

ORDINANCE NO. 20-23

AN ORDINANCE OF THE TOWNSHIP OF DENVILLE, COUNTY OF MORRIS, STATE OF NEW JERSEY, AMENDING CHAPTER 21, BUSINESS IMPROVEMENT DISTRICT, OF THE TOWNSHIP CODE TO MODIFY BOARD MEMBERSHIP REQUIREMENTS

WHEREAS, § 21-6A(1) of the Township of Denville Code sets forth the required composition for elected Business Improvement District (BID) Board of Director members; and

WHEREAS, the BID desires to modify that composition, in accordance with N.J.S.A. 40:56-79, to allow for great flexibility in securing qualified candidates able to serve; and

WHEREAS, the Municipal Council desires to authorize same.

NOW, THEREFORE, BE IT ORDAINED, by the Municipal Council of the Township of Denville, County of Morris, State of New Jersey, as follows:

SECTION 1. Chapter 21, Business Improvement Districts, § 21-6, Designation of Board of Directors, paragraph A, Board of Directors, (1) Elected directors, is hereby amended to read as follows:.

- (a) There shall be seven elected directors, all of whom must be of legal voting age, who shall be elected as set forth in the bylaws of the corporation and who shall be voting members, separated into the following classifications:
 - [1] At least four members who are property owners or occupants (business owners) located within the BID's geographical boundaries; and
 - [2] Up to three resident-at-large members who are residents of the Township of Denville.
- (b) All elected directors, with the exception of the resident-at-large directors, shall be persons who are responsible for payment of any special assessments for properties located in the Business Improvement District, whether they are directly responsible to the Township of Denville or by pass-through from their landlord.

SECTION 2. Ordinances, resolutions, regulations or parts of ordinances, resolutions and regulations inconsistent herewith are hereby repealed to the extent of such inconsistencies.

SECTION 3. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid by a court of competent jurisdiction, such a decision shall not affect the remaining portions of this Ordinance.

SECTION 4. Within ten (10) business days after the adoption of this ordinance, the Municipal Clerk shall provide a copy of this ordinance to the Director of the Division of Local Government Services in the Department of Community Affairs.

SECTION 5. This Ordinance shall take effect upon final passage, approval and publication as required by law.

BY ORDER OF THE MUNICIPAL COUNCIL

OF THE TOWNSHIP OF DENVILLE

ATTEST:

APPROVED:



TARA M. PETTONI, RMC
MUNICIPAL CLERK



MAYOR THOMAS W. ANDES
TOWNSHIP OF DENVILLE

I hereby certify the foregoing to be a true copy of an ordinance adopted by the Municipal Council of the Township of Denville at its meeting held on November 13, 2023.



Tara M. Pettoni, RMC
Municipal Clerk