

TOWNSHIP OF MAPLE SHADE

Ordinance 2021-03

AN ORDINANCE AMENDING CHAPTER 4-36 (B) OF THE TOWNSHIP CODE REGARDING THE ZONING BOARD OF ADJUSTMENT TO INCREASE THE NUMBER OF ALTERNATE BOARD MEMBERS FROM TWO ALTERNATE MEMBERS TO FOUR ALTERNATE MEMBERS

WHEREAS, the Municipal Land Use Law (40:55D-69) allows for either two or four alternate Zoning Board Members; and,

WHEREAS, the Township Zoning Board currently has two alternate members as provided for in section 4-36B of the Township Code; and,

WHEREAS, the Township would benefit by increasing the number of alternate Zoning Board members to four to reduce the probability of having less than a full seven-member Zoning Board at any particular meeting.

NOW, THEREFORE, BE IT ORDAINED, by the Township Council of the Township of Maple Shade that the Township Code is hereby amended as follows: (*Revisions are indicated as underlined and deletions by ~~strike-through~~.*)

Section 1. Township Code Section 4-36B is hereby amended as follows:

Alternate members. The Zoning Board of Adjustment shall also consist of ~~two~~ four alternate members, said members to be residents of the Township of Maple Shade. The Township Council shall appoint the ~~two~~ four alternate members for the Zoning Board of Adjustment, who shall meet the qualifications of the members of the Zoning Board of Adjustment. Alternate members shall be designated at the time of their appointment by the Township Council as "Alternate No. 1", ~~and~~ "Alternate No. 2.", Alternate No. 3 and Alternate No. 4. The terms of the alternate members shall be for two years commencing from January 1 of the year of their appointment, except that the terms of the alternate members shall be such that the term of not more than ~~one~~ two alternate members shall expire in any one year; provided, however, that in no instance shall the terms of the alternate members first appointed exceed two years. Alternate members may participate in discussions of the proceedings but may not vote except in the absence or disqualification of a regular member of any class. A vote shall not be delayed in order that a regular member may vote instead of an

alternate member. In the event that a choice must be made as to which alternate member is to vote, ~~Alternate No. 1 shall vote~~ alternate members shall vote in the order of their numerical designation.

**Section 2: Township Code Section 4-36 D is hereby amended as follows:
Attendance. A member may be removed in accordance with the Township Attendance and Vacancy policy set forth in Chapter 4-2.**

Section 3. Repealer. Any and all other ordinances inconsistent with any of the terms and provisions of this ordinance are hereby repealed to the extent of such inconsistencies.

Section 4. Severability. In the event that any section paragraph, clause phrase, term, provision or part of this ordinance shall be adjudicated by a court of competent jurisdiction to be involved or unenforceable for any reason, such judgment shall not effect, impair or invalidate the remainder thereof, but shall be confined in its operation to the section, paragraph, clause, term, provision or part thereof directly involved in the controversy in such judgment shall be rendered.

Section 5. This ordinance shall take effect immediately upon adoption and publication according to law.

Introduction: February 11, 2021

COUNCIL	MOTION	SECOND	AYES	NAYS	ABSTAIN	ABSENT
Kauffman			x			
Nunes			x			
Schmidt	x		x			
Volpe		x	x			
Wiest			x			

CERTIFICATION

I hereby certify the foregoing to be a true copy of an Ordinance adopted by the Maple Shade Township Council at a meeting held on March 11, 2021.

Andrea T. McVeigh, Township Clerk

Adopted: March 11, 2021

COUNCIL	MOTION	SECOND	AYES	NAYS	ABSTAIN	ABSENT
Kauffman			x			
Nunes	x		x			

Schmidt			x			
Volpe		x	x			
Wiest			x			