

ORDINANCE NO. 1644

ORDINANCE AMENDING CHAPTER 141, ARTICLE VIII OF THE BOROUGH CODE, "DEVELOPMENT REGULATIONS; DESIGN AND PERFORMANCE STANDARDS," TO PROVIDE PERMITTING, CONSTRUCTION, AND REMOVAL REQUIREMENTS FOR WHEELCHAIR RAMPS

WHEREAS, the Borough of Collingswood (Borough), through the "Collingswood Development Regulations Ordinance," has previously adopted Chapter 141 of the Borough Code, "Development Regulations," for the purpose of establishing a pattern of land consistent with the Borough's Master Plan and to promote the public health, safety, morals, and general welfare;

WHEREAS, Article VIII of Chapter 141, "Design and Performance Standards," sets forth various zoning, compliance, and setback requirements for accessory structures, uses, and conditional uses of residential and commercial properties;

WHEREAS, Article VIII of Chapter 141, as enacted, does not address minimum standards or exceptions regarding the construction or removal of Wheelchair Ramps; and

WHEREAS, the Borough Commissioners have determined it is in the best interests of the Borough to amend Article VIII, Chapter 141 of the Borough Code, to include a provision allowing and regulating Wheelchair Ramps as conditional uses and structures on residential properties.

NOW THEREFORE BE IT ORDAINED by the Commissioners of the Borough of Collingswood, County of Camden, State of New Jersey, that Chapter 141, Article VIII of the Borough Code is hereby amended to add the following section to Chapter 141, "Wheelchair Ramps," which shall read as follows:

Wheelchair Ramps.

Wheelchair Ramps shall be permitted as an accessory structure in all residential zoning districts, provided the following requirements of this Section are met.

- a. Prior to the construction of a Wheelchair Ramp, the owner of the property shall obtain a Wheelchair Ramp Permit from the Borough Zoning Officer. The application for the Wheelchair Ramp Permit shall include the following:
 - i. The location of the proposed Wheelchair Ramp;
 - ii. The name of the individual(s) residing at the property who require the use of the Wheelchair Ramp;
 - iii. A letter from a licensed physician stating the reasons why the Wheelchair Ramp is necessary to accommodate said resident(s) of the property; and
 - iv. An acknowledgement by the applicant that the Wheelchair Ramp shall be removed within sixty (60) days of the date on which the individual(s) requiring the Wheelchair Ramp no longer reside at the property or the date on which the Wheelchair Ramp is no longer required.
- b. All Wheelchair Ramp Permits shall be renewed by January 31 of each year succeeding the year in which the Wheelchair Ramp application is approved.
- c. Wheelchair Ramps shall be constructed in a manner that results in minimal encroachment into the required setback of the property.
- d. Wheelchair Ramps shall not encroach into any recorded easement(s) or into any public right(s)-of-way.
- e. Wheelchair Ramps shall be designed and constructed in accordance with the applicable provisions and guidelines of the Americans with Disabilities Act.
- f. Any Wheelchair Ramp erected pursuant to this Section shall be removed within sixty (60) days of: (i) the date on which the individual(s) requiring the Wheelchair Ramp no longer reside at the property; or (2) the date on which said individual(s) no longer require the use of a Wheelchair Ramp.
- g. The Borough Zoning Officer shall enforce this Section in accordance with the provisions and procedures set forth in Section 141-11, "Violations and Penalties; Civil Actions."

All other Sections of the Borough Code, including Chapter 141, shall remain valid and in effect, and are not amended by this Ordinance.

This Ordinance shall take effect immediately upon final passage, approval, and publication, as provided by law.

Introduced: 08/06/2018
Adopted: 09/10/2018

BOROUGH OF COLLINGSWOOD

M. James Maley, Jr., Mayor

Joan Leonard, Commissioner

Robert Lewandowski, Commissioner

K. Holly Mannel, Borough Clerk

