

Ord. # 2 - 2016

AN ORDINANCE OF THE TOWNSHIP OF MOUNT OLIVE, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, AMENDING ORDINANCE #40-97 REGARDING THE PROCEEDS FROM SALE OF EXCESS MUNICIPAL LANDS

WHEREAS, the Township adopted Ordinance #40-97 requiring all proceeds from the sale of excess municipal lands to be placed into the Open Space Trust; and

WHEREAS, the Township recognizes that at the time Ordinance #40-97 was adopted, the Open Space Trust was in need of funding; and

WHEREAS, the Township recognizes that since that Ordinance was adopted, the Open Space Trust has been significantly increased; and

WHEREAS, the Township recognizes that proceeds from the sale of excess municipal lands may be used for the benefit of the Township as a whole; and

WHEREAS, the Township Council believes it is in the best interest to amend the previous Ordinance to permit proceeds from the sale of excess municipal lands to be placed into either the general fund or the Open Space Trust at the discretion of the Township Council.

BE IT ORDAINED by the Township Council of the Township of Mount Olive, in the County of Morris, State of New Jersey that Ordinance #40-97 is amended as follows:

SECTION 1. It is hereby determined that in the future, whenever the Township determines to hold a public sale of municipally owned lands which are deemed to be excess lands and not needed for municipal purposes, that the funds raised from those sales shall be placed at the discretion of the Township Council, in either the general fund or the Open Space Trust. .

SECTION 2. The Administration, in conducting various property sales, shall take all appropriate action to accomplish the result deemed appropriate by the Township, namely that the

funds of the sale of municipal excess lands shall be placed, at the discretion of the Township Council, in either the general fund or the Open Space Trust.

SECTION 3. If any section, subsection, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid by any court of competent jurisdiction, such decision shall not affect the remaining portion of this Ordinance.

SECTION 4. This Ordinance may be renumbered for purposes of codification.

SECTION 5. This Ordinance shall take effect twenty (20) days following final passage, approval, and publication as required by law.

Introduced:

Adopted:

Effective Date:

TOWNSHIP OF MOUNT OLIVE

Joe Nicastro, Mount Olive Council President

ATTEST:

Michelle Masser, Township Clerk