

Explanation: This Ordinance amends Chapter XV entitled “Land Use Procedures” of *The Revised General Ordinances of the Township of Warren* by revising Subsection 15-2.1 entitled “Planning Board” by allowing a mayor’s designee as a Class I member.

TOWNSHIP OF WARREN

ORDINANCE 20-02

AN ORDINANCE OF THE TOWNSHIP OF WARREN IN THE COUNTY OF SOMERSET, STATE OF NEW JERSEY, TO AMEND THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WARREN BY REVISING SUBSECTION 15-2.1 ENTITLED “PLANNING BOARD”.

BE IT ORDAINED by the Township Committee of the Township of Warren, in the County of Somerset, State of New Jersey, as follows:

SECTION 1. Subsection 15-2.1 entitled “Planning Board” of Section 15-2 entitled “Approving Agencies and Appeals” of Chapter XV entitled “Land Use Procedures” of *The Revised General Ordinances of the Township of Warren* is hereby amended by the amendment of paragraph a. to read as follows:

15-2.1 Planning Board.

a. *Establishment; Composition.* There is hereby established in the Township, pursuant to N.J.S.A. 40:55D-1 et seq., a Planning Board of nine (9) members consisting of the following four (4) classes:

Class I. The Mayor or the Mayor’s designee in the absence of the Mayor.

Class II. one of the officials of the Township other than a member of the Township Committee, to be appointed by the Mayor, provided that the member of the Environmental Commission who is also a member of the Planning Board as required by R.S. 40:56A-1 shall be deemed to be the Class II Planning Board member, if there is both a member of the Zoning Board of Adjustment and a member of the Board of Education among the Class IV members.

Class III. A member of the Township Committee to be appointed by it.

Class IV. Six (6) other citizens of the Township to be appointed by the Mayor.

The members of Class IV shall hold no other municipal office, position or employment, except that in the case of nine (9)-member boards, one such member may be a member of the Zoning Board of Adjustment. No member of the Board of Education may be a Class IV member of the Planning Board, except that in the case of a nine (9)-member board, one (1) Class IV member may be a member of the Board of Education. The member of the Environmental Commission who is also a member of the Planning Board, as required by N.J.S.A. 40:56A-1 shall be a Class IV

Planning Board member, unless there shall be among the Class IV or alternate members of the Planning Board both a member of the Zoning Board and a member of the Board of Education, in which case the member common to the Planning Board and municipal Environmental Commission shall be deemed a Class II member of the Planning Board. For the purpose of this section, membership on a municipal board or commission whose function is advisory in nature, and the establishment of which is discretionary and not required by statute, shall not be considered a holding of municipal office.

Alternate members. Two (2) other citizens of the Township to be appointed by the Mayor. The alternate members of the Planning Board shall meet the qualifications of Class IV members. Alternate members shall be designated at the time of their appointment as “Alternate No. 1” and “Alternate No. 2”. A vacancy occurring other than by expiration of term shall be filled by the Mayor for the unexpired term only. Alternate members may participate in discussions of the proceedings but may not vote except in the absence or disqualification of a regular member of any class. A vote shall not be delayed in order that a regular member may vote instead of an alternate member. In the event that a choice must be made as to which alternate member is to vote, Alternate No. 1 shall vote.

SECTION 2. If any section, subsection, paragraph, sentence or any other part of this Ordinance is adjudged to be unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of the Ordinance.

SECTION 3. All ordinances or parts of ordinances which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 4. This Ordinance shall take effect after final adoption and publication according to law.

ATTEST:

TOWNSHIP OF WARREN

Cathy Reese, RMC

Michael C. Marion, Mayor

INTRODUCED: January 6, 2020

ADOPTED: January 23, 2020

EFFECTIVE: January 30, 2020

Note to Codifier: Deleted provisions indicated by brackets [].
New provision indicated in underline _____.