

40:60-51.2

LEGISLATIVE HISTORY CHECKLIST
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(Municipal land sales--waiver)

NJSA: 40:60-51.2

LAWS OF: 1993 **CHAPTER:** 131

BILL NO: A977

SPONSOR(S) Sosa

DATE INTRODUCED: February 24, 1992

COMMITTEE: **ASSEMBLY:** Local Government
SENATE: Community Affairs

AMENDED DURING PASSAGE: Yes Amendments during passage denoted
First reprinting enacted by superscript numbers

DATE OF PASSAGE: **ASSEMBLY:** October 8, 1992
SENATE: May 13, 1993

DATE OF APPROVAL: June 1, 1993

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

KBG:pp

[FIRST REPRINT]
ASSEMBLY, No. 977

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 24, 1992

By Assemblyman SOSA

1 AN ACT concerning the waiver of building restrictions imposed
2 on certain public or private sales and amending P.L.1943, c.33.

3

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

6 1. Section 1 of P.L.1943, c.33 (C.40:60-51.2) is amended to
7 read as follows:

8 1. Any municipality is authorized and empowered, by
9 resolution of the governing body thereof, to waive, release,
10 modify or subordinate any terms, covenants, conditions,
11 limitations or reverters imposed in sales and conveyances of lands
12 as to the erection, alteration or demolition of buildings or any
13 other use to be made of land heretofore imposed by said
14 municipality to accomplish the purposes for which such lands
15 were sold and conveyed either at public or private sale made
16 prior to January 1, [1979] ¹[1989] ¹1990¹, but only after public
17 hearing held before such governing body, of the holding of which
18 notice describing the lands in question, and the terms, covenants,
19 conditions, limitations or reverters to be waived, released,
20 modified or subordinated, and, if to be modified or subordinated,
21 describing the manner in which the same shall be modified or
22 subordinated, shall first have been given by advertisement
23 published once each week for 2 weeks in a newspaper published in
24 said municipality or, if no newspaper be published therein, then in
25 a newspaper circulating in such municipality, provided, however,
26 that the power herein granted shall not be exercised to impair
27 any vested or contractual rights of third parties.

28 (cf: P.L.1983, c.442, s.1)

29 2. This act shall take effect immediately.

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34 Permits municipal governing body to waive building restrictions
35 on sale of certain lands.

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 underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:
¹ Assembly ALG committee amendments adopted June 15, 1992.

ASSEMBLY, No. 977

STATE OF NEW JERSEY

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14 municipality to accomplish the purposes for which such lands
15 were sold and conveyed either at public or private sale made
16 prior to January 1, [1979] 1989, but only after public hearing held
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29 2. This act shall take effect immediately.

30

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32 STATEMENT

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34 This bill would amend section 1 of P.L.1943, c.33
35 (C.40:60-51.2) to permit the governing body of a municipality, by
36 resolution, to waive, release, modify or subordinate building
37 restrictions imposed at the time of the public or private sale of
38 lands made prior to January 1, 1989. The waiver would occur
39 only after a public hearing, held after advertisement published
40 once a week for two weeks in a newspaper published or
41 circulating in the municipality.

42 This statute was last amended in 1983, when the date for the
43 modification of restrictions was changed from January 1, 1976 to
44 January 1, 1979.

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 underlined thus is new matter.

ASSEMBLY LOCAL GOVERNMENT COMMITTEE

STATEMENT TO

ASSEMBLY, No. 977

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 15, 1992

The Assembly Local Government Committee reports favorably Assembly Bill No. 977, with Assembly committee amendments.

Assembly Bill No. 977, as amended by the committee, would amend section 1 of P.L.1943, c.33 (C.40:60-51.2) to permit the governing body of a municipality, by resolution, to waive, release, modify or subordinate building restrictions imposed at the time of the public or private sale of lands made prior to January 1, 1990. The waiver would occur only after a public hearing, held after advertisement, published once a week for two weeks, in a newspaper published or circulating in the municipality.

This statute was last amended in 1983, when the date for the modification of restrictions was changed from January 1, 1976 to January 1, 1979. The committee's amendments change that date from January 1, 1989 to January 1, 1990.

SENATE COMMUNITY AFFAIRS COMMITTEE

STATEMENT TO

[FIRST REPRINT]

ASSEMBLY, No. 977

STATE OF NEW JERSEY

DATED: DECEMBER 10, 1992

The Senate Community Affairs Committee favorably reports Assembly Bill No. 977 (1R).

Assembly Bill No. 977 (1R) amends section 1 of P.L.1943, c.33 (C.40:60-51.2) to permit the governing body of a municipality, by resolution, to waive, release, modify or subordinate building restrictions imposed at the time of the public or private sale of lands made prior to January 1, 1990. The waiver would occur only after a public hearing, held after advertisement, published once a week for two weeks, in a newspaper published or circulating in the municipality.

This statute was last amended in 1983, when the date for the modification of restrictions was changed from January 1, 1976 to January 1, 1979.

This bill is identical to Senate Bill 999, which was also reported by this committee today.