

ORDINANCE NO. 2009-13

**ORDINANCE AMENDING CHAPTER 2.64 OF
THE CODIFIED ORDINANCES OF THE
TOWNSHIP OF OCEAN ESTABLISHING THE
POSITIONS OF ALTERNATE MEMBERS FOR
THE TOWNSHIP'S BOARD OF HEALTH.**

BE IT ORDAINED by the Township Committee of the Township of Ocean, in the County of Ocean, State of New Jersey, as follows:

SECTION 1: Purpose. Pursuant to N.J.S.A. 26:3-1, et seq., the Township of Ocean has previously established a local Board of Health which Ordinance is codified in Chapter 2.64 or the codified Ordinances of the Township of Ocean. The purpose of this Ordinance is to establish the position of alternate members of said Board of Health pursuant to the provisions of N.J.S.A. 26:3-3.

SECTION 2: Chapters 2.64 entitled "Board of Health" shall be amended to include therein a new provision to be designated as Section 2.64.060 "Alternate Members". In addition to the regular five members of the Board of Health, the Board of Health shall also consist of two alternate members. Alternate members shall be designated as alternate #1 and alternate #2. The terms of said alternate numbers shall be for two years except that the terms of the alternate members first appointed shall be two years for alternate #1 and one year for alternate #2 so that the term of not more than one alternate member shall expire in any one year. The appointment of alternate members shall be done in the same way as the appointment of regular members as set forth in Chapter 2.64.020. A vacancy occurring otherwise than one by expiration of the term shall be filled by the appointing authority for the unexpired term only. Alternate members may participate in discussions of the proceedings but may not vote except in the absence or disqualification of a regular member. A vote shall not be delayed in order that a regular member may vote instead of an alternate member. In the event that a choice must be made as to which alternate member is to vote, alternate #1 shall vote first.

SECTION 3: An additional subsection, to be designated as Section 2.64.070 shall be included as follows:

No regular member or alternate member may participate in discussions or proceedings, nor be permitted to act on any matter in which he or she has either directly or indirectly any personal or financial interest. Either a regular or alternate member may, after a public hearing if he or she requests one, be removed by the governing body for cause.

SECTION 4: If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

DASTI, MURPHY
McGUCKIN, ULARY,
CHERKOS & CONNORS
COUNSELLORS AT LAW

620 WEST LACEY ROAD
P.O. BOX 1057
FORKED RIVER, N.J. 08731

SECTION 5: This ordinance shall take effect after second reading and publication as required by law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced and passed by the Township Committee of the Township of Ocean on first reading at a meeting held on the 12th day of November, 2009. The Ordinance will be considered for second and final reading at a meeting of the Township Committee which is scheduled for the 10th day of December, 2009, at 7:00 p.m., or as soon thereafter as the matter may be reached, at the Municipal Building located at 50 Railroad Avenue, Waretown, New Jersey, at which time the public is invited to ask questions, raise objections, or provide public comment with regard to the proposed adoption of this Ordinance.

Diane B. Ambrosio, RMC
TOWNSHIP CLERK

GPM/du
Ocean Township – Ordinances 2009
11-18-09

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