

TOWNSHIP OF LUMBERTON

ORDINANCE 2017-009

AN ORDINANCE REPEALING SECTION 130-48.1 OF THE TOWNSHIP CODE

WHEREAS, Township Solicitor reviewed the municipal code and determined that Section 130-48.1 requiring the dedication of recreation or payments in lieu of dedication for recreation purposes following the New Jersey Supreme Court’s decision in New Jersey Shore Builders Association v. Township of Jackson is now null and void; and

WHEREAS, the Township has the obligation to be consistent with this change of law;

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

1. Section 130-48.1 of the Lumberton Township Code is repealed in its entirety consistent with New Jersey Shore Builders Association v. Township of Jackson; and
2. Any section of the Code inconsistent with this ordinance is similarly repealed to remove the inconsistency; and
3. The fee requirement for any development approval granted but not yet paid or pending approval which is subject to this section is null and void by operation of law.

LUMBERTON TOWNSHIP COMMITTEE

ACTION ON INTRODUCTION

Motion made by:	Committeeman Jackson
Motion seconded by:	Deputy Mayor Conway

VOTE:

Committeeman Jackson:	<u>Yes</u>	No	Abstain	Not Present
Committeeman Januseski:	<u>Yes</u>	No	Abstain	Not Present
Committeeman Mansdoerfer:	Yes	No	Abstain	<u>Not Present</u>
Deputy Mayor Conway:	<u>Yes</u>	No	Abstain	Not Present
Mayor Earlen:	<u>Yes</u>	No	Abstain	Not Present

ACTION ON ADOPTION (after public hearing)

Motion made by:	Committeeman Jackson
Motion seconded by:	Deputy Mayor Conway

VOTE:

Committeeman Jackson:	<u>Yes</u>	No	Abstain	Not Present
Committeeman Januseski:	<u>Yes</u>	No	Abstain	Not Present
Committeeman Mansdoerfer:	<u>Yes</u>	No	Abstain	Not Present
Deputy Mayor Conway:	<u>Yes</u>	No	Abstain	Not Present
Mayor Earlen:	<u>Yes</u>	No	Abstain	Not Present

CERTIFICATION

I hereby certify that the foregoing is a true copy of the ordinance that was introduced after first reading at a meeting of the Lumberton Township Committee held on July 25, 2017 and adopted after a public hearing at the meeting of the Lumberton Township Committee held on August 22, 2017.

Debra L. Shaw-Blemings
Debra L. Shaw-Blemings, RMC
Lumberton Township Clerk

Introduced:	July 25, 2017
Published:	July 29, 2017
Hearing:	August 22, 2017
Adopted:	August 22, 2017
Published:	August 27, 2017