

SENATE, No. 221

(P. L. 1917, Chap. 152, Page 345.)

STATE OF NEW JERSEY

INTRODUCED MARCH 11, 1929

By Mr. WOLBER

L. 1929 c. 287

Referred to Committee on Municipal Corporations

AN ACT to amend an act entitled "An act concerning municipalities," approved March twenty-seventh, one thousand nine hundred and seventeen.

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

1 1. Section one of Article X of an act entitled "An act concerning munici-
2 palities," approved March twenty-seventh, one thousand nine hundred and seven-
3 teen, be and the same is hereby amended to read as follows:

4 1. Where the term "ordinance" is used in this act it means an act or regulation
5 of the governing body of any municipality which must be reduced to writing and
6 be read at more than one meeting thereof and published.

7 When the term "resolution" is used it means an act or regulation of the
8 governing body which must be reduced to writing, but which may be finally passed at
9 the meeting at which it is introduced.

10 The procedure for the passage of ordinances shall be as follows:

11 (a) Every ordinance after being introduced and having passed a first reading,
12 shall be published at least once in a newspaper published and circulating in the
13 municipality, if there be one, and if not, in a newspaper printed in the county and
14 circulating in the municipality, together with a notice of the introduction thereof
15 and the time and place when and where such ordinance will be further considered for
16 final passage.

17 (b) In case of ordinances providing for local improvements authorized by
18 Article XX, or providing that all or a part of the cost of any work, acquisition

SENATE, No. 221

(P. L. 1917, Chap. 152, Page 345.)

STATE OF NEW JERSEY

INTRODUCED MARCH 11, 1929

By Mr. WOLBER

Referred to Committee on Municipal Corporations

AN ACT to amend an act entitled "An act concerning municipalities," approved March twenty-seventh, one thousand nine hundred and seventeen.

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

1 1. Section one of Article X of an act entitled "An act concerning munici-
2 palities," approved March twenty-seventh, one thousand nine hundred and seven-
3 teen, be and the same is hereby amended to read as follows:

4 1. Where the term "ordinance" is used in this act it means an act or regulation
5 of the governing body of any municipality which must be reduced to writing and
6 be read at more than one meeting thereof and published.

7 When the term "resolution" is used it means an act or regulation of the
8 governing body which must be reduced to writing, but which may be finally passed at
9 the meeting at which it is introduced.

10 The procedure for the passage of ordinances shall be as follows:

11 (a) Every ordinance after being introduced and having passed a first reading,
12 shall be published at least once in a newspaper published and circulating in the
13 municipality, if there be one, and if not, in a newspaper printed in the county and
14 circulating in the municipality, together with a notice of the introduction thereof
15 and the time and place when and where such ordinance will be further considered for
16 final passage.

17 (b) In case of ordinances providing for local improvements authorized by
18 Article XX, or providing that all or a part of the cost of any work, acquisition *

19 of property or improvement shall be assessed upon abutting land or lands speci-
20 ally benefitted thereby (excepting sidewalks); or providing for the establishing or
21 change of grade, or the vacation, of any street, avenue, highway, lane or alley or
22 portion thereof, or the vacation as hereinafter defined, of any square, place or park,
23 or any portion thereof, dedicated to the public, but which has not been accepted or
24 opened by the municipality; such publication shall be twice, once of which shall be
25 at least ten days prior to the time fixed for further consideration for final passage,
26 and at least one week prior to the time fixed for further consideration for final pas-
27 sage of said ordinance, a copy of such ordinance, together with a notice of the intro-
28 duction thereof and the time and place when and where such ordinance will be further
29 considered for final passage, shall be mailed to every person whose lands may be
30 affected by such ordinance or any assessment which may be made in pursuance
31 thereof so far as the same may be ascertained, directed to his last known postoffice
32 address. The owner of any lands may file with the clerk of the municipality, or
33 other official designated by the governing body or ordinance, a list of lands owned
34 by him with a postoffice address to which all notices shall be directed. Failure to
35 mail the notice herein provided for shall not invalidate any ordinance, proceeding
36 or assessment.

37 (c) All other ordinances shall be published at least [two days] one week
38 prior to the time fixed for further consideration for final passage, but such final
39 passage must be at least [one week] ten days after the first reading.

40 (d) At the time and place so stated in such publication, or at any time and
41 place to which such meeting or the further consideration of such ordinance shall
42 from time to time adjourned, all persons interested shall be given an opportunity
43 to be heard concerning such ordinance.

44 (e) At or after such hearing, the governing body may proceed to give such
45 ordinance a second reading or amend the same, and thereupon pass or reject such
46 ordinance with or without amendment; *provided, however,* that in case any amend-
47 ment should be adopted, substantially altering the substance of said ordinance, such
48 ordinance as so amended shall not be finally adopted until at least one week there-
49 after and the ordinance as amended shall be read at a meeting of the governing body,
50 and shall be published, together with a notice of the introduction, and the time and place

51 when and where such amended ordinance will be further considered for final passage,
52 at least two days prior to the time so fixed. On such date, or at any other meeting
53 to which the further consideration of such amended ordinance may be adjourned,
54 the governing body may proceed to pass such ordinance, as amended, or again
55 amend the same in the same manner.

56 (f) Upon the passage or adoption of any ordinance, said ordinance, or the
57 title thereof, together with a notice of the date of passage or approval, or both, shall
58 be published as provided in paragraph (a) of this section.

59 (g) No other notice or procedure with respect to the introduction or passage of
60 any ordinance shall be required; *provided*, nothing herein contained shall repeal or
61 modify the provisions of section ten of Article XX, or section twenty-four of
62 Article XXXVII of the act to which this is an amendment.

1 2. All acts or parts of acts inconsistent herewith are hereby repealed.

1 3. This act shall take effect immediately, but shall not apply to any ordinance
2 introduced before the passage hereof.

STATEMENT

This amendment changes the procedure for enacting certain ordinances by requiring the publication thereof to be at least one week, instead of two days before final passage, and requiring that at least ten days, instead of one week shall elapse between the date of the first reading thereof and the final passage.

SENATE, No. 221

(P. L. 1917, Chap. 152, Page 345.)

STATE OF NEW JERSEY

INTRODUCED MARCH 11, 1929

By Mr. WOLBER

L. 1929 C. 287

Referred to Committee on Municipal Corporations

AN ACT to amend an act entitled "An act concerning municipalities," approved March twenty-seventh, one thousand nine hundred and seventeen.

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

1 1. Section one of Article X of an act entitled "An act concerning muni-
2 palities," approved March twenty-seventh, one thousand nine hundred and seven-
3 teen, be and the same is hereby amended to read as follows:

4 1. Where the term "ordinance" is used in this act it means an act or regulation
5 of the governing body of any municipality which must be reduced to writing and
6 be read at more than one meeting thereof and published.

7 When the term "resolution" is used it means an act or regulation of the
8 governing body which must be reduced to writing, but which may be finally passed at
9 the meeting at which it is introduced.

10 The procedure for the passage of ordinances shall be as follows:

11 (a) Every ordinance after being introduced and having passed a first reading,
12 shall be published at least once in a newspaper published and circulating in the
13 municipality, if there be one, and if not, in a newspaper printed in the county and
14 circulating in the municipality, together with a notice of the introduction thereof
15 and the time and place when and where such ordinance will be further considered for
16 final passage.

17 (b) In case of ordinances providing for local improvements authorized by
18 Article XX, or providing that all or a part of the cost of any work, acquisition

SENATE, No. 221

(P. L. 1917, Chap. 152, Page 345.)

STATE OF NEW JERSEY

INTRODUCED MARCH 11, 1929

By Mr. WOLBER

Referred to Committee on Municipal Corporations

AN ACT to amend an act entitled "An act concerning municipalities," approved March twenty-seventh, one thousand nine hundred and seventeen.

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

1 1. Section one of Article X of an act entitled "An act concerning munici-
2 palities," approved March twenty-seventh, one thousand nine hundred and seven-
3 teen, be and the same is hereby amended to read as follows:

4 1. Where the term "ordinance" is used in this act it means an act or regulation
5 of the governing body of any municipality which must be reduced to writing and
6 be read at more than one meeting thereof and published.

7 When the term "resolution" is used it means an act or regulation of the
8 governing body which must be reduced to writing, but which may be finally passed at
9 the meeting at which it is introduced.

10 The procedure for the passage of ordinances shall be as follows:

11 (a) Every ordinance after being introduced and having passed a first reading,
12 shall be published at least once in a newspaper published and circulating in the
13 municipality, if there be one, and if not, in a newspaper printed in the county and
14 circulating in the municipality, together with a notice of the introduction thereof
15 and the time and place when and where such ordinance will be further considered for
16 final passage.

17 (b) In case of ordinances providing for local improvements authorized by
18 Article XX, or providing that all or a part of the cost of any work, acquisition *

19 of property or improvement shall be assessed upon abutting land or lands speci-
20 ally benefitted thereby (excepting sidewalks); or providing for the establishing or
21 change of grade, or the vacation, of any street, avenue, highway, lane or alley or
22 portion thereof, or the vacation as hereinafter defined, of any square, place or park,
23 or any portion thereof, dedicated to the public, but which has not been accepted or
24 opened by the municipality; such publication shall be twice, once of which shall be
25 at least ten days prior to the time fixed for further consideration for final passage,
26 and at least one week prior to the time fixed for further consideration for final pas-
27 sage of said ordinance, a copy of such ordinance, together with a notice of the intro-
28 duction thereof and the time and place when and where such ordinance will be further
29 considered for final passage, shall be mailed to every person whose lands may be
30 affected by such ordinance or any assessment which may be made in pursuance
31 thereof so far as the same may be ascertained, directed to his last known postoffice
32 address. The owner of any lands may file with the clerk of the municipality, or
33 other official designated by the governing body or ordinance, a list of lands owned
34 by him with a postoffice address to which all notices shall be directed. Failure to
35 mail the notice herein provided for shall not invalidate any ordinance, proceeding
36 or assessment.

37 (c) All other ordinances shall be published at least [two days] one week
38 prior to the time fixed for further consideration for final passage, but such final
39 passage must be at least [one week] ten days after the first reading.

40 (d) At the time and place so stated in such publication, or at any time and
41 place to which such meeting or the further consideration of such ordinance shall
42 from time to time adjourned, all persons interested shall be given an opportunity
43 to be heard concerning such ordinance.

44 (e) At or after such hearing, the governing body may proceed to give such
45 ordinance a second reading or amend the same, and thereupon pass or reject such
46 ordinance with or without amendment; *provided, however,* that in case any amend-
47 ment should be adopted, substantially altering the substance of said ordinance, such
48 ordinance as so amended shall not be finally adopted until at least one week there-
49 after and the ordinance as amended shall be read at a meeting of the governing body,
50 and shall be published, together with a notice of the introduction, and the time and place

51 when and where such amended ordinance will be further considered for final passage,
52 at least two days prior to the time so fixed. On such date, or at any other meeting
53 to which the further consideration of such amended ordinance may be adjourned,
54 the governing body may proceed to pass such ordinance, as amended, or again
55 amend the same in the same manner.

56 (f) Upon the passage or adoption of any ordinance, said ordinance, or the
57 title thereof, together with a notice of the date of passage or approval, or both, shall
58 be published as provided in paragraph (a) of this section.

59 (g) No other notice or procedure with respect to the introduction or passage of
60 any ordinance shall be required; *provided*, nothing herein contained shall repeal or
61 modify the provisions of section ten of Article XX, or section twenty-four of
62 Article XXXVII of the act to which this is an amendment.

1 2. All acts or parts of acts inconsistent herewith are hereby repealed.

1 3. This act shall take effect immediately, but shall not apply to any ordinance
2 introduced before the passage hereof.

STATEMENT

This amendment changes the procedure for enacting certain ordinances by requiring the publication thereof to be at least one week, instead of two days before final passage, and requiring that at least ten days, instead of one week shall elapse between the date of the first reading thereof and the final passage.

SENATE, No. 221

(P. L. 1917, Chap. 152, Page 345.)

STATE OF NEW JERSEY

INTRODUCED MARCH 11, 1929

By Mr. WOLBER

L. 1929 0287

Referred to Committee on Municipal Corporations

AN ACT to amend an act entitled "An act concerning municipalities," approved March twenty-seventh, one thousand nine hundred and seventeen.

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

1 1. Section one of Article X of an act entitled "An act concerning munic-
2 palities," approved March twenty-seventh, one thousand nine hundred and seven-
3 teen, be and the same is hereby amended to read as follows:

4 1. Where the term "ordinance" is used in this act it means an act or regulation
5 of the governing body of any municipality which must be reduced to writing and
6 be read at more than one meeting thereof and published.

7 When the term "resolution" is used it means an act or regulation of the
8 governing body which must be reduced to writing, but which may be finally passed at
9 the meeting at which it is introduced.

10 The procedure for the passage of ordinances shall be as follows:

11 (a) Every ordinance after being introduced and having passed a first reading,
12 shall be published at least once in a newspaper published and circulating in the
13 municipality, if there be one, and if not, in a newspaper printed in the county and
14 circulating in the municipality, together with a notice of the introduction thereof
15 and the time and place when and where such ordinance will be further considered for
16 final passage.

17 (b) In case of ordinances providing for local improvements authorized by
18 Article XX, or providing that all or a part of the cost of any work, acquisition

19 of property or improvement shall be assessed upon abutting land or lands speci-
20 ally benefitted thereby (excepting sidewalks); or providing for the establishing or
21 change of grade, or the vacation, of any street, avenue, highway, lane or alley or
22 portion thereof, or the vacation as hereinafter defined, of any square, place or park,
23 or any portion thereof, dedicated to the public, but which has not been accepted or
24 opened by the municipality; such publication shall be twice, once of which shall be
25 at least ten days prior to the time fixed for further consideration for final passage,
26 and at least one week prior to the time fixed for further consideration for final pas-
27 sage of said ordinance, a copy of such ordinance, together with a notice of the intro-
28 duction thereof and the time and place when and where such ordinance will be further
29 considered for final passage, shall be mailed to every person whose lands may be
30 affected by such ordinance or any assessment which may be made in pursuance
31 thereof so far as the same may be ascertained, directed to his last known postoffice
32 address. The owner of any lands may file with the clerk of the municipality, or
33 other official designated by the governing body or ordinance, a list of lands owned
34 by him with a postoffice address to which all notices shall be directed. Failure to
35 mail the notice herein provided for shall not invalidate any ordinance, proceeding
36 or assessment.

37 (c) All other ordinances shall be published at least one week prior to the time
38 fixed for further consideration for final passage, but such final passage must be at
39 least ten days after the first reading.

40 (d) At the time and place so stated in such publication, or at any time and
41 place to which such meeting or the further consideration of such ordinance shall
42 from time to time be adjourned, all persons interested shall be given an opportunity
43 to be heard concerning such ordinance.

44 (e) At or after such hearing, the governing body may proceed to give such
45 ordinance a second reading or amend the same, and thereupon pass or reject such
46 ordinance with or without amendment; *provided, however,* that in case any amend-
47 ment should be adopted, substantially altering the substance of said ordinance, such
48 ordinance as so amended shall not be finally adopted until at least one week there-
49 after and the ordinance as amended shall be read at a meeting of the governing body,
50 and shall be published, together with a notice of the introduction, and the time and place

51 when and where such amended ordinance will be further considered for final passage,
52 at least two days prior to the time so fixed. On such date, or at any other meeting
53 to which the further consideration of such amended ordinance may be adjourned,
54 the governing body may proceed to pass such ordinance, as amended, or again
55 amend the same in the same manner.

56 (f) Upon the passage or adoption of any ordinance, said ordinance, or the
57 title thereof, together with a notice of the date of passage or approval, or both, shall
58 be published as provided in paragraph (a) of this section.

59 (g) No other notice or procedure with respect to the introduction or passage of
60 any ordinance shall be required; *provided*, nothing herein contained shall repeal or
61 modify the provisions of section ten of Article XX, or section twenty-four of
62 Article XXXVII of the act to which this is an amendment.

1 2. All acts or parts of acts inconsistent herewith are hereby repealed.

SENATE, No. 221

(P. L. 1917, Chap. 152, Page 345.)

STATE OF NEW JERSEY

INTRODUCED MARCH 11, 1929

By Mr. WOLBER

Referred to Committee on Municipal Corporations

AN ACT to amend an act entitled "An act concerning municipalities," approved March twenty-seventh, one thousand nine hundred and seventeen.

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

1 1. Section one of Article X of an act entitled "An act concerning munici-
2 palities," approved March twenty-seventh, one thousand nine hundred and seven-
3 teen, be and the same is hereby amended to read as follows:

4 1. Where the term "ordinance" is used in this act it means an act or regulation
5 of the governing body of any municipality which must be reduced to writing and
6 be read at more than one meeting thereof and published.

7 When the term "resolution" is used it means an act or regulation of the
8 governing body which must be reduced to writing, but which may be finally passed at
9 the meeting at which it is introduced.

10 The procedure for the passage of ordinances shall be as follows:

11 (a) Every ordinance after being introduced and having passed a first reading,
12 shall be published at least once in a newspaper published and circulating in the
13 municipality, if there be one, and if not, in a newspaper printed in the county and
14 circulating in the municipality, together with a notice of the introduction thereof
15 and the time and place when and where such ordinance will be further considered for
16 final passage.

17 (b) In case of ordinances providing for local improvements authorized by
18 Article XX, or providing that all or a part of the cost of any work, acquisition *

19 of property or improvement shall be assessed upon abutting land or
20 ally benefitted thereby (excepting sidewalks); or providing for the establishing or
21 change of grade, or the vacation, of any street, avenue, highway, lane or alley or
22 portion thereof, or the vacation as hereinafter defined, of any square, place or park,
23 or any portion thereof, dedicated to the public, but which has not been accepted or
24 opened by the municipality; such publication shall be twice, once of which shall be
25 at least ten days prior to the time fixed for further consideration for final passage,
26 and at least one week prior to the time fixed for further consideration for final pas-
27 sage of said ordinance, a copy of such ordinance, together with a notice of the intro-
28 duction thereof and the time and place when and where such ordinance will be further
29 considered for final passage, shall be mailed to every person whose lands may be
30 affected by such ordinance or any assessment which may be made in pursuance
31 thereof so far as the same may be ascertained, directed to his last known postoffice
32 address. The owner of any lands may file with the clerk of the municipality, or
33 other official designated by the governing body or ordinance, a list of lands owned
34 by him with a postoffice address to which all notices shall be directed. Failure to
35 mail the notice herein provided for shall not invalidate any ordinance, proceeding
36 or assessment.

37 (c) All other ordinances shall be published at least [two days] one week
38 prior to the time fixed for further consideration for final passage, but such final
39 passage must be at least [one week] ten days after the first reading.

40 (d) At the time and place so stated in such publication, or at any time and
41 place to which such meeting or the further consideration of such ordinance shall
42 from time to time adjourned, all persons interested shall be given an opportunity
43 to be heard concerning such ordinance.

44 (e) At or after such hearing, the governing body may proceed to give such
45 ordinance a second reading or amend the same, and thereupon pass or reject such
46 ordinance with or without amendment; *provided, however,* that in case any amend-
47 ment should be adopted, substantially altering the substance of said ordinance,
48 ordinance as so amended shall not be finally adopted until at least one week
49 after and the ordinance as amended shall be read at a meeting of the governing
50 and shall be published, together with a notice of the introduction, and the time

51 when and where such amended ordinance will be further considered for final passage,
52 at least two days prior to the time so fixed. On such date, or at any other meeting
53 to which the further consideration of such amended ordinance may be adjourned,
54 the governing body may proceed to pass such ordinance, as amended, or again
55 amend the same in the same manner.

56 (f) Upon the passage or adoption of any ordinance, said ordinance, or the
57 title thereof, together with a notice of the date of passage or approval, or both, shall
58 be published as provided in paragraph (a) of this section.

59 (g) No other notice or procedure with respect to the introduction or passage of
60 any ordinance shall be required; *provided*, nothing herein contained shall repeal or
61 modify the provisions of section ten of Article XX, or section twenty-four of
62 Article XXXVII of the act to which this is an amendment.

1 2. All acts or parts of acts inconsistent herewith are hereby repealed.

1 3. This act shall take effect immediately, but shall not apply to any ordinance
2 introduced before the passage hereof.

STATEMENT

This amendment changes the procedure for enacting certain ordinances by requiring the publication thereof to be at least one week, instead of two days before final passage, and requiring that at least ten days, instead of one week shall elapse between the date of the first reading thereof and the final passage.