

40:49-2.1

LEGISLATIVE HISTORY CHECKLIST

NJSA: 40:49-2.1 (Land Use ordinance-require immediate transmittal to tax assessor)

LAWS OF: 1983 **CHAPTER:** 513

Bill No: A1213

Sponsor(s): Muhler

Date Introduced: May 3, 1982

Committee: Assembly: Municipal Government

Senate: County and Municipal Government

Amended during passage: Yes Amendments during passage denoted by asterisks

Date of Passage: Assembly: December 16, 1982

Senate: January 9, 1984

Date of Approval: January 17, 1984

Following statements are attached if available:

Sponsor statement: Yes

Committee statement: Assembly Yes

Senate No

Fiscal Note: No

Veto Message: No

Message on Signing: No

Following were printed:

Reports: No

Hearings: No

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ASSEMBLY, No. 1213

STATE OF NEW JERSEY

INTRODUCED MAY 3, 1982

By Assemblywoman MUHLER

Referred to Committee on Municipal Government

AN ACT to amend "An act concerning enactment of certain municipal ordinances and supplementing chapter 49 of Title 40 of the Revised Statutes," approved February 23, 1978 (P. L. 1977, c. 395).

1 BE IT ENACTED *by the Senate and General Assembly of the State*
2 *of New Jersey:*

1 1. Section 1 of P. L. 1977, c. 395 (C. 40:49-2.1) is amended to
2 read as follows:

3 1. In the case of any ordinance adopted pursuant to the "Municipal
4 Land Use Law," P. L. 1975, c. 291 (C. 40:55D-1 et seq.), including
5 any amendments or supplements thereto, or revisions or
6 codifications thereof, which is in length, six or more octavo pages
7 of ordinary print, the governing body of any municipality may,
8 notwithstanding the provisions of R. S. 40:49-2, satisfy the news-
9 paper publication requirements for the introduction and passage
10 of such ordinance in the following manner:

11 a. The publication of a notice citing such proposed ordinance
12 by title, giving a brief summary of the main objectives or provi-
13 sions of the ordinance, stating that copies are on file for public
14 examination and acquisition at the office of the municipal clerk,
15 and setting forth the time and place for the further consideration
16 of the proposed ordinance;

17 b. The placing on file, in the office of the clerk, three copies of
18 the proposed ordinance, which copies shall be available for public
19 inspection until final action is taken on said ordinance; and

20 c. The publication or arranging for the publication of the pro-
21 posed ordinance in pamphlet or other similar form, which may be

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill
is not enacted and is intended to be omitted in the law.

Matter printed in italics *thus* is new matter.

Matter enclosed in asterisks or stars has been adopted as follows:

*—Assembly amendment adopted June 28, 1982.

22 sold by the municipality at a price not to exceed the cost of publica-
23 tion and distribution.

24 If any amendment be adopted to any such proposed ordinance
25 substantially altering the substance of the proposed ordinance,
26 there shall be caused to be published a notice of the title of the
27 ordinance, the introduction and time and place that the amended
28 ordinance will be further considered and a summary of the objec-
29 tives or provisions of the amendment or amendments, which notice
30 shall be published at least 2 days prior to the time so fixed therefor
31 in accordance with subsection c. of R. S. 40:49-2. Copies of the
32 amended ordinance shall be on file and available, for public examina-
33 tion and duplication, in the office of the municipal clerk, until final
34 action is taken on said ordinance. If said ordinance is again
35 amended, the same publication requirements herein set forth for
36 amended ordinances shall be followed.

37 Upon passage of any such ordinance, notice of passage or
38 approval shall be published in accordance with subsection d. of
39 R. S. 40:49-2*~~]; and a]~~* *. *A* copy of the ordinance and of any*
40 *summary or summaries published in connection with its adoption*
41 *pursuant to subsection a. or c. of this section, shall be forthwith*
42 *transmitted to the tax assessor of the municipality.*

1 2. This act shall take effect immediately.

ASSEMBLY, No. 1213

STATE OF NEW JERSEY

INTRODUCED MAY 3, 1982

By Assemblywoman MUHLER

Referred to Committee on Municipal Government

AN ACT to amend "An act concerning enactment of certain municipal ordinances and supplementing chapter 49 of Title 40 of the Revised Statutes," approved February 23, 1978 (P. L. 1977, c. 395).

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2 read as follows:

3 1. In the case of any ordinance adopted pursuant to the "Municipal Land Use Law," P. L. 1975, c. 291 (C. 40:55D-1. et seq.), including any amendments or supplements thereto, or revisions or
4 codifications thereof, which is in length, six or more octavo pages
5 of ordinary print, the governing body of any municipality may,
6 notwithstanding the provisions of R. S. 40:49-2, satisfy the newspaper publication requirements for the introduction and passage
7 of such ordinance in the following manner:
8
9
10

11 a. The publication of a notice citing such proposed ordinance
12 by title, giving a brief summary of the main objectives or provisions of the ordinance, stating that copies are on file for public
13 examination and acquisition at the office of the municipal clerk,
14 and setting forth the time and place for the further consideration
15 of the proposed ordinance;
16

17 b. The placing on file, in the office of the clerk, three copies of
18 the proposed ordinance, which copies shall be available for public
19 inspection until final action is taken on said ordinance; and

20 c. The publication or arranging for the publication of the pro-

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21 posed ordinance in pamphlet or other similar form, which may be
22 sold by the municipality at a price not to exceed the cost of publica-
23 tion and distribution.

24 If any amendment be adopted to any such proposed ordinance
25 substantially altering the substance of the proposed ordinance,
26 there shall be caused to be published a notice of the title of the
27 ordinance, the introduction and time and place that the amended
28 ordinance will be further considered and a summary of the objec-
29 tives or provisions of the amendment or amendments, which notice
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32 amended ordinance shall be on file and available, for public examina-
33 tion and duplication, in the office of the municipal clerk, until final
34 action is taken on said ordinance. If said ordinance is again
35 amended, the same publication requirements herein set forth for
36 amended ordinances shall be followed.

37 Upon passage of any such ordinance, notice of passage or
38 approval shall be published in accordance with subsection d. of
39 R. S. 40:49-2; and a copy of the ordinance and of any summary or
40 summaries published in connection with its adoption pursuant to
41 subsection a. or c. of this section, shall be forthwith transmitted to
42 the tax assessor of the municipality.

1 2. This act shall take effect immediately.

STATEMENT

Because changes in zoning and other land-use regulations may significantly affect property values, it is essential that tax assessors receive accurate and timely notification of any such changes. This bill would require that copies of any land-use ordinance, together with copies of any official summaries of it published during the process of its adoption, be transmitted to the assessor immediately after its adoption.

A1213(1983)

ASSEMBLY MUNICIPAL GOVERNMENT COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1213

STATE OF NEW JERSEY

DATED: JUNE 17, 1982

Assembly Bill No. 1213 amends section 1 of P. L. 1977, c. 395 (C. 40:49-2.1) to provide that a copy of any ordinance adopted pursuant to the provisions of the "Municipal Land Use Law," P. L. 1975, c. 291 (C. 40:55D-1 et seq.) and any official summaries of the ordinance published during the adoption process be immediately transmitted to the local tax assessor upon adoption.

Under current law, a land-use ordinance is treated no different than any other ordinance: upon adoption, a copy of the ordinance, along with the date of adoption, is published in a newspaper which circulates within the local unit.

A-3468 SIGNED, ET AL.

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JANUARY 17, 1984

A-1213, sponsored by Assemblywoman Marie Muhler, R-Monmouth, to give tax assessors timely notice of changes in municipal zoning and land use regulations.

A-3998, sponsored by Assemblyman Willie Brown, D-Essex, to appropriate \$150,000 to the Newark South Ward Boys and Girls Club.

A-3997, also sponsored by Assemblyman Brown, to appropriate \$150,000 to the International Youth Organization, a Newark-based group offering services to disadvantaged youths.

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