

**HOPATCONG BOROUGH
ORDINANCE 23-2011**

**ORDINANCE PETITIONING THE CLERK OF
SUSSEX COUNTY TO PLACE ON THE BALLOT A
REFERENDUM TO CREATE A SINGLE LAND USE
BOARD IN THE BOROUGH OF HOPATCONG**

WHEREAS, since the adoption of the Highlands Act, land use applications in the Borough of Hopatcong have greatly diminished; and

WHEREAS, the Borough maintains a separate Planning Board and Board of Adjustment; and

WHEREAS, N.J.S.A. 40:55D-25 permits a municipality to merge the functions of the Board of Adjustment and the Planning Board into one board, which shall act as the Planning Board with the powers of the Board of Adjustment; and

WHEREAS, in a municipality with a population of greater than 15,000, which Hopatcong Borough does have, this cannot be done without a voter referendum approving the same, and

WHEREAS, the Mayor and Council of the Borough of Hopatcong is desirous of placing this issue on the ballot to be voted upon by the voters of Hopatcong Borough;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Hopatcong, County of Sussex and State of New Jersey as follows:

SECTION 1.

The Borough of Hopatcong does hereby petition the County Clerk of the County of Sussex to place on the ballot in the next general election the following referendum and interpretive statement:

REFERENDUM: Should the Borough of Hopatcong disband the Hopatcong Borough Zoning Board of Adjustment and merge its land use functions into one board, which shall be known as the Hopatcong Borough Land Use Board?

[] Yes [] No

**INTERPRETIVE
STATEMENT:**

The purpose of this referendum is to determine whether or not all land use functions of the Borough of Hopatcong should be placed in one board, which would commonly be known as a Land Use Board. It would exercise all of the powers of the Planning Board and Board of Adjustment granted by State law. Because the number of land use applications has substantially declined in the Borough since the adoption of the New Jersey Highlands Act, the Borough is seeking to reduce costs by having one board instead of two boards.

Section 2. All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistencies.

Section 3. If any article, section, subsection, paragraphs, phrase or sentence is, for any reason, held to be unconstitutional or invalid, said article, section, subsection, paragraph, phrase or sentence shall be deemed severable.

Section 4. This Ordinance shall take effect immediately upon final publication as provided by law.

Catherine Gleason, RMC

Sylvia Petillo, Mayor

Introduced: July 6, 2011
Adopted: August 3, 2011

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced to pass on first reading at a regular meeting of the Council of the Borough of Hopatcong held on July 6, 2011 commencing 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 regular meeting of the Borough Council to be held on August 3, 2011, commencing at 7:30 p.m. or as soon thereafter as the Borough Council may hear this Ordinance, at the Municipal Building, 111 River Styx Road, Hopatcong, New Jersey 07843, at which time all persons interested may appear for or against the passage of said Ordinance.

Catherine Gleason
Borough Clerk

CERTIFICATION

I, Catherine Gleason, Clerk of the Borough of Hopatcong, County of Sussex, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of an Ordinance adopted by the Hopatcong Borough Mayor and Council at a meeting held on August 3, 2011

Catherine Gleason, Clerk