

**TOWNSHIP OF RARITAN  
HUNTERDON COUNTY, NEW JERSEY**

**ORDINANCE #17-37**

**AN ORDINANCE OF THE TOWNSHIP OF RARITAN, COUNTY OF HUNTERDON, NEW JERSEY, AMENDING TITLE 2 ENTITLED “ADMINISTRATION AND PERSONNEL” OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF RARITAN TO REVISE PROVISIONS RELATED TO ENVIRONMENTAL COMMISSION APPOINTMENTS**

**Language in brackets [ ] is to be deleted from the original text. Underlined language is new language to the original text.**

**WHEREAS**, under the Township form of government, the mayor is granted “all those powers placed on the mayor by general law” pursuant to N.J.S.A. 40A:63-5; and

**WHEREAS**, N.J.S.A. 40:56A-1 is a general law that provides that appointments to the Environmental Commission shall be “appointed by the mayor of the municipality;” and

**WHEREAS**, Section 2.80.020 of the Revised General Ordinances of the Township of Raritan, as currently constituted, conflicts with N.J.S.A. 40A:62-5 by requiring that appointments to the Environmental Commission be “confirmed by resolution of the Township Committee;” and

**WHEREAS**, Section 2.80.020 of the Revised General Ordinances of the Township of Raritan, as currently constituted, is both confusing to administer and *ultra vires*.”

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

**Section 1:** Section 2.80.020 entitled “Composition” of Title 2 entitled “Administration and Personnel” of *The Revised General Ordinances of the Township of Raritan* is hereby amended to read as follows:

**2.80.020 Composition.**

The Commission shall consist of not less than five nor more than seven members and two alternate members appointed by the Mayor [and confirmed by the resolution of the Township Committee]. At least one member shall be a member of the Planning Board and all shall be residents of the Township. The Mayor shall designate one of the members to serve as chair. Their terms of office, removal or vacancy shall be governed by R.S. 40:56A-1. (Prior code § 2-19.2; Ord. 03-8)

**Section 2.** If any section or provision of this Ordinance shall be held invalid in any court of competent jurisdiction, the same shall not affect the other sections or provisions of this Ordinance, except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

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**Section 3.** The Ordinance shall take effect upon its adoption, passage and publication according to law.

**ATTEST:**

  
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Lisa Fania  
Township Clerk

**TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF RARITAN**

  
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Karen Gilbert  
Mayor

**DATE ADOPTED:** November 6, 2017