

ORDINANCE 26 -2021

BOROUGH OF EATONTOWN
COUNTY OF MONMOUTH, STATE OF NEW JERSEY

AN ORDINANCE AMENDING CHAPTER 89 "LAND USE", ARTICLE III "CREATION OF BOARDS" SECTION 89-5 "MUNICIPAL PLANNING BOARDS" AUTHORIZING TWO ALTERNATE MEMBERS TO THE EATONTOWN PLANNING BOARD

WHEREAS, the Borough Code currently establishes the Eatontown Planning Board (the "Planning Board") which consists of nine members as authorized by the MLUL; and

WHEREAS, the MLUL permits the Planning Board to have two alternate members who shall be municipal residents and shall otherwise meet the requirements of law; and

WHEREAS, the Borough Council believes it is in the best interest of the Borough to create the position of two alternate members of the Planning Board to better ensure the Board has a quorum available at its regularly scheduled meetings so that the Planning Board can best accommodate all residents and businesses .

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Borough of Eatontown, County of Monmouth and State of New Jersey that Chapter 89 of the Code of the Borough of Eatontown, entitled, "Land Use", Article III entitled "Creation of Boards", Section 89-5 entitled "Municipal Planning Board" is hereby amended as follows:

SECTION 1

89-5 [Sections A-B-No Change.]

C. Alternate Members

1. There shall be two alternate members who shall be citizens of the Borough and appointed by the Mayor. Alternate members shall meet the requirements of Class IV members and upon appointment shall be designated as Alternate No. 1 and Alternate No. 2.
2. Alternate members may participate in all Planning Board matters but may not vote except in the absence or disqualification of a regular member of any Class member of the Planning Board. If a choice must be made as to which alternate member is to vote, Alternate No. 1 shall vote.
3. An alternate member may, after public hearing if one is requested, be removed by the Borough Council for cause.
- D. Terms [1-3 No Change].
4. The terms of the alternate members shall be for two years except that that the terms of the alternate members shall be such that the term of not more than one alternate member shall expire in any one year.
5. A vacancy of an alternate member occurring otherwise than by expiration of term shall be filled by the Mayor for the unexpired term only.

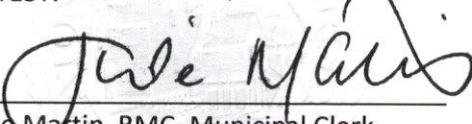
BE IT FURTHER ORDAINED, that

- A. All other Ordinances or provisions of the Code of the Borough of Eatontown or parts thereof, which are inconsistent with any provisions in this Ordinance, are hereby repealed to the extent of such conflict or inconsistency.
- B. If any provision or portion of this Chapter is held to be unconstitutional, preempted by Federal or State Law or otherwise invalid by any court of competent jurisdiction, the remaining provisions of this chapter shall not be invalidated.
- C. This Ordinance shall take effect upon its passage and publication as required by law.

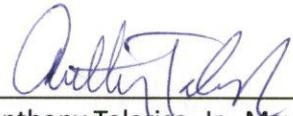
Date INTRODUCED: September 8, 2021

Date ADOPTED: September 22, 2021

ATTEST:


Julie Martin, RMC, Municipal Clerk
Date: 09/22/2021

APPROVED:


Anthony Talerico, Jr., Mayor