

ORDINANCE No. RO-02-24

AN ORDINANCE OF THE TOWNSHIP OF WASHINGTON, COUNTY OF MORRIS, STATE OF NEW JERSEY, AMENDING THE CODE OF THE TOWNSHIP OF WASHINGTON TO ELIMINATE THE HISTORIC PRESERATION COMMISSION AS A SEPARATE ENTITY AND TO AUTHORIZE THE JOINT LAND USE BOARD TO EXERCISE ALL OF THE POWERS OF A HISTORIC PRESERVATION COMMISSION

WHEREAS, the Township of Washington Code currently contains the provision establishing a Historic Preservation Commission as a separate entity and sets forth the composition and duties of such Commission; and

WHEREAS, the Township Committee has reviewed the matter and determined that the Historic Preservation Commission should be eliminated as a separate entity and all powers and authority which rested with the Commission shall be within the powers to the Washington Township Joint Land Use Board.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Washington, County of Morris, State of New Jersey, as follows:

SECTION ONE. Chapter 217 “Zoning”, Article XIII “Historic Preservation Overlay Zone”, Section 217-133 “Historic Preservation Commission” shall be amended to read as follows:

§217-133 Historic Preservation Commission.

Establishment of an Historic Preservation Commission. Pursuant to N.J.S.A. 40:55D-25(b)(3), the Washington Township Joint Land Use Board is hereby authorized to act as the Township’s Historic Preservation Commission and any reference throughout this Chapter and the Township Code to Historic Preservation Commission means and shall refer to the Washington Township Joint Land Use Board.

All remaining provisions of this Chapter not addressed herein shall remain unchanged.

SECTION TWO. Chapter 111 “Land Use Procedures”, Article I “Planning Board”, shall be amended to add a new Section 111-8 “Historic Preservation” to read as follows:

§111-8 Historic Preservation.

1. Pursuant to N.J.S.A. 40:55D-25(b)(3), the Washington Township Joint Land Use Board is hereby authorized to and shall exercise, to the same extent and subject to the same restrictions provided for in the Municipal Land Use Law, N.J.S.A. 40:55D-1 *et seq.*, all of the powers and responsibilities of a historic preservation commission.

2. All references throughout this Code, including Chapter 217, to the Historic Preservation Commission shall mean and refer to the Washington Township Joint Land Use Board.

All subsequent subsections of this Section shall be renumbered in accordance with this addition.

All remaining provisions of this Chapter not addressed herein shall remain unchanged.

SECTION THREE. Chapter 111 "Land Use", Article I "Planning Board", shall be amended to add a new Section 111-11A to read as follows:

§111-11A Historic Preservation Advisory Committee.

A. The mayor may appoint two or more persons as a Historic Preservation Advisory Committee to assist or collaborate with the Joint Land Use Board in its duties with regard to historic structures and areas located throughout the Township. Such persons shall have no power to vote or take other action required of the Board and such persons shall serve at the pleasure of the Mayor

B. Duties and responsibilities. The Historical Preservation Advisory Committee shall assist or consult with the Joint Land Use Board as needed, including but not limited to:

(1) Making recommendations to the Joint Land Use Board on the historic preservation plan element of the Master Plan and on implications for preservation of historic sites of any other Master Plan elements.

(2) Advising the Joint Land Use Board on the inclusion of historic sites in the recommended capital improvement program.

(3) Advising the Joint Land Use Board on applications for development.

(4) Providing advisory written reports pursuant to N.J.S.A. 40:55D-111 on the application of provisions of the Zoning Ordinance, concerning historic preservation, if requested.

(5) Carrying out such other advisory, educational and informational functions as will promote historic preservation in the municipality as requested by the Joint Land Use Board or Mayor.

All remaining provisions of this Chapter not addressed herein shall remain unchanged.

SECTION FOUR. RENUMBERING. This Ordinance may be renumbered for codification purposes.

SECTION FIVE. SEVERABILITY. The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

SECTION SIX. REPEALER. Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed as to their inconsistencies only.

TOWNSHIP OF WASHINGTON

COUNTY OF MORRIS

STATE OF NEW JERSEY

ATTEST:

By:

Denean Probasco, Township Clerk

Matthew Murello, Mayor

NOTICE OF FINAL ADOPTION

Notice is hereby given that the Ordinance published herewith was introduced and passed upon first reading at a meeting of the Township Committee of Washington Township, in the County of Morris, New Jersey, held on the 2nd of January, 2024, and the same came up for final passage at a meeting of said Township Committee on the 20th day of February, 2024 at which time, after persons interested were given an opportunity to be heard concerning said ordinance, the same was passed and will be in full force in the Township according to law. By order of the Township Committee of the Township of Washington, County of Morris and State of New Jersey.

Attest: I herein certify that the foregoing Ordinance was duly adopted by the Washington Township Committee at a regular meeting held by the Township Committee on February 20, 2024.

Denean Probasco, RMC, Township Clerk