

ORDINANCE NO. 1-2021

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER DELETING ARTICLE XIXA ENTITLED "*TRANSFER OF DEVELOPMENT CREDITS*", UNDER CHAPTER 166 OF THE CODE OF THE TOWNSHIP ENTITLED, LAND USE AND DEVELOPMENT

WHEREAS, Article XIXA under Chapter 166 of the Code of the Township entitled Land Use and Development Legislation which regulates the transfer of development credits within the Township, was adopted on March 23, 2000 by Ordinance No. 4-2000; and

WHEREAS, the State Transfer of Development Rights Act was subsequently adopted by the State Legislature and became effective on September 25, 2004; and

WHEREAS, the State Transfer of Development Rights Act requires that a municipality may only provide for the transfer of development potential, if it meets certain criteria, and only after adoption of an ordinance approved by the County Planning Board; and

WHEREAS, Article XIXA under Chapter 166 of the Code does not meet the criteria set forth in the State Transfer of Development Rights Act, and Ordinance No. 4-2000 has not been approved by the County Planning Board; and

WHEREAS, it is the intention of the Township Committee to remove Article XIXA from Chapter 166 of the Code of the Township.

NOW, THEREFORE, BE IT ORDAINED by Township Committee of the Township of Hanover, in the County of Morris and State of New Jersey as follows:

Section 1. Article XIXA, entitled "*Transfer of Development Credits*", consisting of Sections 166-138.6 through 166-138.12, under Chapter 166 of the Code of the Township entitled Land Use and Development Legislation, is hereby repealed and deleted.

Section 2. In case, for any reason, any section or provision of this Ordinance shall be held to be unconstitutional or invalid, the same shall not affect any other section or provision of this Ordinance, except so far as the section or provision so declared unconstitutional or invalid shall be severed from the remainder or any portion thereof.

Section 3. All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are, to the extent of such inconsistency, hereby repealed.

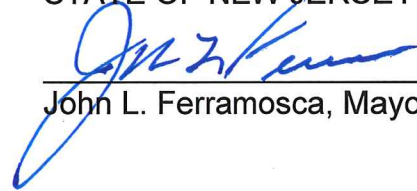
Section 4. This ordinance shall take effect in accordance with the law.

TOWNSHIP COMMITTEE
TOWNSHIP OF HANOVER
COUNTY OF MORRIS
STATE OF NEW JERSEY

ATTEST:



Joseph A. Giorgio, Township Clerk



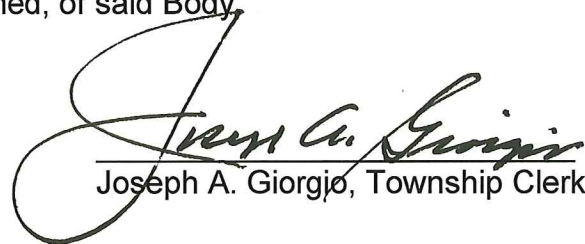
John L. Ferramosca, Mayor

DATE OF INTRODUCTION: January 14, 2021

DATE OF ADOPTION: February 11, 2021

CERTIFICATION

I, Joseph A. Giorgio, Township Clerk of the Township of Hanover, County of Morris and State of New Jersey, do hereby certify the foregoing to be a true copy of an Ordinance adopted by the Township Committee of said Township on the 11th day of February, 2021 at a meeting duly convened, of said Body.



Joseph A. Giorgio, Township Clerk