

**BOROUGH OF LEONIA
ORDINANCE NO. 9-99**

AN ORDINANCE AMENDING CHAPTER 37 (LAND USE PROCEDURES) OF THE CODE OF THE BOROUGH OF LEONIA SO AS TO REPEAL THE RIGHT OF APPEAL FROM ANY FINAL DECISION OF THE BOARD OF ADJUSTMENT OR PLANNING BOARD TO THE GOVERNING BODY

WHEREAS, Section 37-29 of the Code of the Borough of Leonia provides that interested parties may appeal to the governing body any final decision of the Board of Adjustment or Planning Board; and

WHEREAS, the current ordinance permits appeals in situations which are not authorized pursuant to the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq.; and

WHEREAS, the Mayor and Council of the Borough of Leonia have determined that it is in the best interests of the residents of the Borough of Leonia that there should be no appeal process to the Mayor and Council; and

WHEREAS, it has been determined by the Mayor and Council that in the event a final decision is rendered by the Planning Board or Board of Adjustment that any interested party can assert their rights by filing an action in lieu of prerogative writs with the Superior Court of New Jersey;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Leonia as follows:

Section 1. Section 37-29 entitled Appeals to the Governing Body of Chapter 37 of the Code of the Borough of Leonia is hereby repealed.

Section 2. Should any section, part or provision of this ordinance be held unconstitutional or invalid, such decision shall not affect the validity of this ordinance as a whole, or any other part

thereof.

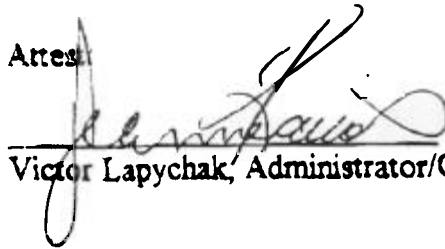
Section 3. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

Section 4. This ordinance shall take effect immediately upon publication and final passage according to law.



Judah Zeigler, Mayor

Attest:



Jeannie Karros, Deputy Borough Clerk

Victor Lapychak, Administrator/Clerk

Introduced: August 9, 1999

Adopted: August 30, 1999