

TOWNSHIP OF UPPER DEERFIELD

**ORDINANCE DEEMING VACANCIES IN OFFICE
DUE TO CERTAIN EVENTS**

ORDINANCE 661

WHEREAS, the inability, unwillingness, or incapacity of elected and appointed officials to attend to duties adversely affects the public interest; and

WHEREAS, the inability of elected and appointed officials to fill the functions of office causes great inconvenience to the public and to applicants before Boards and the governing body; and

WHEREAS, the Township Committee of the Township of Upper Deerfield is desirous of setting forth a policy with respect to creation of and deeming of vacancies in office by virtue of certain events or failure or inability to attend meetings; and

WHEREAS, N.J.S.A. 40A:9-12.1 authorizes a local governing body to establish absentee thresholds which would result in an office being deemed vacant; and

WHEREAS, the Township Committee of the Township of Upper Deerfield is desirous of setting forth such a policy;

NOW THEREFORE BE IT ORDAINED by the Township Committee of the Township of Upper Deerfield as follows:

1. Any elected or appointed official of the Township of Upper Deerfield who shall be a member of a Board, Committee, Commission or other agency who fails to attend or participate in the meetings of such body for more than six consecutive weeks or three consecutive meetings, whichever shall be longer, without being excused by the majority of the Board, Commission, Committee, Authority, or agency shall be deemed to have vacated such position; provided, however, that the majority of any Board, Committee, Commission, Authority, or other agency may excuse such failure to attend by such member which are not due to legitimate illness and provided further that no vacancy in any office shall be created as a result of any members legitimate illness.

2. The office of any person who is a member of any Board, Committee, Commission, Authority, or other agency of the Township of Upper Deerfield shall also be deemed vacant for such other reasons as may be set forth in N.J.S.A. 40A:9-12.1 as may be amended from time to time.

3. In the event that vacancies are created as a result of any of the foregoing, the appointing authority shall forthwith fill the office for the unexpired term in the manner prescribed by law.

James Crilley, Chairman

Finally December 16, 2010

Attested:

Roy J. Spoltore, Township Clerk