

Ordinance #2017-2

AN ORDINANCE BY THE MUNICIPALITY OF PRINCETON ABOLISHING THE "GENERAL BOARD FOR MAKING ASSESSMENTS FOR LOCAL IMPROVEMENTS" AND AMENDING THE "CODE OF THE BOROUGH OF PRINCETON, NEW JERSEY, 1974" AND THE "CODE OF THE TOWNSHIP OF PRINCETON, NEW JERSEY, 1968."

WHEREAS, the "Code of the Borough of Princeton, New Jersey, 1974" ("Borough Code") and the "Code of the Township of Princeton, New Jersey, 1968" ("Township Code") both provide for a "General Board for Making Assessments for Local Improvements," established for purposes of making assessments for benefits accruing from local improvements in Princeton in the manner provided by law, and pursuant to the provisions of N.J.S.A. 40:56-21 et seq.; and

WHEREAS, the provisions of N.J.S.A. 40:56-21 and N.J.S.A. 40:56-22 provide that the creation of a general board for making assessments for local improvements by a municipal governing body is not mandatory and therefore, is discretionary; and

WHEREAS, pursuant to the provisions of N.J.S.A. 40:56-21 and N.J.S.A. 40:56-22, if a municipal governing body does not create a general board for making assessments for local improvements, the obligation to make assessments for the benefits for local improvements is retained by the governing body, and its obligations and duties in connection therewith are set forth in N.J.S.A. 40:56-21 et seq.; and

WHEREAS, at this time the Princeton Council wishes to abolish the existing "General Board for Making Assessments for Local Improvements" established by the Borough and Township Codes and instead retain the duties and responsibilities to make such assessments for local improvements, as provided by law.

NOW, THEREFORE, BE IT ORDAINED by the Princeton Council as follows:

Section 1. Section 2-86 of Chapter 2 of the "Code of the Borough of Princeton, New Jersey,

1974", entitled "General Board for Making Assessments for Local Improvements," is hereby repealed.

Section 2. Section 2-113 of Chapter 2 of the "Code of the Township of Princeton, New Jersey, 1968," entitled "General board for making assessments for local improvements," is hereby repealed.

Section 3. The duties and responsibilities to make all assessments for benefits accruing from local improvements as set forth in N.J.S.A. 40:56-21 et seq. are hereby retained by the Princeton Council.

Section 4. All ordinances and resolutions or parts thereof inconsistent with this Ordinance are repealed.

Section 5. 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 portion thereof.

Section 6. The provisions of this Ordinance shall be applicable within Princeton upon final adoption.

The purpose of this Ordinance is to abolish the "General Board for Making Assessments for Local Improvements" that exists in the municipality of Princeton, and to confirm that the Princeton Council shall assume the duties and responsibilities for making local assessments as set forth in the applicable statutes.

I, Kathleen K. Brzezynski, Municipal Clerk of Princeton, County of Mercer, State of New Jersey, do hereby certify that the foregoing is a true copy of an ordinance adopted by the Mayor and Council of Princeton at its meeting held February 13, 2017.



Kathleen K. Brzezynski
Municipal Clerk