

**HARDING TOWNSHIP
ORDINANCE NO. 10-16**

**AN ORDINANCE OF THE TOWNSHIP OF HARDING REPEALING §225-37 OF THE
TOWNSHIP CODE ENTITLED “APPEALS TO TOWNSHIP COMMITTEE”**

WHEREAS, §225-37 of the Township Code permits an appeal from a final decision of the Township Zoning Board of Adjustment approving an application for development pursuant to N.J.S.A. 40:55D-70d to be made to the Township Committee in accordance with the provisions of N.J.S.A. 40:55D-17; and

WHEREAS, the Township Committee believes that given the complexity of issues related to such appeals and the fact that governing body is typically not accustomed to consider such appeals, that this section of the Township’s Land Development Code, and any related fees set forth in Chapter 171 of the Township Code, shall be repealed such that all any appeals that may be made will be directly to the Superior Court of New Jersey in accordance with the provision of the New Jersey Municipal Land Use Law.

NOW THEREFORE BE IT ORDAINED by the Township Committee of the Township of Harding, in the County of Morris, State of New Jersey, that §225-37 of the Township Code permitting an appeal from a final decision of the Township Zoning Board of Adjustment approving an application for development pursuant to N.J.S.A. 40:55D-70d to be made to the Township Committee in accordance with the provisions of N.J.S.A. 40:55D-17 be and is hereby repealed.

BE IT FURTHER ORDAINED that any fees related to such appeals as set forth in Chapter 171 of the Township Code shall also be repealed.

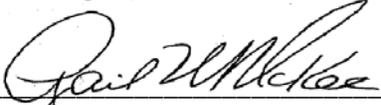
1. This ordinance shall take effect upon final passage and publication according to law.
2. The Township Clerk is hereby directed to give notice at least ten days prior to the hearing on the adoption of this Ordinance to the County Planning Board, and to all others entitled thereto pursuant to the provisions of N.J.S. 40:55D-15. Upon adoption of this Ordinance, after public hearing thereon, the Township Clerk is further directed to publish notice of passage thereof and file a copy of this Ordinance as finally adopted with the County Planning Board as required by N.J.S. 40:55D-16 and with the Township Tax Assessor.
3. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.
4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by a 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.

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Dated: December 12, 2016

I, Gail W. McKane, Township Clerk of the Township of Harding, County of Morris, State of New Jersey, do hereby certify the foregoing ordinance to be a true and correct copy of the ordinance adopted by the Township Committee at the meeting held on December 12, 2016.



Gail W. McKane, Township Clerk