ORDINANCE NO. 68-04

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AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 3, ARTICLE IV, REGARDING POLITICAL CAMPAIGN CONTRIBUTION LIMITATIONS

WHEREAS, the Township Council of the Township of South Brunswick has enacted Chapter 3, Article IV, of the Code of the Township of South Brunswick to regulate political campaign contributions by professionals doing business with the Township and developers with applications before the Township's Land Use Boards; and

WHEREAS, as a result of a petition submitted to the Township Council, certain changes were made to Chapter 3, Article IV, to decrease the limits of contributions permitted by professionals doing business with the Township, which changes will go into effect on January 1, 2005; and

WHEREAS, since the Township Council believes that developers with applications pending before Land Use Boards should be subject to the same levels of contribution limitations as professionals, it is now appropriate to decrease the spending limits permitted by these individuals and their professionals appearing before the Land Use Boards;

NOW THEREFORE BE IT ORDAINED by the Township Council of the Township of South Brunswick, County of Middlesex, State of New Jersey, that:

I. Chapter 3, Article IV, Political Campaign Contribution Limitations, shall be and is hereby amended and supplemented, with deletions in strikethrough and additions in underline:

§3-22. No individual who makes a development application before a Land Use Board shall make a monetary campaign contribution in excess of ~~$400 for a primary election and $400 for a general election~~ <u>a maximum of $400 in the aggregate</u> to a candidate for or a holder of a Township or Middlesex County elective office or to the political action committee of a candidate for or the holder of a Township or Middlesex County elective office or to a Township or Middlesex County political committee or club from one calendar year prior to the time the development application is filed with the Land Use Board to such time as the project is fully completed and constructed.

§3-23. No developer or professional business entity who makes a development application before a Land Use Board shall make a monetary campaign contribution in excess of ~~$2,500 for a primary election and $2,500 for a general election~~ <u>a maximum of $1,200 in the aggregate</u> to a candidate for or the holder of a Township or Middlesex County elective office or to the political action committee of a candidate for or the holder of a Township or a Middlesex County elective office or to a Township or Middlesex County political committee or club from one calendar year prior to the time the development application is filed with the Land Use Board to such time as the project is fully completed and constructed.

§3-24. No Contribution made by an individual, <u>developer</u> or professional business entity to any municipal candidate for mayor or council, or Township or Middlesex County party committee, shall be deemed a violation of this Article, nor shall an agreement for property, goods or services of any kind whatsoever, be disqualified thereby, if that Contribution was made prior to the effective date of this Article.

§3-25.

C. As part of the checklist requirements for applications before any Land Use Board, an individual, developer or professional business entity shall provide a sworn statement, made under penalty of perjury, that the applicant has not made a contribution in violation of this Article.

D. The individual, developer and/or professional business entity shall have a continuing duty to report any violation of this Article that may occur during the application process. The certification required under this section shall be made prior to the time that any application is deemed complete by the Township, and shall be in addition to any other certifications that may be required by any other provision of law.

II. The substance of this ordinance shall not take effect until January 1, 2005.

III. If any clause, sentence, paragraph, section or part of this ordinance or any other codes or ordinances incorporated herein shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder hereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which said judgment shall have been rendered.

IV. This ordinance shall become effective twenty (20) days after its final passage.

The above ordinance was introduced and passed on first reading at a regular meeting of the Township Council of the Township of South Brunswick held on September 21, 2004, and will be considered on second and final reading and final passage at a regular meeting of the Township Council of the Township of South Brunswick to be held at the Municipal Building, Monmouth Junction, New Jersey, at 7:30 p.m. on October 19, 2004, at which time and place any persons having an interest therein will be given an opportunity to be heard.

Barbara Nyitrai 9/21/04
Township Clerk

This is to certify that the foregoing is a true copy of an ordinance adopted by the Township Council of South Brunswick Township on October 19, 2004.

Barbara Nyitrai
Barbara Nyitrai, RMC
Township Clerk