February 1, 2018

Township Clerk
Byram Township
10 Mansfield Drive
Stanhope, N.J. 07874

Township Clerk
Frelinghuysen Township
210 Main Street
Johnsonburg, N.J. 07825

Township Clerk
Green Township
150 Kennedy
P.O. Box 65
Tranquility, N.J. 07879-0065

Township Clerk
Town of Hackettstown
215 Sliger Street
Hackettstown, N.J. 07840

Township Clerk
Independence Township
P.O. Box 164
Great Meadows, N.J. 07838

Township Clerk
Mount Olive Township
P.O. Box 450
Budd Lake, N.J. 07828

Warren County Planning Department
Wayne Dumont, Jr. Administration Building
165 County Route 519 South
Belvidere, N.J. 07823-1949

Attached, please Ordinance # 2018-02 pursuant to 40:55D-15. This ordinance is a proposed amendment to the Land Development Ordinance of the Township of Allamuchy, County of Warren, State of New Jersey.

This ordinance was introduced at a special meeting of the Township Council held January 10, 2018 and will be given final consideration at a special meeting of the Allamuchy Township Council on February 14, 2018 at 7:30 P.M. at the Allamuchy Township Municipal Building, 292 Alphano Road, Allamuchy, N.J.

Anne Marie Tracy, Municipal Clerk
Township of Allamuchy
TOWNSHIP OF ALLAMUCHY

ORDINANCE NO. 2018-02

AN ORDINANCE OF THE TOWNSHIP OF ALLAMUCHY, COUNTY OF WARREN, AND STATE OF NEW JERSEY REPLACING SECTION 190-704 OF THE CODE OF THE TOWNSHIP OF ALLAMUCHY REGARDING THE LAND USE BOARD

BE IT ORDAINED by the Township of Allamuchy, in the County of Warren, and State of New Jersey that the Code of the Township of Allamuchy ("Township Code") is hereby amended as follows:

SECTION I. The Township Code is hereby amended by replacing Section 190-704 as follows:

190-704. Land Use Board

A. A Land Use Board is hereby created pursuant to N.J.S.A. 40:55D-23 et seq. consisting of nine regular and up to four alternate members of the following four classes:

   (1) Class I: The Mayor or the Mayor's designee in the absence of the Mayor.
   (2) Class II: One of the officials of the Township other than a member of the Township Council, to be appointed by the Mayor.
   (3) Class III: A member of the Township Council to be appointed by it.
   (4) Class IV regular members: Six other citizens of the municipality, to be appointed by the Mayor. The members of Class IV shall hold no other municipal office, position or employment, except that, if there is an Environmental Commission, the member of the Environmental Commission who also is a member of the Land Use Board, as required by N.J.S.A. 40:56A-1, shall be a Class IV Land Use Board member. No member of the Board of Education may be a Class IV member of the Land Use Board except in accordance with N.J.S.A. 40:55D-23.
   (5) Class IV alternate members: Four other citizens of the municipality, to be appointed by the Mayor. Alternate members shall meet the qualifications of Class IV regular members. The alternate members shall be designated by the Mayor at the time of their appointment as "Alternate No. 1 through No. 4."

B. The term of the member composing Class I shall correspond with the Mayor's official tenure, or if the member is the Mayor's designee in the absence of the Mayor, the designee shall serve at the pleasure of the Mayor during the Mayor's official tenure. The terms of the member composing Class II and Class III shall be for one year or terminate at the completion of their respective terms of office, whichever occurs first. The term of a Class IV member who is also a
member of the Environmental Commission shall be for three years or terminate at the completion of his or her term as a member of the Environmental Commission, whichever comes first.

C. The term of each Class IV regular member shall be four years. All terms shall run from January 1 of the year in which the appointment is made.

D. The terms of the Class IV alternate members shall be two years, except that the terms of the alternate members shall be such that two alternate member shall expire each year. All terms shall run from January 1 of the year in which the appointment is made.

E. 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, the Alternate No. 1 shall vote first, Alternate No. 2 shall vote second, if needed, and so on.

F. If a vacancy of any class shall occur otherwise than by expiration of term, it shall be filled by appointment as above provided for the unexpired term. Any member other than a Class I member may be removed by the Township Council for cause, but only after public hearing, if requested, and other requested procedural due process protection.

G. The Land Use Board shall organize annually by selecting from among its Class IV regular members a Chairman and Vice Chairman. The Board also shall select a Secretary, who may or may not be a member of the Board or an employee of the Township.

H. The Township Council, after giving due consideration to budget requests that may be submitted by the Land Use Board, shall make provisions in its budget and appropriate funds for the expenses of the Land Use Board.

I. The office of Land Use Board Attorney is hereby created. The Land Use Board may appoint to such office and fix compensation or rate of compensation of an attorney at law of New Jersey other than the Township Attorney.

J. The Land Use Board may also employ or contract for and fix the compensation of legal counsel, other than the municipal attorney, and experts and other staff and services as it may deem necessary, not exceeding, exclusive of gifts or grants, the amount appropriated by the Township Council for its use.

K. The Land Use Board shall adopt such rules and regulations as may be necessary to carry into effect the provisions and purposes of this chapter.
SECTION II. If any article, section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect.

SECTION III. In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Township, the provisions hereof shall be determined to govern. All other ordinances of the Township are hereby ratified and confirmed, except where inconsistent with the terms hereof.

SECTION IV. This Ordinance shall take effect immediately upon final passage and publication according to law.

NOTICE

NOTICE is hereby given that the foregoing Ordinance was introduced to pass on first reading at a special meeting of the Council of the Township of Allamuchy held on the 10th day of January, 2018, at 7:30 p.m. and ordered published in accordance with the law. Said Ordinance will be considered for final reading and adoption at a special meeting of the Council of the Township of Allamuchy to be held on the 14th day of February, 2018, at 7:30 p.m., or as soon thereafter as the Township may hear this Ordinance at the Municipal Building, 292 Alphano Road, Allamuchy, New Jersey 07820, at which time all persons interested may appear for or against the passage of said Ordinance.

Anne Marie Tracy
Township Clerk