

**ORDINANCE NO. 2016-4**

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF ELMER,  
SALEM COUNTY, STATE OF NEW JERSEY, AMENDING CHAPTER 2  
ENTITLED "ADMINISTRATION" OF THE CODE OF  
THE BOROUGH OF ELMER**

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**WHEREAS**, the Mayor and Council of the Borough of Elmer have determined that certain amendments to Chapter 2 entitled "Administration" are necessary; and

**WHEREAS**, in all other respects Chapter 2 entitled "Administration" shall remain in full force and effect;

**NOW, THEREFORE, BE IT ORDAINED**, by the Mayor and Council of the Borough of Elmer, County of Salem and State of New Jersey, and it is hereby enacted and ordained by the authority of same as follows:

**Section 1.**

The text of Chapter 2, §2.70 entitled "Public Use of Borough Buildings and Facilities" shall be amended as follows:

**§2-70.1 Use by Residents and Community Groups Encouraged.**

a. The Borough Council recognizes that all public buildings and facilities owned by the Municipal Government have been built and maintained by public funds and, therefore, should be made available for the use and enjoyment of all Borough residents.

b. The Borough Council further recognizes that the use of buildings and facilities owned by the Municipal Government or government entity or by local civic oriented nonprofit organizations for various meetings and functions is beneficial to the overall good of the Borough and, therefore, declares its enthusiastic support for the use of such buildings in accordance with the procedures and regulations outlined in this section.

**§2-70.2 Permission Required.**

Any ~~profit or~~ nonprofit organization based within the Borough of Elmer or government entity shall be allowed to use any municipally owned building or facility, subject to the organization's compliance with all applicable State and Federal laws and regulations, upon obtaining permission from the Borough Council.

### **§2-70.3 Procedure for Obtaining Permission.**

Any local ~~profit~~ or nonprofit organization or government entity seeking to use a building or facility owned by the Borough shall:

a. Submit, at least ten (10) days in advance of the anticipated meeting date, a letter of application to the office of the Borough Clerk on the group's official letterhead stating the proposed date, time and purpose of the meeting for which the building or facility is being requested, as well as the specific building or facility, or portion thereof, being requested.

b. Submit to the office of the Borough Clerk a list of the names and addresses of those officers or persons in charge of the organization who shall be individually responsible for the care and use of the Borough owned building or facility, as well as any equipment, supplies or furniture located therein.

c. Submit to the office of the Borough Clerk a completed application for a permit to use a municipal building or facility.

### **§2-70.4 Condition for Granting Permission.**

Any application by a qualified ~~profit~~ or nonprofit organization or government entity for the use of a municipally-owned building or facility shall be granted only if the proposed use would not interfere with the primary purpose for which the building or facility exists.

## **Section 2.**

### **Repealer.**

All prior Ordinances or parts of Ordinances inconsistent with this Ordinance be and the same are hereby repealed to the extent of such inconsistencies.

## **Section 3.**

### **Severability.**

Should any section, clause, sentence, phrase or provision of this Ordinance be declared unconstitutional or invalid by a Court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

**Section 4.**

**When effective.**

This Ordinance shall take effect immediately upon final passage and publication in accordance with law.

**BOROUGH OF ELMER**

**BY: \_\_\_\_\_  
Joseph Stemberger, Mayor**

**ATTEST:**

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**Sarah D. Walker  
Acting Borough Clerk**

**NOTICE**

The Ordinance published herein was introduced and passed upon first reading at a meeting of the Mayor and Council of the Borough of Elmer, in the County of Salem and State of New Jersey, held on January 13, 2016. It will be further considered for final passage, after public hearing hereon, at a meeting of said Mayor and Council to be held in the Borough Hall, 120 South Main Street, Elmer, New Jersey 08318, on February 10, 2016 at 7:30 P.M. During the week prior and up to and including the date of such meeting, copies of said Ordinance will be made available at the Clerk's office at Borough Hall, 120 South Main Street, in the Borough, to the members of the general public who shall request the same.

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Sarah D. Walker  
Acting Borough Clerk