

Mayor Nolan offered a motion and moved on the introduction and setting of a public hearing date of December 3, 2014 at 8:00 P.M.

O-14-29

**BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH**

AN ORDINANCE REPEALING SECTION 2-33, "HIGHLANDS DEPURATION COMMISSION," AND ASSIGNING THE FUNCTIONS, DUTIES AND RESPONSIBILITIES OF THE DEPURATION COMMISSION TO THE GOVERNING BODY OF THE BOROUGH OF HIGHLANDS

WHEREAS, the Borough, by prior ordinance, established a Highlands Depuration Commission (hereinafter referred to as "Commission"), codified in Section 2-33 of the Borough Code of the Borough of Highlands; and

WHEREAS, the governing body has determined that it is in the best interest of the Borough to eliminate the Commission and assume its functions, duties and responsibilities.

NOW, THEREFORE, BE IT ORDAINED by the governing body of the Borough of Highlands as follows:

SECTION ONE. Section 2-33 (2-33.1 through 2-33.5) of the Code of the Borough of Highlands is hereby repealed in its entirety. Section 2-33 shall be subsequently identified as "Reserved;" and

SECTION TWO. Any duties, functions and responsibilities of the Commission are hereby assumed by the governing body, unless assigned by law to another individual or entity; and

SECTION THREE. SEVERABILITY. If any section, 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, which shall otherwise remain in full force and effect.

SECTION FOUR. REPEALER. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION FIVE. EFFECTIVE DATE. This Ordinance shall take effect after final passage as provided by law.

Seconded by Mr. Redmond and introduced on the following roll call vote:

ROLL CALL:

AYE: Mr. Card, Ms. Kane, Mr. Redmond, Ms. Ryan, Mayor Nolan

NAY: None

ABSENT: None

ABSTAIN: None

Date: October 22, 2014

Carolyn Cummins, Borough Clerk