2005-15

ORDINANCE OF THE TOWNSHIP OF MOUNT LAUREL SUPPLEMENTING THE CODE OF THE TOWNSHIP OF MOUNT LAUREL BY CREATING SECTION 4-87A, ENTITLED "STATE ETHICS BAN" AND BY SUPPLEMENTING THE PROVISIONS OF THE STATE ETHICS CODE BY CREATING SECTION 4-87A.1 ENTITLED "DUAL OFFICE HOLDING BAN"

WHEREAS, the Township of Mount Laurel wishes to incorporate by reference into the Mount Laurel Township Code the provisions of New Jersey State Law found at *N.J.S.A.* 40A:9-22.1 *et seq.*, known as the Local Government Ethics Law; and

WHEREAS, the Township of Mount Laurel also desires to have its original Code of Ethics remain in place, except to assure the residents of the Township of Mount Laurel that any issue concerning violations of either the Township Code of Ethics or the State of New Jersey's Local Government Ethics Law will be enforced at the level of the State of New Jersey by the New Jersey Local Finance Board in the Division of Local Government Services within the Department of Community Affairs; and

WHEREAS, the Township of Mount Laurel also desires to set limitations upon persons holding the position of Township Councilperson so that no such Councilperson will be a dual officeholder;

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Mount Laurel, County of Burlington, State of New Jersey that the following Dual Office Holding Policy is hereby adopted:

SECTION 1. The Township Code of the Township of Mount Laurel is hereby supplemented by the creation of a new section to be located at Section 4-87A and entitled "State of New Jersey's Local Government Ethics Law."

Certified to be a true copy of an ordinance as adopted by Mt Laurel Township Council at a regular meeting on Aug. 1, 2005
Patricia Little
Municipal Clerk

SECTION 2. The provisions of the New Jersey Local Government Ethics Law found at *N.J.S.A.* 40A:9-22.1 *et seq.* are incorporated herein by reference as if set forth at length.

SECTION 3. To fairly adjudicate any purported or actual violation of either the Mount Laurel Code of Ethics or the New Jersey State Local Government Ethics Law, the Township hereby determines that any such purported violation shall be referred to the Local Finance Board in the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey pursuant to the provisions of *N.J.S.A.* 40A:9-22.1 *et seq.* and resolved in the said Local Finance Board.

SECTION 4. DUAL OFFICE HOLDING POLICY

It is hereby determined to be the policy of the Township Council of the Township of Mount Laurel that no member of the Township governing body of the Township of Mount Laurel shall serve as a Township Councilperson in the event that such Councilperson shall stand for and be elected to either the Burlington County Board of Chosen Freeholders or a seat within the New Jersey Legislature.

SECTION 5. In the event that a Mount Laurel Township Councilperson stands for and wins election to a county or state elective position, it is the policy of the Township of Mount Laurel that said Councilperson shall not stand for re-election to the Township Council if the person is still serving as either a County Freeholder or a State Legislator.

SECTION 6. In the event of an election to the Burlington County Board of Chosen Freeholders or to a State Legislative position, the Township Councilperson shall surrender his/her current seat on the Mount Laurel Township Council no later than the

end of the calendar year in which such Councilperson has been elected to a superior office.

SECTION 7. This dual office holding policy shall be incorporated as part of the Township of Mount Laurel's Ethics Policy at new Section 4-87A.1 of the Mount Laurel Township Code.

SECTION 8. All ordinances or parts of ordinances inconsistent with this ordinance are repealed to the extent of such inconsistency.

SECTION 9. If for any reason any section of this ordinance shall be declared unconstitutional or illegal by any court of competent jurisdiction, the remaining sections hereof shall remain in full force and effect.

SECTION 10. This ordinance shall take effect upon final passage and publication according to law.

Geraldine A. Nardello
Mayor

Attest:

Patricia Halbe
Municipal Clerk

Introduction Date: July 18, 2005
Publication Date: July 21, 2005
Public Hearing Date: August 1, 1005
Adopted: August 1, 2005