

Mr. Nolan offered a motion and moved on the adoption of the following ordinance and authorized its publication according to law:

**O-10-24**

**AN ORDINANCE RE-ENACTING CHAPTER 17 OF  
THE REVISED GENERAL ORDINANCES OF THE  
BOROUGH OF HIGHLANDS THAT ESTABLISHED  
A BUSINESS IMPROVEMENT DISTRICT WITHIN  
THE BOROUGH OF HIGHLANDS**

**WHEREAS**, the Governing Body of the Borough of Highlands established a Business Improvement District by Ordinance O-10-2, that included §17-13, requiring that the Mayor and Council of the Borough of Highlands re-enact Ordinance O-10-2, to keep the Business Improvement District in place; and

**WHEREAS**, the Governing Body of the Borough of Highlands feel that it is necessary and proper to keep the Business Improvement District in place to continue the promotion and revitalization of the Borough of Highlands; and

**WHEREAS**, the Governing Body of the Borough of Highlands finds that the continuation of the Business Improvement District would provide administrative and other services to benefit the businesses, employees, residents and consumers in the Business Improvement District and the Borough; and

**WHEREAS**, the Governing Body of the Borough of Highlands finds that it is in the best interests of the municipality and the public to continue the Business Improvement District; and

**WHEREAS**, the Governing Body of the Borough of Highlands finds that a special assessment, which shall be imposed and collected by the municipality with the regular property tax payment or payment in lieu of taxes or otherwise, will effectuate the purposes of this Ordinance; and

**WHEREAS**, the Governing Body of the Borough of Highlands finds that the designation of a Special Improvement District and the assistance of a Designated Management Corporation may help the municipality in promoting economic growth and employment within the business district; and

**WHEREAS**, the Governing Body of the Borough of Highlands find that a self financing Business Improvement District and a designated District Management Corporation will enhance the Borough's local business climate through self help programs by and for the businesses; and

**WHEREAS**, the Governing Body of the Borough of Highlands recognize that the enabling legislation enacted by the State Legislature gives the Borough the broadest possible discretion in establishing, by local Ordinance, a program that is most consistent with its local needs, goals and objectives.

**NOW THEREFORE BE IT ORDAINED** by the Mayor and Council of the Borough of Highlands that Chapter 17 of the Revised General Ordinances of the Borough of Highlands establishing a Business Improvement District is hereby re-enacted in compliance with the requirements of §17-13 of said Chapter 17; and be it further

**ORDAINED** that Chapter 17, §17-5, Assessments, Subparagraph (a), Operation and Maintenance of the district is hereby amended to remove the cap of \$5.00. and it is further

**ORDAINED** that any portion of the existing and re-enacted Chapter 17 of the Revised General Ordinances of the Borough of Highlands that is inconsistent herewith shall be amended to conform to this re-enacting Ordinance; and be it further

**ORDAINED** that this Ordinance shall take effect immediately upon its passage and publication in accordance with the Law; and be it further

**ORDAINED** that the Highlands Business Partnership be designated as the Business Managing Group.

Seconded by Mr. O'Neil and adopted on the following roll call vote:

**ROLL CALL:**

**AYES:** Mr. Nolan, Mr. O'Neil, Ms. Kane, Mayor Little

**NAYES:** Mr. Francy

**ABSENT:** None

**ABSTAIN:** None

**DATE:** December 15, 2010

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**CAROLYN CUMMINS**  
**Borough Clerk**

**Intro:** December 1, 2010

**Publication:** December 4, 2010, Asbury Park Press

**3<sup>rd</sup> Rdg & P.H:** December 15, 2010

**Adoption:** December 15, 2010

**Publication:**

I, \_\_\_\_\_ Clerk/Deputy Clerk do hereby certify this to be a true copy of Ordinance # O-10-24 as adopted by the Governing Body of the Borough of Highlands on December 15, 2010.