

**TOWNSHIP OF WANTAGE
ORDINANCE #2017-08**

AN ORDINANCE AUTHORIZING THE SUBMISSION TO THE VOTERS OF THE TOWNSHIP OF WANTAGE AT THE GENERAL ELECTION ON NOVEMBER 7, 2017 A REFERENDUM AUTHORIZING AN ANNUAL LEVY FOR THE ACQUISITION, DEVELOPMENT AND MAINTENANCE OF MUNICIPAL OPEN SPACE, FARMLAND AND HISTORIC PROPERTIES IN AN AMOUNT NOT TO EXCEED \$0.02 PER \$100.00 OF ASSESSED VALUE FOR REAL PROPERTY IN THE TOWNSHIP OF WANTAGE AS AUTHORIZED BY P.L. 1997, C. 24 OF THE LAWS OF THE STATE OF NEW JERSEY.

WHEREAS, P.L. 1997, c. 24 of the Laws of the State of New Jersey permits the governing body of a municipality to submit to the voters of said municipality in a general or special election a proposition authorizing the imposition of an annual levy for an amount or at a rate deemed appropriate for any or all of the following purposes, or any combination thereof, as determined by the governing body:

- (a) Acquisition of lands for recreation and conservation purposes;
- (b) Development of lands acquired for recreation and conservation purposes;
- (c) Maintenance of lands acquired for recreation and conservation purposes;
- (d) Acquisition of farmland for farmland preservation purposes;
- (e) Historic preservation of historic properties, structures, facilities, sites, areas or objects, and the acquisition of such properties, structures, facilities, sites, areas or objects for historic preservation purposes; or
- (f) Payment of debt service or indebtedness issued or incurred by a municipality for any of the purposes set forth in paragraphs (a), (b), (d) and (e) hereinabove; and

WHEREAS, the Township of Wantage heretofore adopted an Ordinance following a referendum vote establishing an open space tax in the amount not to exceed \$0.02 per \$100.00 of assessed value of real property to generate revenue for municipal open space, recreation, farmland, historic preservation trust funds and maintenance of same which expired on December 31, 2016; and

WHEREAS, the Township Committee based upon the recommendation of the Open Space Advisory Committee is desirous of reestablishing the open space tax.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Wantage that:

Section 1. Pursuant to P.L. 1997, c. 24 of the Laws of the State of New Jersey, the Township Committee of the Township of Wantage, Sussex County, New Jersey, wishes to place and hereby requests of the Sussex County Clerk that the following referendum question be placed on the general election ballot for consideration by the voters of the Township on November 7, 2017 the following question:

WANTAGE OPEN SPACE TRUST FUND

Shall the Township establish an annual levy imposed to raise funds for the municipal open space, recreation, farmland and historic preservation trust fund and the maintenance of same, at the rate to be determined by the Township Committee, but not to exceed \$0.02 per \$100.00 of assessed value of real property located in the Township of Wantage, to be effective as of January 1, 2018. Said funds will be utilized to acquire, develop and maintain lands for recreation and conservation purposes; acquire farmland for farmland preservation purposes; preserve and acquire historic properties, structures, facilities, sites, areas or objects for historic preservation purposes; and pay debt service on the indebtedness issued or incurred by the Township for any of the above-referenced purposes?

Yes [] No []

EXPLANATORY STATEMENT

Previously the Township of Wantage collected open space tax as previously authorized by a referendum vote in the Township. The rate was \$0.02 per \$100.00 of assessed value of real property. The authorization has expired. The Open Space Advisory Committee has recommended that an open space tax be reinstated to be collected by the Township. The proposed open space tax rate shall not exceed \$0.02 per \$100.00 of assessed value of real property located in the Township of Wantage as determined by the Township Committee. A vote "yes" will establish the open space tax at the rate determined by the Township Committee not to exceed \$0.02 per \$100.00 of assessed value of real property as of January 1, 2018. A vote "no" will reject an open space tax.

Section 2. This Ordinance shall take effect _____.

Section 3. A certified true copy of this Ordinance, upon its adoption and publication as required by law, shall be furnished by the Municipal Clerk to the Sussex County Clerk's Office and Sussex County Superintendent of Elections and request that the above-referenced question be placed on the general election ballot for Wantage Township on November 7, 2017 for voter consideration.

Section 4. If any part of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portion of the Ordinance. Any Ordinance or portion thereof that may be inconsistent with the Ordinance is hereby repealed to the extent of the inconsistency.

Section 5. Effective Date. This Ordinance shall take effect in the time and manner prescribed by law.

Jonathan Morris, Mayor
Township of Wantage

ATTEST:

Debra J. Millikin, Acting Municipal Clerk
Township of Wantage