

Ordinance #1045-12

AN ORDINANCE TO AMEND CHAPTER 185 OF THE CODE OF THE TOWNSHIP OF ROCHELLE PARK AND, SPECIFICALLY, TO ADD SECTION 185-4 ENTITLED “CRIMINAL BACKGROUND CHECKS FOR MEMBERS OF ZONING BOARD OF ADJUSTMENT AND PLANNING BOARD”

WHEREAS, the Township Committee has determined that the provisions of New Jersey Law disqualifies certain individuals from holding any public office or position, whether elective or appointive; and

WHEREAS, N.J.S.A.2C:51-2 provides for such disqualification under certain circumstances; and

WHEREAS, in order to determine whether an individual is so disqualified pursuant to the aforementioned statutory provision, it is necessary to conduct a criminal background check; and

WHEREAS, the Township Committee has, therefore, determined that it is necessary and in the best interest of the Municipality to require all persons being considered for appointment to or continued service on the Zoning Board of Adjustment or Planning Board to consent to such a criminal background check

NOW BE IT THEREFORE ORDAINED by the Township Committee of the Township of Rochelle Park as follows:

SEC 1. Criminal background check required for service on Zoning Board of Adjustment or Planning Board.

Any individual considered for appointment to the Zoning Board of Adjustment or Planning Board must consent to a criminal background check in accordance with the provisions of Chapter 27 of the Township Code. No person shall be eligible to serve as a member of the aforementioned boards if it is determined that such person has been:

- a. Convicted under the laws of this state of an offense involving dishonesty or a crime of the third degree or above or under the laws of another state or of the United States of an offense or crime which, if committed in this state, would be such an offense or crime; or

- b. Said person is convicted of an offense involving or touching such office, position or employment.

All members of the aforementioned boards as of the date of the adoption of this ordinance shall be required to submit to a criminal background check within sixty (60) days of the adoption of this ordinance in order to confirm their qualification to serve in accordance with the foregoing.

SECTION 2. REPEALER.

All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency only.

SECTION 3. SEVERABILITY.

If any section, subsection, paragraph, sentence or other part of this Ordinance is adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance, but shall be confined in its effects to the section, subsection, paragraph, sentence or other part of this Ordinance directly involved in the controversy in which said judgment shall have been rendered and all other provisions of this Ordinance shall remain in full force and effect.

SECTION 4. EFFECTIVE DATE.

This Ordinance shall take effect immediately upon final adoption and publication and in the manner provided by law.
