

**BOROUGH OF NORTH PLAINFIELD  
COUNTY OF SOMERSET  
STATE OF NEW JERSEY**

**ORDINANCE NO. 23-06**

**AN ORDINANCE TO AMEND, REVISE AND SUPPLEMENT CHAPTER 22 OF THE BOROUGH CODE ENTITLED “LAND DEVELOPMENT”, MOST NOTABLY ARTICLE VIII ENTITLED “ZONING BOARD OF ADJUSTMENT,” AND MORE SPECIFICALLY BY AMENDING, SUPPLEMENTING AND REVISNG § 22-122-4, ENTITLED “DESIGNATION OF HISTORIC LANDMARKS AND HISTORIC DISTRICTS,” BY AMENDING, SUPPLEMENTING AND REVISING § 22-122.4.7 ENTITLED “NOTIFICATION TO NEW PROPERTY OWNERS.”**

**WHEREAS**, pursuant to *N.J.S.A. 40:48-1* and *N.J.S.A. 40:48-2*, the governing body of a municipality may make, amend, repeal and enforce such ordinances, regulations, rules and by-laws not contrary to the laws of this State and/or of the United States, as it may deem necessary and proper for the good of government, order, and protection of person and property and for the preservation of the public health, safety and welfare of the municipality and its inhabitants and, as may be necessary to carry into effect the powers and duties conferred and imposed by this subtitle, or by any other law; and,

**WHEREAS**, pursuant to *N.J.S.A. 40:55D-65.1* of the Municipal Land Use Law, the governing body of a municipality may make and amend from time to time ordinances and regulations for the preservation of the historic character and historic structures of the municipality and as may be necessary to carry into effect the powers and duties conferred and imposed by the Municipal Land Use Law for the preservation of historic districts; and,

**WHEREAS**, the Borough of North Plainfield has an Ordinance in place for the regulation and preservation of its designated historic district, which requires that written notice of the requirements of the historic district be served upon buyers and sellers and their real estate brokers of properties within the historic district in order to acquaint them with the nature and extent of the Borough’s preservation efforts; and,

**WHEREAS**, the transmittal of the written notice of the requirements of the historic district to both parties of a real estate transaction and each broker can impose excessive paper waste and efforts to sellers and selling brokers, when the seller is selling a property in the historic district and need not be advised of such requirements; and,

**WHEREAS**, the Borough Council of the Borough of North Plainfield now intends to reduce paper waste and streamline closing practices for buyers and sellers of properties in the historic district.

**NOW, THEREFORE, BE IT ORDAINED** by the Borough Council of the Borough of North Plainfield, County of Somerset, State of New Jersey that the Borough Code of the Borough

**[Brackets] mean deletions; Underlines mean additions**

of North Plainfield be amended, revised and supplemented as to Chapter 22 of the Borough Code, entitled "Land Development", most notably by amending, supplementing and revising Article VIII, entitled "Zoning Board Of Adjustment," and, more specifically, by amending, revising and supplementing § 22-122.4, entitled "Designation Of Historic Landmarks And Historic Districts," by amending, supplementing and revising § 22-122.4.7, entitled "Notification To New Property Owners," as follows:

§ 22-122.4.7, Notification to New Property Owners, is hereby amended as follows:

**§ 22-122.4.7 Notification to New Property Owners.**

Every municipal certificate of compliance issued to owners of properties or structures in the Historic District in connection with the sale or conveyance of properties or structures in the Historic District shall state, in conspicuous typeface, that the property or structure is subject to the limitations and regulations governing properties and structures in the Historic District under Article 22-122 of the Borough's Land Development Ordinance. Such notification, along with a copy of the appropriate ordinance and other pertinent HPC documents, shall be mailed by certified mail, return receipt requested, to the prospective buyer and ~~seller, realtor, and~~ attorney of the buyer. ~~[property, to the extent known]~~. This notice shall be sent in addition to the issuance of a regular certificate of compliance. Such notification shall be deemed actual and constructive notice to new property owners of the effect and applicability of these provisions to their ownership, use and improvement of their property.

**NOW, THEREFORE, BE IT FURTHER ORDAINED** that this Ordinance shall take effect, after final passage, twenty (20) days following action or inaction by the Mayor as provided by law or an override of a mayoral veto by the Council, whichever is applicable and publication in accordance with law, unless a resolution is adopted, pursuant to N.J.S.A. 40:69A-181(b), declaring an emergency and providing that this Ordinance shall take effect at an earlier date.

INTRODUCED:

PASSED:

PUBLISHED:

ADOPTED:

ROLL CALL:

AYES:

NAYS:

ABSTAIN:

ABSENT:

APPROVED BY THE MAYOR: Yes \_\_\_\_\_ No \_\_\_\_\_

The above is a true copy of the Ordinance adopted by the Borough of North Plainfield on \_\_\_\_\_, 2023

[Brackets] mean deletions; Underlines mean additions

ATTEST:

BOROUGH OF NORTH PLAINFIELD

\_\_\_\_\_  
Michele Irby-Garry  
Acting Borough Clerk  
Borough of North Plainfield

\_\_\_\_\_  
Frank A. "Skip" Stabile, Jr., Council President

Date signed: \_\_\_\_\_, 2023

Date signed: \_\_\_\_\_, 2023

\_\_\_\_\_  
Lawrence LaRonde, Mayor

Date signed: \_\_\_\_\_, 2023