

TOWNSHIP OF FRANKLIN
O-2-22
ESTABLISHING THE DEPARTMENT OF CODE ENFORCEMENT AND LAND
USE, INCLUDING DIVISIONS

WHEREAS, the Township Committee of the Township of Franklin have determined the need to create and adopt an Ordinance to establish a Director of the Department of Land Use and Planning; and

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Committee of the Township of Franklin, the County of Gloucester, as follows:

Section 1.

A. There shall be a Department of Code Enforcement and Land Use, the head of which shall be the Director of Code Enforcement and Land Use. The Department of Code Enforcement and Land Use shall consist of the following divisions:

- I. Division of Zoning and Planning Boards
- II. Division of Zoning
- III. Division of Housing
- IV. Division of Construction
- V. Division of Code Enforcement

B. Director of Code Enforcement and Land Use.

- I. The Director shall be appointed by the Township Committee by Resolution and shall supervise the work of the Department and its Divisions. The Director shall be a Township Department Head.
- II. Duties of the Director of Code Enforcement and Land Use:
 - a) Assume full management responsibility for all Code Enforcement and Land Use Department services and activities, including comprehensive review of the zoning code, processing of land use applications, and coordinating code compliance; recommend and administer policies and procedures.
 - b) Manage the development and implementation of the Code Enforcement and Land Use Department goals, objectives, policies, and priorities for each division.
 - c) Recommend, with Township policy, appropriate service and staffing level; monitor and evaluate work methods and procedures; allocate resources accordingly.
 - d) Plan, direct and coordinate the Code Enforcement and Land Use Department's work plan; assign projects and programmatic areas of responsibility; review and evaluate work methods and procedures meet with management staff to identify and resolve problems.
 - e) Assess and monitor workload, administrative, and support systems and internal reporting relationships; identify opportunities for improvement; direct and implement changes.
 - f) Select, train, motivate and evaluate Code Enforcement and Land Use Department personnel; provide or coordinate staff training.
 - g) Oversee and participate in the development and administration of the Code Enforcement and Land Use Department budget; review funding needed for staffing, equipment, materials, and supplies.

- h) Review, prepare and propose revisions to zoning ordinances for review by Township Committee; interact with community groups, citizens and businesses involved with zoning-related issues and community development.
- i) Assist, in concert with other departments, in the management of economic development activities; develop strategies to assist in business growth.
- j) Review and process planning applications; ensure compliance with appropriate laws, codes, regulations and ordinances.
- k) Develop, justify and forecast Code Enforcement and Land Use Department programs, policies and activities, negotiate and resolve sensitive and controversial issues in area of Land Use.
- l) Represent the Code Enforcement and Land Use Department to other Township departments, elected officials, and outside activities, coordinate Code Enforcement and Land Use Department activities with those of other departments and outside agencies and organizations.
- m) Interact with developers, contractors, and the public on construction and land use issues; provide information on planning and zoning requirements.
- n) Respond to and resolve difficult and sensitive citizen inquiries and complaints.
- o) Develop long and short term planning goals.
- p) Perform related duties and responsibilities as required.

C. Divisions within Department of Code Enforcement and Land Use. The role of the five divisions of the Department of Code Enforcement and Land Use shall be:

I. Division of Zoning and Planning. There shall be, within the Department of Code Enforcement and Land Use, a Division of Zoning and Planning Boards, the head of which shall be the Land Use Administrator of the Township of Franklin, who shall also be the Director of Code Enforcement and Land Use.

1. The Division shall be responsible for the coordination of applications between the Planning Board and the Board of Adjustment. The Division shall maintain materials for all those persons within the Township who seek Board review of subdivisions, site plans or any other reviews as are entrusted to the Planning Board by law.
2. The Land Use Administrator will coordinate and supervise the employees of the Planning Board and the Board of Adjustment and will determine which Board has jurisdiction to hear the application.
3. The Land Use Administrator is responsible for reviewing applications for zoning permits and the granting or denying of such permits in accordance with the zoning ordinances of the Township of Franklin.

II. Zoning. There is hereby created within the Department of Code Enforcement and Land Use the Division of Zoning. The Division of Zoning Department shall be supervised by the Zoning Officer.

a) General job description.

1. Examine working plans of proposed structures for compliance with State, County and local land use ordinances.
2. Consult with architects, engineers, attorneys, prospective developers and residents on compliance with zoning regulations.
3. Investigate all violations or alleged violations, Land Management, and direct the establishment and maintenance of records and files of the same.

4. Initiate legal action against violations, Land Management, and make court appearances as required.
5. Make necessary inspections to determine building locations or uses are as shown on approved plans and are being constructed in compliance with the Zoning Ordinance; assist in promulgation of zoning regulations.
6. Prepare reports as needed and as required by department head and Township Mayor.
7. Perform other related work as required and assigned by department head and Township Mayor.

b) Qualifications for Zoning Officer. Persons with mental or physical disabilities are eligible as long as they can perform the functions of the job after reasonable accommodations are made for their known limitations. If the accommodation cannot be made because it would cause the Township undue hardship, such person may not be eligible. The Zoning Officer shall have the following qualifications for the position:

1. Three years of experience in the preparation and revision of building construction plans and specifications or in the full-time inspection and enforcement of zoning and/or building construction laws and regulations.
2. A thorough knowledge of the principles and municipal codes governing zoning standards.
3. The ability to read, write, speak and communicate in English sufficiently to perform the duties of the position.
4. Ability to analyze and interpret the local Zoning Ordinance and other local ordinances that apply to buildings and State and County laws, rules, regulations and policies applicable to zoning.
5. Ability to read building plans, plot plans and specifications.
6. Ability to prepare clear, sound, accurate and informative reports containing findings, conclusions and recommendations.
7. Ability to recognize conditions that do not meet established standards and enforce proper practices with firmness and tact.
8. Ability to establish and maintain effective working relationships with associates and the general public.
9. A valid driver's license of the State of New Jersey.

c) Salary. Salary for the position of Zoning Officer shall be set forth in the Township's Salary Ordinance.

III. Division of Housing. The Land Use Administrator shall be the head of the Housing Division. The Division of Housing shall:

- a) Supervise the applicability, calculation and collection of all affordable housing fees.
- b) Inspect all rental properties pursuant to Township code.

IV. Division of Construction. The Construction Code Official shall be the Division Head of the Division of Construction. The Construction Code Official shall supervise the entire Division of Construction in accordance with State statutes. The Construction Division shall perform all the statutory duties required of the Construction Code Official. In the absence of the Construction Code Official, the Land Use

Administrator shall provide assistance to applicants and the public, as well as supervise employees of the Division of Construction.

The Land Use Administrator shall attend Court to testify on any violations issued by anyone in the Division of Construction.

V. Division of Code Enforcement. There is hereby created the Division of Code Enforcement, who shall be under the direction and supervision of the Land Use Administrator. The Division shall be staffed by the Code Enforcement Officer.

a) Powers and duties of Code Enforcement Officer. The Code Enforcement Officer shall, under the supervision and direction of the Land Use Administrator, perform the following duties and responsibilities:

1. Develop, coordinate and implement the various code enforcement activities and operations.
2. Conduct overall administrative activities related to the performance of said activities.
3. Enforce the Township ordinance and codes, including, but not limited to, land use, trailer park/mobile home park, signs, swimming pools, junkyard, commercial and industrial maintenance, litter and such other codes and ordinances of the Township as to presently exist or which may be enacted in the future, unless the duty to enforce such codes or ordinances is specifically assigned to another office of the Township or licensure or special qualifications are required pursuant to any State statute.
4. Make investigations in furtherance of said activities and serve violation notices, make and process complaints for code violations and make appearances before boards and commissions of the Township, make court appearances and render testimony in the prosecution of any such summons and complaints.
5. Where required, the enforcement official shall coordinate the investigation and prosecution of any violation with the Gloucester County Board of Health, Franklin Township Police, Gloucester County Prosecutor, State Attorney General and New Jersey Department of Environmental Protection.
6. All related activities that may be required for the full implementation of the basic duties.

b) Qualifications of Code Enforcement Officer. The Code Enforcement Officer shall be an employee of the Township.

Section 2. This Ordinance shall take effect upon final passage and publication according to law.

Section 3. If any part of this Ordinance shall be deemed invalid by an administrative agency or court of competent jurisdiction, such decision shall not affect the legality and enforceability of any other provision hereof.

Section 4. All ordinances, policies and or procedures or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only however, to the extent of such conflict or inconsistency.

ATTEST:

TOWNSHIP OF FRANKLIN

Barbara Freijomil, Clerk

John Bruno, Mayor

CERTIFICATION

I, Barbara Freijomil, Clerk of the Township of Franklin, County of Gloucester, do here certify that the foregoing Ordinance was introduced at the Regular Meeting of the Township of Franklin held on January 11, 2022 and thereafter duly advertised in the legal newspaper of the Township at least seven (7) days prior to it being considered for final passage and adoption at a subsequent meeting to be held on January 25, 2022 at which time any person interested therein will be given an opportunity to be heard.

Barbara Freijomil, Municipal Clerk

Introduced January 11, 2022

<u>Name</u>	<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
<u>Doyle</u>				
<u>Deegan</u>				
<u>Petsch-Wilson</u>				
<u>Flaim</u>				
<u>Bruno</u>				

Adopted January 25, 2022

<u>Name</u>	<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
<u>Doyle</u>				
<u>Deegan</u>				
<u>Petsch-Wilson</u>				
<u>Flaim</u>				
<u>Bruno</u>				