

O: 2014-04

**AN ORDINANCE OF THE TOWN OF PHILLIPSBURG,  
COUNTY OF WARREN, STATE OF NEW JERSEY,  
REPEALING AND DELETING SECTIONS 570-11 THROUGH  
570-23 OF THE CODE OF THE TOWN OF PHILLIPSBURG  
RELATIVE TO LONG TERM TAX ABATEMENT**

**WHEREAS**, Sections 570-11 through 570-23 of the Code of the Town of Phillipsburg, sets forth procedures and requirements relative to applications and agreements for long term tax abatement pursuant to N.J.S.A. 40A:20-1, et al; and

**WHEREAS**, the above-referenced Code sections establish conditions, which conditions are discretionary pursuant to N.J.S.A. 40A:20-1, et al; and

**WHEREAS**, the Town Council finds and declares that the fixing of certain conditions unnecessarily restricts the ability of the Council to negotiate financial agreements with prospective developers, and further finds that such conditions as existing would have a deleterious effect on the promotion of business and development within the Town of Phillipsburg; and

**WHEREAS**, the existence of the aforementioned Code Sections are unnecessary and superfluous due to the fact that the process and procedure for entering into long term tax abatement agreements is fully set forth in N.J.S.A. 40A:20-1, et al; and

**WHEREAS**, Town Council finds based upon the foregoing, Code Sections 570-11 through 570-23 should be repealed.

**NOW, THEREFORE, BE IT ORDAINED** by the Town Council of the Town of Phillipsburg, County of Warren, State of New Jersey as follows:

Section 1

Code Sections 570-11 through 570-23 of the Code of the Town of Phillipsburg are hereby repealed and deleted in their entirety.

Section 2:

Severability. The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder off this Ordinance shall not be affected thereby.

Section 3:

Repealer. Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed as to their inconsistencies only.

Section 4:

Effective Date. This Ordinance shall take effect upon final passage and publication as provided by law.

**ATTEST:**

**TOWN OF PHILLIPSBURG**

\_\_\_\_\_  
VICTORIA L. KLEINER,  
Acting Municipal Clerk

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HARRY L. WYANT  
Mayor

DATED:

**CERTIFICATION**

I, Victoria L. Kleiner, Acting Municipal Clerk for the Town of Phillipsburg, do hereby certify that the foregoing is a true copy of an Ordinance duly adopted by the Town Council at their January 21, 2014 meeting.

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VICTORIA L. KLEINER,  
Acting Municipal Clerk