

ORDINANCE NO. 15 -2014

AN ORDINANCE TO PROVIDE FOR THE PARTIAL AMENDMENT AND SUPPLEMENTATION OF "CHAPTER 13, 2000 BOROUGH OF MORRIS PLAINS LAND DEVELOPMENT ORDINANCE" WITH THE AMENDMENT AND REVISION OF SECTION 13-3.1 ENTITLED "PLANNING BOARD" TO AUTHORIZE THE APPOINTMENT OF TWO ALTERNATE MEMBERS.

WHEREAS, the Borough Council desires to amend the Land Development Ordinance of the Borough to allow for the appointment of alternate members to the Planning Board as authorized by N.J.S.A. 40:55D-23.1.

NOW, THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of Morris Plains, they being the Governing Body thereof, as follows:

Section 1:

The first sentence of Section 13-3.1, entitled "Planning Board" in "Chapter 13, 2000 Borough of Morris Plains Land Development Ordinance" is hereby amended, supplemented and revised with the addition of the phrase "and two (2) alternate members" at the end of the sentence, so that hereafter the first sentence of Section 13-3.1 shall read as follows: "Pursuant to N.J.S.A. 40:55D-1 et seq., there is hereby established a Planning Board of nine (9) members and two (2) alternate members."

Section 2:

All other provisions of Section 13-3.1 and "Chapter 13, 2000 Borough of Morris Plains Land Development Ordinance" shall be unaffected and are hereby continued.

Section 3:

All other Ordinances, parts of Ordinances, or other local requirements that are inconsistent or in conflict with this ordinance are hereby superseded

to the extent of any inconsistency or conflict, and the provisions of this Ordinance shall apply.

Section 4:

This Ordinance shall be so construed as not to conflict with any provision of New Jersey or Federal law. Notwithstanding that any provision of this Ordinance is, for any reason, held to be invalid or unconstitutional by a Court of competent jurisdiction, such a decision shall not affect the validity of the remaining portions of this Ordinance, which shall continue to be of full force and effect. The provisions of this Ordinance shall be cumulative with, and not in substitution for, all other applicable zoning, planning and land use regulations.

Section 5:

The Borough Clerk is hereby directed to give notice at least ten days prior to hearing on the adoption of this Ordinance to the County Planning Board and to all other persons entitled to notice pursuant to N.J.S.A. 40:55D-15 and N.J.S.A. 40:55D-63 (if required). Upon the adoption of this Ordinance after public hearing thereon, the Borough Clerk is further directed to publish notice of the passage thereof and to file a copy of the Ordinance as finally adopted with the Morris County Planning Board as required by N.J.S.A. 40:55D-16. The Clerk shall also forthwith transmit a copy of this Ordinance after final passage to the Borough Tax Assessor as required by N.J.S.A. 40:49-2.1.

Section 6:

This Ordinance shall take effect immediately after final passage and publication as required by law.

Introduced: September 4, 2014

Adopted: October 2, 2014

/s/ Frank J. Druetzler

