

**ORDINANCE 45-2023**

**ORDINANCE OF THE BOROUGH OF MADISON RESCINDING CHAPTER 195-42, OF THE BOROUGH CODE ENTITLED "APPEALS" PERMITTING REVIEW BY BOROUGH COUNCIL OF PLANNING BOARD FINAL DECISIONS**

**WHEREAS**, Chapter 195, Section 42, A through H of the Borough Code permits review of Planning Board Final Decisions by the Borough Council; and

**WHEREAS**, the Borough Attorney has recommended that Chapter 195, Section 42 be rescinded as the appropriate forum for appeals of land use decisions is the judicial system.

**NOW, THEREFORE BE IT RESOLVED**, by the Council of the Borough of Madison, in the County of Morris and the State of New Jersey that Chapter 195, Section 42 of the Borough Code be rescinded; and

**BE IT FURTHER RESOLVED**, by the Council of the Borough of Madison, in the County of Morris and the State of New Jersey, as follows:

**SECTION 1:** That Chapter 195, Section 42 entitled "Appeals" of the Borough code be amended to remove Chapter 195, Section 42 in its entirety.

**SECTION 2:** This Ordinance shall take effect as provided by law.

ADOPTED AND APPROVED  
September 27, 2023

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ROBERT H. CONLEY, Mayor

Attest:

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ELIZABETH OSBORNE, Borough Clerk

Introduced and passed: September 11, 2023

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