

ORDINANCE #09-23

**AN ORDINANCE AMENDING CHAPTER XVII, "PARKS AND RECREATIONAL AREAS",
TO DELETE SUBSECTION 17-10, "SAYREVILLE COMMUNITY GARDEN"
TO REFLECT THAT "SAYREVILLE COMMUNITY GARDEN" IS NOW CODIFIED IN
CHAPTER II, SECTION 2-32 OF THE REVISED GENERAL ORDINANCES OF THE
BOROUGH OF SAYREVILLE**

WHEREAS, the Borough had previously established Section 17-10, "Sayreville Community Garden", establishing, among other things, a committee designed to support recreational community gardens for residents to grow their own produce through best gardening practices; and,

WHEREAS, the Borough amended Chapter II, Section 2-32, "Environmental Commission", of Revised General Borough Ordinances to include the Sayreville Community Garden; and,

WHEREAS, due to the previous amendments of Chapter II, Section 2-32, Section 17-10 is superfluous and the Mayor and Borough Council desire to amend the Revised General Borough Ordinances to remove Section 17-10 as it is now codified under Chapter II, Section 2-32; and,

WHEREAS, all additions are shown in ***bold italics with underlines***. The deletions are shown as *strikeovers in italics*.

BE IT AND IT IS HEREBY ORDAINED by the Mayor and Borough Council of the Borough of Sayreville, in the County of Middlesex, that the Revised General Ordinances of the Borough of Sayreville are hereby amended as follows:

~~17-10 SAYREVILLE COMMUNITY GARDEN.~~

~~**17-10.1 Preamble.** *The Sayreville Community Garden is hereby established for the support of recreational community gardens for residents to grow their own produce through best gardening practices. Benefits include the preservation of green space as residents work collaboratively and share information in gardening techniques. In addition, the Sayreville Community Garden will provide an educational forum for members to expand horticultural knowledge by way of cross-cultural and intergenerational connections as well as foster pride in a community-wide organization.*~~

~~**17-10.2 Committee established; terms.**~~

- ~~A.—*The Mayor is authorized and empowered to appoint a committee to be known as the "Sayreville Community Garden", to consist of nine members.*~~
- ~~B.—*The initial terms of office of the first Sayreville Community Garden shall be for one (1), two (2) or three (3) years as designated by the Mayor, with the advice and consent of the Borough Council and their successors shall be appointed for terms of three (3) years and until the appointment and qualification of their successors.*~~
- ~~C.—*Any vacancy on the Sayreville Community Garden occurring otherwise than by expiration of a term shall be filled for the unexpired term in the same manner as an original appointment.*~~

~~**17-10.3 Organization.** *The Sayreville Community Garden shall organize within thirty (30) days after appointment and elect a Chairman, a Vice Chairman and a Secretary and then, annually thereafter in January of each year, elect a Chairman, a Vice Chairman and a Secretary.*~~

~~**17-10.4 Sayreville Community Garden.** The Sayreville Community Garden is hereby authorized to establish bylaws for its operation, which shall be approved by the Sayreville Borough Council prior to implementation. Any amendment to the bylaws shall also be approved by the Sayreville Borough Council.~~

SECTION TWO. Severability Clause.

If any article, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect, and to this end the provisions of this ordinance are hereby declared severable.

SECTION 3. Repealer.

All other ordinances in conflict or inconsistent with this ordinance are hereby repealed, to the extent of such conflict or inconsistency. In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Borough, the provisions are hereof shall be determined to govern. All other parts, portions and provisions of the Ordinances of the Borough are hereby ratified and confirmed, except where inconsistent with the terms hereof. Moreover, Chapter 17-2 "Borough Bathing Facilities" shall be deleted in its entirety and the Revised General Ordinances of the Borough of Sayreville, shall also be amended to reflect such change.

SECTION 4. Effective Date.

This Ordinance shall take effect immediately upon adoption and publication in accordance with the laws of the State of New Jersey.

INTRODUCED/APPROVED ON FIRST READING

DATED: April 10, 2023

Jessica Morelos, R.M.C.
Clerk of the Borough of Sayreville

Mary J. Novak, Councilwoman
(Recreation Committee)
Borough of Sayreville

ADOPTED ON SECOND READING

DATED: April 24, 2023

Jessica Morelos, R.M.C.
Clerk of the Borough of Sayreville

Mary J. Novak, Councilwoman
(Recreation Committee)
Borough of Sayreville

APPROVAL BY THE MAYOR ON THIS ____ DAY OF _____, 2023.

Victoria Kilpatrick, Mayor
Borough of Sayreville

APPROVED AS TO FORM:

SEAN KEAN, ESQ., Borough Attorney