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LEGISLATION INFORMATION AND HISTORY
(for use with Local Laws, Ordinances, Bylaws, general
and permanent Resolutions)

Name of Municipality: Middle Township, 33 Mechanic Street, CMCH, NJ 08210

Type of enactment (ord., res., bylaw, local law) Ordinance

Ordinance Number: 1684-23 – AN ORDINANCE AMENDING CHAPTER 188, PARKS AND
RECREATION, ARTICLE IV, MEMORY LANE PROGRAM, OF THE CODE OF THE TOWNSHIP OF
MIDDLE

Relationship to Code:
Amends Chapter No. Nos.
Repeals Chapter No. Nos.
Adds Chapter No. Nos.

Action	Date of Action	Page number in minutes
Introduction	<u>10/16/2023</u>	
Publication	<u>10/125/2023</u>	
Adoption	<u>11/20/2023</u>	
Publish Notice of Adop.	<u>11/29/2023</u>	
Signed by Mayor or Exec.	_____	
Signed by Clerk or Secy	_____	
Filed by State (Sec'y of St. Atty. Gen. DOT)	_____	

Copy sent to General Code Publishers date _____

(see other side for Veto and Referenda Information)
NOTE: A copy of this form may be made and placed with the Clerk's or Secretary's file copy of legislation at the time of introduction. The legislative history can then be compiled as the legislation passes through the required procedures. A copy of the form should be sent with the legislation to General Code Publishers for them to keep with your code files, the original being retained as a record in the Clerk's or Secretary's files.

TOWNSHIP OF MIDDLE
COUNTY OF CAPE MAY
STATE OF NEW JERSEY

ORDINANCE NO. 1684-23

AN ORDINANCE AMENDING CHAPTER 188, PARKS AND RECREATION, ARTICLE IV, MEMORY LANE PROGRAM, OF THE CODE OF THE TOWNSHIP OF MIDDLE

WHEREAS, The Township of Middle established a memorial dedication program in order to allow members of the public to purchase memorial plaque, a municipal tree with a memorial plaque, and municipal brick with memorial engraving located at various locations within the Township of Middle in order to honor deceased loved ones; and

WHEREAS, the Township of Middle established an application process and guidelines and procedures governing said process; and

WHEREAS, it continues to be in the best interest of residents and visitors alike to continue and expand the program for the use of the general public; and

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Township Committee of the Township of Middle, County of Cape May, State of New Jersey as follows:

Section 1. Chapter 188, Article IV, Memory Lane Program, is hereby amended as follows:

Memorial Lane Dedication Program.

The Township of Middle shall permit the dedication of trees, bricks, benches, and installation of memorial plaques to remember deceased individuals and families on Township-owned property through a Memorial Lane Dedication Program.

Memorial Trees shall be dedicated and plaques installed in accordance with the following regulations:

- A. The fee for a dedicated tree and memorial plaque shall be \$500 for a larger tree species or \$300 for a smaller tree species. The dedication of a tree will run for an indefinite period of time. The tree and memorial plaque will be purchased and engraved by the Township of Middle, if required, from the aforementioned fee, and said tree and plaque shall become the exclusive property and responsibility of the Township of Middle and as such, will be maintained, pruned and if necessary, removed by the Township of Middle. In case of the tree's demise, the Township of Middle is not responsible for its replacement or for notifying the donor and/or honoree.
 - i. In the sole discretion of the Township Committee of the Township of Middle, this fee may be waived on a case-by-case basis by Resolution, upon a showing of exceptional circumstances.
- B. Applications shall be obtained from and, after completion, returned to the Memory Lane Coordinator. Applications for specific locations shall be considered on a first-come, first-serve basis. The Middle Township Memory Lane Coordinator will inform the applicant of the plaque installation and dedication ceremony date.
- C. Memorial Trees and Memorial Plaques shall be of a size, style, and material determined and approved by the Memory Lane Coordinator. Inscriptions set forth on said plaques shall be reviewed and approved at the sole discretion of the township.
- D. Memorial Tree locations are subject to the final approval of the township.
- E. No individual or organization may make improvements or install a memorial plaque on any tree or public space without the express approval of the Township of Middle

Memorial Bricks shall be dedicated and engraved in accordance with the following regulations:

- F. The fee for a dedicated brick and engraving shall be \$200 for a 9x15 brick or \$175 for a 9x9 brick. The dedication of a brick will run for an indefinite period of time. The brick will be purchased and engraved by the Township of Middle, if required, from the aforementioned fee, and said brick shall become the exclusive property of the Township of Middle.
 - i. At the sole discretion of the Township Committee this fee may be waived on a case-by-case basis, by Resolution, upon a showing of exceptional circumstances.
- G. Applications shall be obtained from and, after completion, returned to the Memory Lane Coordinator. Applications for specific locations shall be considered on a first-come, first-serve basis. The Memory Lane Coordinator will inform the Applicant of the date of the installation.

- H. Bricks and Memorial Engraving shall be of a size, style, and material determined and approved by the Township. Inscriptions set forth on said plaques shall be reviewed and approved at the sole discretion of the Township.
- I. Memorial Bricks locations are subject to the final approval of the Township.
- J. No individual or organization may make improvements or install a memorial brick without the express approval of the Township of Middle.
- K. The Township of Middle shall not be responsible for the replacement of bricks that have been damaged or destroyed due to vandalism or natural occurrences. Applicants shall be responsible for the replacement of damaged or destroyed bricks at their sole expense.

Memorial Benches shall be dedicated and plaques installed on benches in accordance with the following regulations:

- A. The fee for a dedicated bench and memorial plaque shall be \$1,000. No more than one (1) memorial plaque will be permitted on any given bench. The dedication of a bench and installation of a memorial plaque will run for an indefinite period of time. The bench will be purchased by the Township of Middle, if required, from the aforementioned fee and said bench shall become the exclusive property of the Township of Middle.
 - i. In the sole discretion of the Township Committee of the Township of Middle, this fee may be waived on a case-by-case basis, by Resolution, upon a showing of exceptional circumstances.
- B. Applications shall be obtained from and, after completion, returned to the Memory Lane Coordinator. Applications for specific locations shall be considered on a first-come, first-serve basis. The Middle Township Memory Lane Coordinator will inform the Applicant of the date of the installation.
- C. Benches and Memorial Plaques shall be of a size, style and material determined and approved by the Township. Inscriptions set forth on said plaques shall be reviewed and approved at the sole discretion of the Township.
- D. Memorial Benches locations are subject to the final approval of the Memory Lane Coordinator.
- E. No individual or organization may make improvements or install a memorial plaque on any bench or public space without the express approval of the Township of Middle.
- F. The Township of Middle shall not be responsible for the replacement of benches or memorial plaques that have been damaged or destroyed due to vandalism or natural occurrences such as fire or hurricane. Applicants shall be responsible for the replacement of damaged or destroyed benches and memorial plaques at their sole expense.

Section 2. All other ordinances in conflict or inconsistent with this Ordinance are hereby repealed to the extent of such conflict or inconsistency.

Section 3. Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason, the remaining portions of this Ordinance shall not be affected thereby and shall remain in full force and effect, and to this end the provision of this Ordinance are hereby declared to be severable.


Section 4. This Ordinance shall become effective 20 days after final passage and publication according to law.


Timothy C. Donohue, Mayor


Theron "Ker" Gandy, Committeeman


James Norris, Committeeman

Attest:


Kimberly D. Osmundsen, Township Clerk