterile syringes are delivered or collected by a mobile vehicle operated by the program, and not as a fixed location where syringes and/or needles are distributed to users directly from the site.

(14) Sterile Syringe Program, subject to the following conditional use requirements:

(a) A sterile syringe program at a fixed location shall be permitted only as an accessory to a Harm Reduction Center, Hospital, Emergency Medical Service Facility, or Substance Abuse Counseling or Treatment Center located in the IN-1 Institutional Zone;

BE IT FURTHER ORDAINED that any portion of Ordinance 96-4, as amended, Chapter 425, Article XV, of the Code of the City of Vineland not amended hereby shall remain in full force and effect.

BE IT FURTHER ORDAINED that any ordinance or portion thereof inconsistent herewith shall be void to the extent of such inconsistency.

BE IT FURTHER ORDAINED that should any portion of this Ordinance be deemed unenforceable by a court of competent jurisdiction, the balance hereof shall remain in full force and effect.

Passed first reading: March 11, 2025

Passed as reintroduced: April 8, 2025

Passed final reading: _____

Approved by the Mayor:

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Attest:

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