

**ORDINANCE NO.**

**AN ORDINANCE OF THE TOWNSHIP OF CLINTON  
IN HUNTERDON COUNTY, NEW JERSEY AMENDING  
SECTION 198-26 OF THE CODE OF THE TOWNSHIP OF  
CLINTON PERTAINING TO THE COMMUNITY GARDEN**

**WHEREAS**, Chapter 198, “Parks, Recreation Areas and Open Space,” Article VII, “Community Garden,” of the Code of the Township of Clinton (“Code”) establishes the Clinton Township Community Garden; and

**WHEREAS**, pursuant to section 198-26 of the Code, a portion of Block 88, Lot 3.02, known as the “White Cloud Orchids Property” parcel was designated for use as the community garden; and

**WHEREAS**, pursuant to section 198-26 of the Code, rules and regulations governing the community garden were established along with annual fees; and

**WHEREAS**, the Mayor and Council of the Township of Clinton (“Township”) have determined that it is in the best interest of the Township to enter into a lease agreement with the Clinton Township Organic Community Garden (“CTOCG”), a New Jersey nonprofit corporation to operate the community garden; and

**WHEREAS**, the CTOCG will operate the community garden in accordance with the provisions of the lease and the rules of the New Jersey Department of Environmental Protection Green Acres Program as set forth in N.J.C.A. 7:36-1.1 et seq.; and

**WHEREAS**, the Township will cease operating a community garden;

**NOW THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Township of Clinton, County of Hunterdon and State of New Jersey, as follows:

**1. Preamble incorporated.** The preamble to this ordinance is hereby incorporated as if fully restated herein.

**2. Community garden ordinance repealed.** Section 198-26 of Chapter 198 pertaining to the community garden is hereby repealed and deleted in its entirety.

**3. Repealer.** All ordinances and resolutions or parts thereof inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

**4. Severability.** If any section, paragraph, subsection, clause or provision of this ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudged and the remainder of this ordinance shall be valid and enforceable.

**5. Effective Date.** This ordinance shall take effect twenty days from the date of its adoption, in accordance with N.J.S.A. 40:69A-181.

ATTEST:

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Carla Conner, Township Clerk

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Brian Mullay, Mayor

Introduced: April 23, 2022

Adopted: