

TOWNSHIP OF RARITAN
COUNTY OF HUNTERDON, NEW JERSEY

ORDINANCE #16-26

AN ORDINANCE AMENDING TITLE 2 ENTITLED “ADMINISTRATION” AND PERSONNEL” BY DELETING CHAPTER 2.28 ENTITLED “SUPERINTENDENT OF PUBLIC WORKS AND ENGINEER” AND CHAPTER 2.44 ENTITLED “TOWNSHIP PLANNER” AND REPLACING THEM WITH NEW CHAPTER 2.28 ENTITLED “DEPARTMENT OF ENGINEERING, PLANNING AND ZONING”, AND BY AMENDING CHAPTER 2.40 ENTITLED “LAND USE ENFORCEMENT OFFICER”.

BE IT ORDAINED by the Township Committee of the Township of Raritan, in the County of Hunterdon, State of New Jersey, as follows:

SECTION I. Title 2 entitled “Administration and Personnel” of *The Revised General Ordinances of the Township of Raritan* is hereby amended by the deletion of Chapter 2.28 entitled “Superintendent of Public Works and Engineer” in its entirety and by the deletion of Chapter 2.44 entitled “Township Planner” in its entirety, and the addition of new Chapter 2.28 entitled “Department of Engineering, Planning and Zoning” to read as follows:

2.28.010 Establishment.

There is hereby established a Department of Engineering, Planning and Zoning within the Township which shall include (i) the Office of the Township Engineer, who may also serve as the Township Planner and Township Zoning Officer, and (ii) the Office of the Land Use Enforcement Officer. The Department Head shall be the Township Engineer.

2.28.020 Qualifications.

The Township Engineer shall serve as the Township Engineer, Township Planner and Township Zoning Officer. He or she shall be a licensed professional engineer of the State of New Jersey in good standing, and with sufficient education, knowledge and experience to carry out the duties of the office. He or she may also hold a regularly issued New Jersey professional planner’s license and may [shall] also be a licensed surveyor of the State of New Jersey. Alternatively, the Township Engineer may designate someone else to conduct survey work as long as such person is licensed as a surveyor by the State of New Jersey and is in good standing. Such surveyor shall be approved by the Township Committee. Moreover, the Township Engineer may select a consulting planner with the approval of the Township Committee.

2.28 030 Duties and responsibilities.

The Township Engineer shall perform all of the duties presently described by the statutes of the State of New Jersey and any Township ordinances as may be required to be

performed by the Township Engineer. In addition, the Township Engineer, or his designee, shall perform the following duties:

A. Prepare, or cause to be prepared, plans, designs and specifications for public works and improvements undertaken by the Township, either on force account or by public contract.

B. Provide and maintain surveys, maps, plans, specifications and control records with respect to public works and facilities owned and operated by the Township;

C. Be responsible for the review of and comment on plans prepared for driveway permits, for the issuance of such permits and for the on-site inspection of these driveways during construction;

D. Be responsible for the issuance of road opening permits and for inspection during construction;

E. Perform inspection of percolation tests or the supervision thereof and review plans prepared for on-lot disposal systems;

F. Be responsible for enforcing the rules and regulations for the floodplain ordinance and the soil erosion and sedimentation control ordinance throughout the Township, and for issuing floodplain certifications when requested;

G. Provide technical consultation for projects to be undertaken for playgrounds, parks and recreation, prepare or cause to be prepared and review plans and specifications for the Township Parks and Recreation Commission, and maintain all parks, recreation and other municipal facilities;

H. Consult with the Superintendent of Public Works and Township Administrator, inspect the maintenance of Township roads from an engineering standpoint and provide technical engineering advice when required;

I. Respond to citizen complaints, inspect problem areas and make recommendations for the solution to these problems;

J. Be designated as engineering consultant to the Township Planning Board and Zoning Board of Adjustment, thereby reviewing plans submitted to the for site improvements, subdivisions, variances etc.; provide liaison with applicants, their engineers, architects, etc., advising and instructing them about Township requirements; attend Planning Board and Zoning Board of Adjustment meetings and prepare and present reports and comments on applications before the board for review;

K. Determine the effects of proposed development on the overall ecological and environmental condition of the Township, and prepare environmental impact statements for the Township when required;

L. Be responsible for the ongoing construction projects within the Township from start of construction through final approval or acceptance;

M. Provide technical engineering and planning advice and assistance to other Township departments as needed. Attend Township Committee meetings and make reports as required;

N. Assist the Township in the preparation of new ordinances or revisions to existing ordinances, when required for engineering information or data;

O. Keep informed of all recent rulings by other governmental agencies which have a direct effect on the practices or functions of the Township;

P. Assist with the planning of long-range capital improvement programs and with the overall planning of future development within the Township;

Q. Assist the Township Committee in establishing a yearly budget and provide engineering cost estimates when required;

R. Update the official tax map annually to reflect subdivisions, lot consolidations and other changes;

S. Act as administrative officer as described in the Municipal Land Use Law, R.S. 40:55D-1 et seq.;

T. Issue zoning permits in the capacity of zoning officer;

U. Act as planning consultant to the Township Planning Board and Township Zoning Board of Adjustment;

V. Prepare, or cause to be prepared, plans, maps charts, reports, designs and studies related to land use planning within the Township;

W. Coordinate the land use policies and activities of the environmental, recreation and other similar commissions;

X. Supervise the activities of the Planning Board and Zoning Board of Adjustment employees and assist the Planning Board and Zoning Board of Adjustment in their prescribed functions, including the preparation of their annual budgets;

Y. Assist in establishing administrative goals related to administrative planning;

Z. Issue zoning permits and oversee enforcement of Township zoning and other applicable ordinances.

2.28.040 Planning Consultant

A Planning Consultant may be appointed by the Township Administrator with the advice and consent of the Township Committee. The Planning Consultant shall be appointed on the basis of administrative abilities and qualifications with special regard to education, training and experience in land use planning and related governmental affairs. The Planning Consultant shall hold a valid New Jersey professional planner's license, and shall perform those functions as directed by the Township Engineer. No elected official of the Township may receive appointment as the Planning Consultant during his or her term of office.

Section II. Chapter 2.40 entitled "Land Use Enforcement Officer" of Title 2 entitled "Administration and Personnel" of *The Revised General Ordinances of the Township of Raritan* is hereby amended to read as follows:

2.40.010 Establishment

The office of land use enforcement officer is established separate and apart from the construction code official and [as a division of the office of planning and land use enforcement officer] as a division of the Department of Engineering, Planning and Zoning.

2.40.020 Qualifications and requirements.

The land use enforcement officer shall be appointed by the [t]Township [c]Committee upon his or her qualification involving administrative ability, upon the recommendation of the Township Engineer, and with regard to education, prior training and experience in land use matters, zoning matters and related fields of governmental enforcement of zoning and planning ordinances.

2.40.030 Duties and responsibilities.

The land use enforcement officer is responsible for enforcing the provisions of the zoning ordinance, except where those duties are assigned specifically to the [township planner] Township Engineer in his capacity as the Township Planner, and charged with the responsibility of the enforcing provisions of the property maintenance ordinance and other such ordinances as designated by ordinances, including those provisions established by the planning board and the zoning board of adjustment in their resolutions approving development proposals and site plans regarding the issuance of building permits and certificates of occupancy. The land use

enforcement officer shall also act as deputy zoning permit officer at such times as directed by the [township planner] Township Engineer. In addition to those duties, the land use enforcement officer, from time to time, may be directed by the [township planner] Township Engineer or the [t]Township [c]Committee by ordinance specific duties and responsibilities [by ordinance] concerning the enforcement of provisions of the land subdivision ordinance or other ordinances relating to planning and zoning.

2.40.040 Compensation.

The land use enforcement officer shall be paid compensation for the services performed in accordance with an agreement with the [t]Township [c]Committee [, and the office shall be separate and distinct from the planning and land use officer].

Section III. 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 IV. In the event of any inconsistencies between the provisions of this Ordinance and any prior Ordinance of the Township of Raritan, the provisions hereof shall be determined to govern. All other parts provisions of the Revised General Ordinances of the Township of Raritan are hereby ratified and confirmed, except where inconsistent with the terms hereof.

Section V. This Ordinance shall take effect upon final passage and publication according to law.

Notice to Codifier: [] denotes a deletion to original text;

underlined language denotes new text.

ATTEST:

**TOWNSHIP COMMITTEE OF
TOWNSHIP OF RARITAN**

William Bray
Acting Township Clerk

Karen Gilbert
Mayor

NOTICE OF PENDING ORDINANCE

PLEASE TAKE NOTICE that the foregoing Ordinance was introduced at a Township Committee Meeting by the Township Committee of the Township of Raritan on Dec. 20, 2016 the same was then ordered to be published according to law with a public hearing and a vote scheduled for the meeting of Jan. 5, 2017 beginning at 7:00 p.m. at the Municipal Building, One Municipal Drive, Flemington, New Jersey at which time all interested persons will be heard

William Bray
Acting Township Clerk

Roll Call	Moved	Seconded	Ayes	Nays
Richard Chen, Committee Member		X	X	
Michael Mangin, Deputy Mayor	X		X	
Craig O'Brien, Committee Member				X
Lou Reiner, Committee Member			X	
Karen Gilbert, Mayor			X	