

**ORDINANCE OF THE TOWNSHIP OF TOMS RIVER, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE MAYOR TO EXECUTE AND THE TOWNSHIP CLERK TO ATTEST TO A LEASE AGREEMENT BETWEEN THE TOWNSHIP OF TOMS RIVER AND THE OCEAN COUNTY BOARD OF HEALTH AUTHORIZING THE LEASING OF CERTAIN MUNICIPAL PROPERTY PURSUANT TO N.J.S.A. 40A:12-14(B)**

**BE IT ORDAINED**, by the Township Council of the Township of Toms River, in the County of Ocean, State of New Jersey, as follows:

**SECTION 1.** Pursuant to N.J.S.A. 40A:12-14(b), the Township of Toms River may enter into a lease with another public body, upon such terms and conditions, including nominal or other consideration, if it is in the best interest of the municipality to do so. The Township Council has determined that it is in the best interest of the Township of Toms River to lease the Township's current animal facility to the Ocean County Board of Health to operate a county animal shelter within Toms River, the county seat. In so doing the taxpayers of the Township of Toms River will be relieved from paying twice for such animal shelter services since the County of Ocean already operates two (2) animal shelters paid for with county taxpayer funds, while the residents of Toms River Township also pay for the Township's operation of a similar facility and therefore pay twice for such services. This Ordinance will alleviate this additional tax burden from the residents of Toms River Township so that they may receive the same county services as all other residents of Ocean County with respect to such services.

**SECTION 2.** The Township hereby authorizes a lease of the subject property in accordance with the terms of the lease agreement attached hereto as Exhibit A.

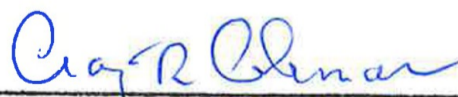
**SECTION 3.** This ordinance shall take effect following its final passage by the Township Council, approval by the Mayor, and twenty days after publication as required by law.

**SECTION 4.** If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a Court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

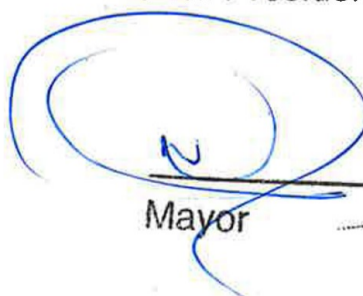
**SECTION 5.** If any part of this ordinance is invalidated for any reason by competent authority, that part is severed and the remaining provisions shall remain in full force and effect.

L-March 27, 2024-19

Passed 4-24-24



Council President



Mayor