

**ORDINANCE NO. 2024-64**

**ORDINANCE AMENDING ORDINANCE 2004-43, AS AMENDED, CHAPTER 425, ARTICLE I, SECTIONS 425-12 OF THE CODE OF THE CITY OF VINELAND ENTITLED NOTICE OF APPLICATION FOR DEVELOPMENT.**

**WHEREAS**, on November 13, 2024, the Planning Board of the City of Vineland considered the process for development applications for the City of Vineland, including the notice requirement as set forth in Chapter 425, Article I, Section 425-12 of the Code of the City of Vineland; and

**WHEREAS**, as a courtesy to developers, the City publishes required notices for public hearings in the newspaper rather than requiring the developers to provide such notices at their cost; and

**WHEREAS**, the action of the City by publishing the notice also puts the City in jeopardy should the improper information be contained in the notice; and

**WHEREAS**, the Planning Board of the City of Vineland has taken testimony from Kathleen Hicks, P.P. City Planner and Ryan Headley, P.E., P.P., A.I.C.P., C.M.E. Board Planner and Engineer Planning have recommended that the notice requirement set forth in Chapter 425, Article I, Section 425-12 of the Code of the City of Vineland be amended to require the applicant for a development be responsible for such advertising; and

**WHEREAS**, after considering the testimony, the Planning Board has determined that a recommendation be made to the City Council to amend Chapter 425, Article I, Section 425-12A to require the applicant to give such notice for development as required pursuant to N.J.S.A. 40:55D-12, however the Planning board inadvertently failed to set forth the time within which such publication should occur and City Council finds that such time should be at least 10 calendar days prior to the hearing date.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Vineland that Ordinance 2004-43, as amended, Chapter 425, Article I, Section 425-12A of the Code of the City of Vineland be amended as follows:

Section 425-12 A. The applicant shall give public notice of applications for development pursuant to N.J.S.A. 40:55D-12 and any amendments thereto, when notice is required, by publication in the official newspaper at least 10 calendar days prior to the hearing date.

CITY OF VINELAND

**BE IT FURTHER ORDAINED** that should any Ordinance or portion thereof be inconsistent herewith, the same shall be void to the extent of such inconsistency.

**BE IT FURTHER ORDAINED** that should any portion of this Ordinance be deemed unenforceable by a court of competent jurisdiction, the balance hereof shall remain in full force and effect.

This Ordinance shall take effect upon adoption and publication according to law.

Passed first reading: November 26, 2024

Passed final reading: December 10, 2024

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President of Council eaa

Approved by the Mayor:

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Mayor arf

ATTEST:

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City Clerk kp