

**THE TOWNSHIP OF EWING  
COUNTY OF MERCER, NEW JERSEY**

**ORDINANCE NO. 13-01**

1st Reading 1/8/13 Date to Mayor 1-30-13

2nd Reading & Public Hearing 1-29-13 Date Returned 1-30-13

Date Adopted: Date Resubmitted to Council \_\_\_\_\_

1-29-13 Approved as to Form of Legality

Effective Date: \_\_\_\_\_  
Township Attorney

2-18-13

**AN ORDINANCE OF THE TOWNSHIP OF EWING, IN THE COUNTY OF MERCER, AMENDING TOWNSHIP CODE REGARDING THE ESTABLISHMENT OF THE EWING REDEVELOPMENT AGENCY**

First Reading

MEMBER	AYE	NAY	ABS	NV	RES	SEC
Baxter	X				X	
Keyes-Maloney	X					X
Scroth	X					
Wollert	X					
Hyser	X					

Second Reading

MEMBER	AYE	NAY	ABS	NV	RES	SEC
Baxter	X				X	
Keyes-Maloney	X					
Schroth	X					X
Wollert	X					
Hyser	X					

By \_\_\_\_\_ Date \_\_\_\_\_ Accepted \_\_\_\_\_ Rejected \_\_\_\_\_  
Mayor

Reconsidered  
By Council \_\_\_\_\_ Override Vote YEA \_\_\_\_\_ NAY \_\_\_\_\_

\_\_\_\_\_  
President of the Council

\_\_\_\_\_  
Municipal Clerk

**TOWNSHIP OF EWING  
ORDINANCE NO. 13-01**

**AN ORDINANCE OF THE TOWNSHIP OF EWING, IN THE COUNTY OF  
MERCER, AMENDING TOWNSHIP CODE REGARDING THE  
ESTABLISHMENT OF THE EWING REDEVELOPMENT AGENCY**

**WHEREAS**, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the “Redevelopment Law”) authorizes municipalities to determine whether certain parcels of land located therein constitute areas in need of redevelopment; and

**WHEREAS**, on July 22, 1997, the Mayor and Council (the "Mayor and Council") of the Township of Ewing (the "Township") adopted Ordinance No. 97-14 amending and supplementing Chapter II, “Administration” of the Code of the Township to establish the Ewing Redevelopment Agency (“ERA”); and

**WHEREAS**, at that time, the Township had not yet obtained approval from the Department of Community Affairs, Local Finance Board (the “LFB”), in connection with the establishment of the ERA, as required by applicable law; and

**WHEREAS**, on February 8, 2000, after obtaining the necessary approval from the LFB, the Mayor and Council adopted Ordinance No. 00-01 amending and supplementing Chapter II, “Administration” of the Code of the Township to establish the ERA; and

**WHEREAS**, the provisions relating to the ERA are now set forth in Chapter 65 of the Township Code; and

**WHEREAS**, Section 65-2 of the Township Code provides, among other things, that the ERA shall have powers as are provided by the Redevelopment Law and by other ordinances of the Township “pertaining to redevelopment of the area of the Township commonly known as the Olden Avenue Redevelopment Area”; and

**WHEREAS**, on July 26, 2011, under the Redevelopment Law, the Mayor and Council adopted Resolution No. 11R-154, designating the properties located at Block 343, Lot 1.01, Block 374, Lot 4.02 and Block 365, Lot 9 on the Township’s tax map (collectively, the “Parkway Avenue Redevelopment Area”) as an area in need of redevelopment; and

**WHEREAS**, the Township is expected to adopt a redevelopment plan for the Parkway Avenue Redevelopment Area; and

**WHEREAS**, Township Code Chapter 65 appears to have provided for the establishment of ERA for the sole purpose of undertaking the redevelopment of the Olden Avenue Redevelopment Area; and

**WHEREAS**, the Mayor and Council now desire to amend certain sections of Chapter 65 of the Township Code to provide that the ERA shall serve as the redevelopment entity to implement redevelopment plans for, and carry out the redevelopment of, the Olden Avenue Redevelopment Area, the Parkway Avenue Redevelopment Area and any other redevelopment or rehabilitation areas that may be so designated by the Township, unless and until the Mayor and Council, by ordinance, specifically provide otherwise.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Township of Ewing, County of Mercer, State of New Jersey, as follows:

1. The aforementioned recitals are incorporated herein as though fully set forth at length herein.

2. Section 65-1B of the Township Code is hereby deleted and replaced with the following:

“It is hereby declared to be the policy of the Township to promote the health, safety, morals and welfare of the citizens of the Township by the creation of the Ewing Redevelopment Agency for the purposes of implementing redevelopment plans for, and

carrying out of the redevelopment of, the areas commonly known as the “Olden Avenue Redevelopment Area”, the “Parkway Avenue Redevelopment Area”, and any other areas designated by the Township as areas in need of redevelopment or rehabilitation, and of holding, redeveloping, rehabilitating or disposing of the land in such areas in a manner that will encourage economical and socially sound development by private or public enterprise, or by a combination of both.”

3. Section 65-2 of the Township Code is hereby deleted and replaced with the following:

“There shall be the Ewing Redevelopment Agency, which shall be designated as the redevelopment entity pursuant to and shall have such powers as are provided by N.J.S.A. 40A:12A-1 et seq. and by other ordinances of the Township pertaining to the implementation of redevelopment plans for, and the carrying out of the redevelopment of, the areas of the Township commonly known as the “Olden Avenue Redevelopment Area”, the “Parkway Avenue Redevelopment Area”, and any other area designated by the Township as an area in need of redevelopment or rehabilitation, unless and until the Mayor and Council, by ordinance, provide otherwise.”

4. Section 65-3 of the Township Code is hereby amended to provide that the defined term “Project Area” shall be deleted therefrom.

5. Section 65-5 of the Township Code is hereby deleted and replaced with the following:

“The Ewing Redevelopment Agency shall constitute a public body corporate and politic, exercising public and essential governmental functions, and shall have all the powers necessary or convenient to carry out and effectuate the purpose and provisions of the Local Redevelopment and Housing Law, N.J.S.A. 40a:12A-1 et seq.”

6. This ordinance shall take effect as provided by law.