

Ms. Ryan offered the following Ordinance and moved on its final reading and adoption:

**O-13-11**

**BOROUGH OF HIGHLANDS  
COUNTY OF MONMOUTH**

**AN ORDINANCE CREATING A DOWNTOWN BUSINESS  
IMPROVEMENT ZONE (D-BIZ) WITHIN THE BOROUGH OF  
HIGHLANDS**

Whereas, the Borough has and continues to undertake efforts to revitalize its downtown business improvement district, which is defined by the Code of Borough of Highlands, Section 17-6, therein described as the “Business Improvement District;” and

Whereas, the Highlands Business Partnership (“HBP”) was established in 1999 and is a not-for-profit entity operating the Business Improvement District (“BID”); and

Whereas, the HBP is the designated management entity of the BID; and

Whereas, to compliment to work done by the HBP and the efforts revitalize the BID and, in order to facilitate recovery from the devastating effects of Hurricane Sandy, which severely and adversely affected the Borough, the Borough wishes to establish a Downtown Business Improvement Zone (“D-BIZ”) in accordance with N.J.S.A. 40:56-65 et seq; and

Whereas, establishing a D-BIZ will assist the Borough and the BID in undertaking public improvements to the BID and is in the best interest of the Borough.

Now, therefore, be it ORDAINED as follows:

Section 1. The purpose of this Ordinance is to (a) promote economic growth and employment within the business district and, in particular, the Business Improvement District; (b) foster and encourage self-help programs to enhance to local business climate; and (c) authorize, permit and facilitate the Business Improvement District and the Highlands Business Partnership to apply for and accept funds or loans from the State Department of Community Affairs for public improvements as contemplated by P.L. 1998, c. 115; and

Section 2. There is hereby created and designated within the Borough a Downtown Improvement Zone (“D-BIZ”) which shall be co-extensive with the Business Improvement District as defined by the Code of the Borough of Highlands, § 17-3;

Section 3. This Ordinance shall be incorporated into the Chapter 17 of the Borough Code, as appropriate; and

Section 4. All Ordinances inconsistent herewith are hereby repealed; and

Section 5. If any portion of this Ordinance is deemed or declared invalid by a Court of competent jurisdiction, the remainder of this Ordinance unaffected by the ruling shall remain in full force and effect; and

Section 6. Within 10 days after adoption, the Clerk shall forward a copy of this Ordinance to the Director of the Division of Local Government Services in the Department of Community Affairs; and

Section 7. This Ordinance shall take effect upon final passage and publication in accordance with applicable law.

Seconded by Ms. Kane and adopted on the following roll call vote:

ROLL CALL:

AYES: Ms. Ryan, Mr. Redmond, Mr. Francy, Ms. Kane

NAYES: None

ABSENT: Mayor Nolan

ABSTAIN: None

DATE: July 17, 2013

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Carolyn Cummins, Borough Clerk