

SOUTH ORANGE VILLAGE

ORDINANCE #2026-03

NOTICE IS HEREBY GIVEN, that the following entitled Ordinance was duly considered and adopted after public hearing by the Village Council of South Orange Village at their regular meeting held on February 23, 2026, during a virtual (call-in) meeting utilizing the Zoom Audio/Video Conferencing System:

TITLE: AN ORDINANCE OF SOUTH ORANGE VILLAGE ESTABLISHING CHAPTER 211 OF THE SOUTH ORANGE VILLAGE CODE TO CODIFY THE OPEN SPACE, RECREATION, FARMLAND AND HISTORIC PRESERVATION TRUST FUND AND ADVISORY COMMITTEE

WHEREAS, Resolution #268-99 of the Village Council of South Orange Village authorized a municipal public question as to whether or not the establishment of a Municipal Open Space, Recreation, Farmland and Historic Preservation Trust Fund, to be funded through an annual tax levy not to exceed one cent (\$0.01) per one hundred (\$100) of assessed value, should appear on the official ballot for South Orange Village in the 1999 General Election; and

WHEREAS, after voter approval at the November 2, 1999 General Election, the Municipal Open Space, Recreation, Farmland and Historic Preservation Trust Fund was established in South Orange Village; and

WHEREAS, Resolution 281-00, adopted by the governing body at its November 27, 2000 regular meeting, established the Advisory Board for the Municipal Open Space, Recreation, Farmland and Historic Preservation Trust Fund; and

WHEREAS, Resolution 2013-051 approved a capital maintenance policy for Open Space Trust Funds; and

WHEREAS, most recently, Resolution #2025-207, duly adopted by the Village Council of South Orange Village at its regular meeting held on July 28, 2025, authorized a municipal public question to appear on the official ballot for South Orange Village for the November 4, 2025 General Election asking voters if South Orange Village should increase the Open Space Recreation, Farmland and Historic Preservation Trust Fund from \$0.01 to \$0.02 per \$100 of assessed property value to provide additional funding for the acquisition, improvement, and maintenance of parks, open spaces, conservation lands and historic preservation; and

WHEREAS, the voters of South Orange Village participating in the 2025 General Election overwhelming voted "Yes" and approved the referendum question (which results have now been certified); and

WHEREAS, upon further inspection, there exists a need to codify the Open Space, Recreation, Farmland and Historic Preservation Trust Fund and Open Space Trust Fund Advisory Committee; and

WHEREAS, the Municipal Open Space, Recreation, Farmland and Historic Preservation Trust Fund has been maintained, funded and utilized openly and continuously since its establishment in or around 2000 but the Open Space Trust Fund Advisory Committee has been inactive for an extended period of time; and

WHEREAS, the Village Council wishes to establish a Village Code Chapter entitled Chapter 211 – Open Space, Recreation, Farmland and Historic Preservation Trust Fund.

NOW, THEREFORE, BE IT ORDAINED by the Village Council of South Orange Village, County of Essex, State of New Jersey, as follows:

SECTION 1. There is hereby established a new chapter of the Village Code of South Orange Village which shall be entitled Chapter 211- Open Space, Recreation, Farmland and Historic Preservation Trust Fund

SECTION 2. If any section, sub-section, paragraph, sentence or any other part of this ordinance is adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance.

SECTION 3. All ordinances and resolutions, or parts of ordinances and resolutions inconsistent herewith shall be and are hereby repealed as to such inconsistencies.

SECTION 4. This ordinance shall take effect upon final passage and publication as required by law.

SECTION 5. On passage this ordinance shall be codified.

Adopted: February 23, 2026

ATTEST:

Ojetti E. Davis, Village Clerk
South Orange Village