

ORDINANCE 2023-26

*Borough of Metuchen
County of Middlesex
State of New Jersey*

**AN ORDINANCE AMENDING CHAPTER 110 (LAND DEVELOPMENT)
CONCERNING THE DEFINITION OF HEIGHT OF STRUCTURE FOR ANY
DEVELOPMENT WITHIN THE BOROUGH OF METUCHEN**

BE IT ORDAINED by the Borough Council of the Borough of Metuchen as follows (additions are indicated by underlining; deletions are indicated by ~~strikethroughs~~):

SECTION 1. Section 110-4 (Definitions) in Article 1 (Title; Purpose; Definitions) in Part I (General Provisions) in Chapter 110 (Land Development) of the Code of the Borough of Metuchen is hereby amended to read as follows:

HEIGHT OF STRUCTURE

The ~~maximum~~-vertical distance ~~throughout a structure measured between the original ground elevation from grade plane and to~~ the highest elevation of any part of the structure ~~directly above roof surface.~~ A grade plane shall be defined as a reference plane representing the average of the pre-construction grade or finished grade, whichever is lower in elevation, adjoining the structure at all exterior walls. Exceptions: (S~~see Section 110-109).~~

SECTION 2. Repealer. Any section, paragraph, subsection, clause, or provision of the Borough Code or prior Ordinances inconsistent with the provisions of this Ordinance is hereby repealed to the extent of such inconsistency.

SECTION 3. Severability. If any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective.

SECTION 4. Effective Date. This Ordinance shall take effect upon its passage and publication and filing with the County of Middlesex County Planning Board, and as provided for by law.