

## LEGISLATIVE HISTORY CHECKLIST

NJSA: 40:56-71

(Pedestrian malls and special improvement districts-- eliminate certain notice requirements to tenants)

LAWS OF: 1987

CHAPTER: 248

Bill No: S2368

Sponsor(s): Lynch

Date Introduced: June 30, 1987

Committee: Assembly: Municipal Government

Senate: County and Municipal Government

Amended during passage: No

Date of Passage: Assembly: June 22, 1987

Senate: May 11, 1987

Date of Approval: August 25, 1987

## Following statements are attached if available:

Sponsor statement: Yes

Committee statement: Assembly Yes

Senate Yes

Fiscal Note: No

Veto Message: No

Message on Signing: No

## Following were printed:

Reports: No

Hearings: No

SENATE, No. 2368  
STATE OF NEW JERSEY

INTRODUCED JUNE 30, 1986

By Senator LYNCH

Referred to Committee on County and Municipal Government

AN ACT concerning certain notification requirements relating to the establishment and maintenance of a pedestrian mall facility or special improvement district, and amending P. L. 1972, c. 134.

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

1 1. Section 7 of P. L. 1972, c. 134 (C. 40:56-71) is amended to  
2 read as follows:

3 7. Upon review of the reports and recommendations submitted,  
4 an ordinance may be adopted authorizing and directing the estab-  
5 lishment and maintenance of a pedestrian mall facility or special  
6 improvement district. In addition to other requirements for the  
7 consideration and adoption of ordinances, at least 10 days prior  
8 to the date fixed for a public hearing thereon, a copy of the pro-  
9 posed ordinance and notice of the date, time and place of the hear-  
10 ing shall be mailed to the owners **[and tenants]** of the lots or par-  
11 cels of land abutting or directly affected by any proposed pedestrian  
12 mall or included in the special improvement district proposed by  
13 the ordinance, as the case may be.

14 In the case of a special improvement district, the ordinance may  
15 include the requirement that construction or alteration of building  
16 and structure facades be subject to prior review and approval to  
17 assure compliance with design criteria included in the ordinance.  
18 The design criteria shall be approved by the municipal planning  
19 board prior to inclusion in the ordinance. A municipal officer or  
20 agency shall be designated by ordinance to conduct the review  
21 and grant or deny approvals of proposed construction or alteration

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

22 of facades. In lieu of that designation, the governing body may  
23 designate the district management corporation to conduct these  
24 reviews and grant or deny these approvals, but only if the gov-  
25 erning body finds in the ordinance that the corporation is so con-  
26 stituted and organized as to be reasonably appropriate and qualified  
27 for this role. If the district management corporation is so desig-  
28 nated, the ordinance may provide for the appeal of individual  
29 determinations of the corporation to the municipal planning board.

1 2. This act shall take effect immediately.

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STATEMENT

This bill would remove the current requirement that the tenants of properties abutting or directly affected by any proposed pedestrian mall or special improvement district be mailed a copy of the municipal ordinance authorizing the establishment and maintenance of that mall or special district.

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COMMUNITY DEVELOPMENT

Removes requirement that tenants be mailed copy of ordinance proposing creation of a pedestrian mall or special improvement district.

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ASSEMBLY MUNICIPAL GOVERNMENT COMMITTEE

STATEMENT TO

**SENATE, No. 2368**

**STATE OF NEW JERSEY**

DATED: JUNE 11, 1987

The Assembly Municipal Government Committee favorably reports Senate Bill No. 2368.

This bill would remove the requirement that the tenants of properties abutting or directly affected by any proposed pedestrian mall or special improvement district be mailed a copy of the proposed municipal ordinance authorizing the establishment and maintenance of that mall or special district, and a notice of hearing on the ordinance. Under present law a copy of the proposed ordinance and a notice of the hearing is sent to the abutting property owners and their tenants.

SENATE COUNTY AND MUNICIPAL GOVERNMENT  
COMMITTEE

STATEMENT TO

**SENATE, No. 2368**

**STATE OF NEW JERSEY**

DATED: MARCH 26, 1987

The Senate County and Municipal Government Committee reports favorably Senate Bill No. 2368.

Senate Bill No. 2368 would remove the requirement in existing law that the tenants of properties abutting or directly affected by any proposed pedestrian mall or special improvement district be mailed a copy of the municipal ordinance authorizing the establishment and maintenance of that mall or special district and notice of the date, time, and place of a hearing to be held to discuss the ordinance.