

ORDINANCE NO. 1-17

**AN ORDINANCE REPEALING AND REVISING
CHAPTER 41 OF THE CODE OF THE BOROUGH
OF KINNELON, TO CREATE A HISTORICAL
PRESERVATION ADVISORY COMMITTEE**

WHEREAS, pursuant to N.J.S.A.. 40A:60-7d, the Borough Council may create advisory councils to the municipality; and

WHEREAS, the Mayor and Borough Council deem it necessary and appropriate to create an Historical Preservation Advisory Committee to act as an advisory council to the governing body with regard issues relating to the promotion of historic preservation within the Borough of Kinnelon and the impact of development on historical sites.

NOW, THEREFORE, BE IT ORDAINED, by the governing body of the Borough of Kinnelon, County of Morris, State of New Jersey, as follows:

SECTION ONE. Chapter 41 of the Code of the Borough of Kinnelon entitled “Historical Commission”, shall be repealed in its entirety and replaced by a new Chapter 41 to read as follows:

Section 41-1. Historical Preservation Advisory Committee.

- A. Establishment. An Historical Preservation Advisory Committee is hereby established in and for the Borough of Kinnelon.
- B. Members; terms; qualifications; Council liaison.

(1) The Historical Preservation Advisory Committee shall consist of seven (7) members whom shall be appointed by the Mayor, with the advice and consent of the Council, from among the residents of the Borough. The terms of the members first appointed shall be as follows:

- (a) Three (3) members shall be appointed for one-year terms;
- (b) Two (2) members shall be appointed for two-year terms; and
- (c) Two (2) members shall be appointed for three-year terms.

(2) Thereafter, the term for each member shall be for a period of three (3) years. Any vacancy occurring during the term of any of the members shall be filled for the unexpired term in the same manner as the original term.

(3) A member of the Borough Council shall be designated annually by the Mayor to serve as a nonvoting liaison between the Council and the Historical Preservation Advisory Committee.

C. Purpose. The Historical Preservation Advisory Committee is intended to serve in an advisory capacity and shall, upon request of the Borough Council, provide information, advice and recommendations relating to the promotion of historic preservation in the Borough of Kinnelon and the impact of development on historical sites.

D. The Historical Preservation Advisory Committee shall have the duties and responsibilities as follows:

(1) Prepare a survey of historic sites within the Borough;

(2) Make recommendations to the Planning Board as to the inclusion of a historic preservation plan element of the Master Plan and on the implications for preservation of historic sites in any other Master Plan elements and to the Borough Council for the adoption of historic preservation provisions, standards and criteria in the land use ordinances;

(3) Advise the Borough Council on any features of the annual capital budget that have historic preservation implications;

(4) Advise the Planning Board and Zoning Board of Adjustment on applications for development;

(5) Advise and assist applicants for construction permits, if requested by said applicants, in advance of a formal application on ways to comply with the preservation objectives of this article;

(6) Evaluate historic sites included in the community-wide survey against the criteria for the National and State Registers of Historic Places and prepare nominations for consideration of the State Historical Preservation Officer;

(7) Carry out such other advisory, educational and informational functions as will promote historic preservation in the Borough.

E. The members of said Historical Preservation Advisory Committee shall receive no salary or other compensation for their services.

SECTION TWO. All Ordinances of the Borough of Kinnelon which are inconsistent with the provisions of this Ordinance are hereby repealed as to the extent of such inconsistency.

SECTION THREE. 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 portions of this Ordinance.

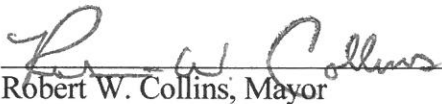
SECTION FOUR. This Ordinance shall take effect immediately upon final passage, approval and publication as provided by law.

ATTEST

BOROUGH OF KINNELON




Karen Iuele. Borough Clerk



Robert W. Collins, Mayor

CERTIFICATION

I, Karen M. Iuele, Borough Clerk of the Borough of Kinnelon, County of Morris, State of New Jersey, do hereby certify the foregoing to be a true copy of an Ordinance introduced, read by title and passed on the first reading at the regular meeting of the Borough held on February 16, 2017 and adopted by the Governing Body at a regular meeting of the Borough held on March 16, 2017.



Karen M. Iuele, Borough Clerk