

**ORDINANCE 2018-06**

**AN ORDINANCE OF THE BOROUGH OF CHESTER, MORRIS COUNTY, STATE OF NEW JERSEY, AMENDING CHAPTER 163 (LAND DEVELOPMENT AND PROCEDURES), ARTICLE V (GENERAL ADMINISTRATIVE AND PROCEDURAL REQUIREMENT), SECTION 163-27 (GENERAL PROCEDURES FOR SITE PLAN AND SUBDIVISION APPROVAL) OF THE CODE OF THE BOROUGH OF CHESTER TO REQUIRE ELECTRONIC SUBMISSION OF CERTAIN DOCUMENTS AND ADD APPENDIX A (CHECKLIST).**

**WHEREAS**, municipalities are empowered to make, amend, repeal, and enforce its ordinances pursuant to Statute (N.J.S.A. 40:48-1, et seq.); and

**WHEREAS**, municipalities are required by Statute to follow specific procedures for the passage of ordinances (N.J.S.A. 40:49-2 et seq.); and

**WHEREAS**, the Chester Borough Land Use Board has reviewed the procedures and requirements for the submission of applications and has recommended that these procedures and requirements be amended to require that applicants submit electronic copies of certain documents to the Land Use Board Administrator upon request.

**WHEREAS**, the Chester Borough Land Use Board has also recommended that the procedures and requirements for the submission of applications be amended to include a checklist as an appendix to the general procedures for site plan and submission approval; and

**WHEREAS**, the Mayor and Borough Council agree with the recommendations of the Land Use Board; and

**NOW, THEREFORE, BE IT ORDAINED**, by the Council of the Borough of Chester, County of Morris, State of New Jersey that the Borough Code is hereby amended as follows:

**SECTION 1:** §163-27(B)(3) is hereby amended to add the following after sub-section [4]

The applicant shall also furnish an electronic copy of the final survey, signed plans and any other document that was part of the application process that the Land Use Board Administrator may request.

**SECTION 2:** §163-27(F)(4)(h) is hereby amended to read in its entirety as follows:

The applicant shall, upon the approval of major subdivision, within 95 days from the date of signed approval, file the same with the Morris County Clerk in accordance with the Map Filing Laws, and shall also supply the Land Use Board Administrator with an electronic copy of the final property survey, final signed plans and any other document or documents that were part of the approval process that the Land Use Board Administrator may request.

**SECTION 3:** §163-27(A) is hereby amended to include a new sub-section (7) to read in its entirety as follows

(7) The applicant shall comply with the submission requirements set forth on the Land Use Board Checklist annexed hereto as Appendix A.

**SECTION 4:** If any Chapter, Article, Section or Subsection, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid by any court of competent jurisdiction such decisions shall not affect the remaining portions of this Ordinance.

**SECTION 5:** All ordinances or rules or regulations of the Borough of Chester, which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

**SECTION 6:** This ordinance shall take effect upon passage and publication according to law.

Dated: May 1, 2018

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Janet Hoven, Mayor

Attest:

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Denean Probasco, Municipal Clerk

**NOTICE OF FINAL ADOPTION**

Notice is hereby given that the Ordinance published herewith was introduced and passed upon first reading at a meeting of the Mayor and Council of the Borough of Chester, in the County of Morris, New Jersey, held on the 3<sup>rd</sup> day of April, 2018, and the same came up for final passage at a meeting of said Borough Council on the 1<sup>st</sup> day of May, 2018 at which time, after persons interested were given an opportunity to be heard concerning said ordinance, the same was passed and will be in full force in the Borough according to law. By order of the Borough Council of the Borough of Chester, County of Morris and State of New Jersey.

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Denean Probasco, RMC  
Municipal Clerk  
Borough of Chester