

# Standard Operating Procedure

Department: Planning Board	Issue Date: 01-26-2015	SOP # 410-420-08-007	Resolution # 2018-
Title: Review of Proposed Ordinances		Approved by: Mayor and Council	

## I. Purpose

To establish a standard procedure for review of ordinances proposed by the Planning Board.

## II. Policy

It shall be the policy of the Borough of New Providence to review all proposed ordinances through a systematic process assuring opportunities for comments, concerns or suggestions by various professional staff members and boards.

## III. Procedure

### 1. Review by Zoning Board

- 1) When the Planning Board agrees to the text of a proposed ordinance (for ultimate approval by the Borough Council), it will be forwarded to the Chairman of the Zoning Board for comments.
- 2) The Zoning Board will review the proposed ordinance as expeditiously as possible, considering their calendar and schedule, providing comments back to the Chairman of the Planning Board.

### 2. Follow-up Review by Planning Board

- 1) Upon receipt of the Zoning Board's comments, if any, the Planning Board will consider further revisions if necessary. Once revisions/modifications have been completed;
- 2) The proposed ordinance will be sent to the Borough Administrator with a cover letter of the Chairman (or Vice Chairman in the absence of the Chairman) explaining the objective(s) of the proposed ordinance.
  1. Only a proposed ordinance sent under the cover of the Planning Board Chairman's letter will be accepted by the Borough Administrator for further consideration. Any proposed ordinance transmitted by another person will be returned with instructions to send his/her correspondence to the Chairman of the Planning Board.

### 3. Actions of the Borough Administrator

- 1) The Borough Administrator will forward the proposed ordinance and the explanatory cover letter to the Construction Official for review and comments.

### 4. Actions of the Construction official and/or Borough Engineer

- 1) The Construction Official and/or Borough Engineer will as expeditiously as possible, but no longer than two weeks, provide his comments back to the Borough Administrator.

- 2) The comments shall address concerns relating to the impact of the proposed ordinance, the enforcement viability and potential issues or problems that may arise with the adoption of the ordinance.

#### **5. Follow-up actions**

- 1) The Planning Board will consider the comments of the construction official and determine whether any additional changes or modifications are necessary. If no additional changes are necessary, the ordinance is sent back to the Borough Administrator with a cover letter from the Planning Board Chairman.
- 2) The Borough Administrator will refer the matter to the Borough Attorney for review.
- 3) The Borough Attorney will, as expeditiously as possible but no longer than two weeks, shall review the ordinance for legal sufficiency. The intent of the legal review is not to propose new language but rather to assure that the proposed ordinance text conforms to applicable law.
  1. If additional time is required by the Borough Attorney, the Borough Attorney will notify the Borough Administrator, who will in turn advise the Planning Board Chairman of the requested extension of time.
- 4) Should the Borough Attorney have substantive comments, the Borough Administrator will forward them with the proposed ordinance to the Planning Board for action.
- 5) Upon review of the Planning Board, the same process as outlined above will be repeated.

#### **6. Referral to Borough Council**

- 1) Once the proposed Ordinance has been approved by the Planning Board, the liaison to the Planning Board will present the proposed Ordinance to the Borough Council for consideration. The ordinance shall be discussed to determine whether any council member has suggestions, comments or concerns about the Ordinance.
- 2) If general consensus is reached among council members, the ordinance shall be placed on a future agenda for introduction.

Reviewed: March 22, 2010  
January 26, 2015  
December 15, 2016  
December 19, 2017