

ORDINANCE 20-2021

BOROUGH OF EATONTOWN  
COUNTY OF MONMOUTH, STATE OF NEW JERSEY

**AN ORDINANCE AMENDING CHAPTERS 18 AND 20, OF THE BOROUGH CODE,  
ESTABLISHING THE DEPARTMENT OF LAND USE (PLANNING AND ZONING CODE ENFORCEMENT)**

WHEREAS, the Borough previously adopted an Ordinance creating the Division of Land Use (Planning and Zoning Code Enforcement) as a Division within the Department of Construction and Code Enforcement; and

WHEREAS, the Mayor and Council believe it is in the best interests of the residents of the Borough for the Division of Land Use to operate as a separate department.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Borough of Eatontown, County of Monmouth and State of New Jersey that Borough Code is hereby amended as follows:

**SECTION 1**

Section 18-1 of the Code of the Borough of Eatontown ("Borough Code") shall be amended as follows (additions are underlined; deletions are ~~stricken~~):

**§ 18-1 Creation.**

The Borough of Eatontown's government shall be organized according to this chapter into departments as provided by this chapter with the goal of achieving maximum efficiency and effectiveness. The departments of the Borough of Eatontown shall be as follows:

- A. Department of Administration.
- B. Department of Finance.
- C. Department of Construction and Code Enforcement.
- D. Department of Public Works.
- E. Department of Recreation and Community Services.
- F. Department of Emergency Services.
- G. Municipal Court.
- H. Borough Clerk.
- I. Department of Land Use (Planning and Zoning Code Enforcement).

**SECTION 2**

Section 20-17 of the Code of the Borough of Eatontown ("Borough Code") shall be amended as follows (additions are underlined; deletions are ~~stricken~~):

**§ 20-17 Office created.**

A. There is hereby created the Department of Construction and Code Enforcement—which shall be directed by the Construction Code Official. Within the Department of Construction and Code Enforcement there shall be the following Divisions:

- (1) Division of Construction Code Enforcement.
- (2) Division of Land Use (Planning and Zoning Code Enforcement).
- (3) (2)Division of Housing Code Enforcement.

B. The Construction Code Official shall be the Manager of the Division of Construction Code Enforcement with the powers and duties as set forth more fully in Chapter 129 of the Code of the Borough of Eatontown. ~~The Manager of the Division of Land Use shall be the Zoning Code Official whose qualifications and duties are set forth more fully in the Code of the Borough of Eatontown and the Land Use Code of the Borough of Eatontown.~~ The Manager of the Division of Housing Code Enforcement shall be the Housing Code Official whose powers and duties are set forth more fully in Chapter 48 of the Code of the Borough of Eatontown. The Department of Construction and Code Enforcement shall be provided with TACO and clerical support as needed as determined by the Mayor and Council.

### **SECTION 3**

Chapter 20 of the Borough Code, entitled "Departments" is hereby amended by adding the following Article:

#### **Article VIII Department of Land Use (Planning and Zoning Code Enforcement)**

##### **§20-56 Office Created**

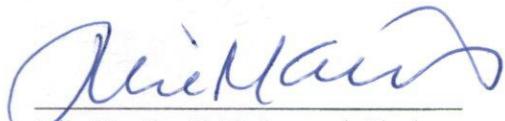
There is hereby created a Department of Land Use (Planning and Zoning Code Enforcement). The head of the Department shall be appointed pursuant to Section 18-2 and may also serve as the Zoning Code Official whose qualifications and duties are set forth more fully in the Code of the Borough of Eatontown and the Land Use Code of the Borough of Eatontown.

**BE IT FURTHER ORDAINED**, that

- A. All other Ordinances or provisions of the Code of the Borough of Eatontown or parts thereof, which are inconsistent with any provisions in this Ordinance, are hereby repealed to the extent of such conflict or inconsistency.
- B. If any provision or portion of this Chapter is held to be unconstitutional, preempted by Federal or State Law or otherwise invalid by any court of competent jurisdiction, the remaining provisions of this chapter shall not be invalidated.
- C. This Ordinance shall take effect upon its passage and publication as required by law.

DATE INTRODUCED: July 28, 2021  
DATE ADOPTED: August 11, 2021

ATTEST:



Julie Martin, RMC, Borough Clerk  
Date: 8-12-2021

APPROVED:



Anthony Talerico, Jr., Mayor