

**ORDINANCE NO. 24-08**

**AN ORDINANCE AMENDING AND SUPPLEMENTING THE BOROUGH OF ROCKAWAY DOWNTOWN REDEVELOPMENT PLAN IN ACCORDANCE WITH THE LOCAL REDEVELOPMENT AND HOUSING LAW**

**WHEREAS**, the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1 et seq.) (the “**Law**”) grants municipalities certain powers to promote the reinvestment in real property; and

**WHEREAS**, among those powers is the right to adopt a redevelopment plan setting forth the vision that the municipality has for some or all of its real property; and

**WHEREAS**, on September 8, 2022, the Borough of Rockaway (the “**Borough**”) adopted the “Downtown Redevelopment Plan” (the “**Plan**”) via the adoption of Ordinance # 19-22; and

**WHEREAS**, the Borough has determined that an amendment of the Plan (the “**Amendment**”) is in the best interest of the Borough and its citizens; and

**WHEREAS**, the Mayor and Council believe that the Amendment and its implementation will encourage significant additional reinvestment in the Borough, expand its tax base and increase the economic vitality of the Borough and its citizens; and

**WHEREAS**, through introduction of this Ordinance, the Borough Council refers the Amendment to the Borough Land Use Board for review and requests its recommendations relating to the Amendment prior to final adoption.

**Now Therefore Be It Ordained** by the Mayor and Council of the Borough that:

**SECTION 1.** Pursuant to the Law, through introduction of this Ordinance, the Borough Council hereby refers the Amendment to the Borough Land Use Board for review and requests its recommendations relating to the Amendment’s consistency with the Borough Master Plan within 45 days after referral.

**SECTION 2.** The Plan is hereby amended as set forth on the Amendment attached as **Exhibit A**, wherein amendments are highlighted in yellow. Further, Chapter 172, “Zoning,” of the Borough’s Code is supplemented to include the Amendment as “Attachment 4 - Downtown Redevelopment Plan” in the final form attached hereto as **Exhibit B**.

**SECTION 3.** All ordinances or parts thereof inconsistent herewith are repealed as to such inconsistencies.

**SECTION 4.** If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any 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 thereof.

**SECTION 5.** The Borough Clerk is hereby authorized and directed to provide such notice and publication of this matter so as to permit the conduct of all public hearings as are required by the Law.

**SECTION 6.** The Borough Clerk is hereby authorized and directed to forward this ordinance and the amended redevelopment plan to the Morris County Planning Board and Borough Tax Assessor after final adoption, as provided by law.

DATE: June 13, 2024

BOROUGH OF ROCKAWAY

ATTEST: Kimberly Cuspilich, Borough Clerk

BY: Thomas Mulligan, Mayor

**CERTIFICATION**

I, Kimberly Cuspilich, Borough Clerk of the Borough of Rockaway, in the County of Morris, do hereby certify that the foregoing is a true and correct copy of an ordinance fully adopted by the Mayor and Council at a meeting held on June 13, 2024.

Kimberly Cuspilich, RMC  
Borough Clerk

EXHIBIT A

DOWNTOWN REDEVELOPMENT PLAN

**EXHIBIT B**

**§172 ATTACHMENT 4 – DOWNTOWN REDEVELOPMENT PLAN**