

EAST AMWELL TOWNSHIP
1070 Route 202/31
Ringoes, NJ 08551
908:782-8536 x19
908-782-1967-fax

December 1, 2017

JOB POSTING

Zoning Officer

Job Description: The Zoning Officer enforces Chapter 92, Land Management, of the Code of East Amwell Township. See Attached Ordinance for Job Description. The person in this position also enforces other regulations, as directed, such as tree harvesting permits, etc.

Salary Range: Range is \$13,109-\$14,346 per year for part time position without benefits. Position restricted to a six-month probationary period the first year.

You may request an application and job description by email sent to tstahl@eastamwelltownship.com or by mail at 1070 Route 202/31, Ringoes, NJ 08551; if interested, provide a fully completed application with signature. Application Deadline: December 18, 2017 or until the position is filled.

**TOWNSHIP OF EAST AMWELL
COUNTY OF HUNTERDON
ORDINANCE 06-02**

**AN ORDINANCE CREATING THE OFFICE OF ZONING OFFICER AND
ESTABLISHING THE DUTIES AND RESPONSIBILITIES OF THAT OFFICE**

WHEREAS, the Township of East Amwell has determined that the position of Zoning Officer for the Township of East Amwell should be set forth by ordinance; and

WHEREAS, the Township of East Amwell also believes it is in the best interests of the Township to create the position of Alternate Zoning Officer to address any situations where the Zoning Officer is unable or unavailable to perform his or her duties;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Committee of the Township of East Amwell as follows:

Section I.

1. Creation of office; appointments.

The office of the Zoning Officer of the Township of East Amwell is hereby created. Appointments to the office of the Zoning Officer shall be made by the Mayor and Committee of the Township of East Amwell. The term of office shall be one (1) year commencing January 1. A vacancy in the office shall be filled by the Mayor and Committee, for the unexpired term only. A newly hired zoning officer will be subject to a six (6) month probationary period when the zoning officer can be terminated at Township Committee's discretion, with or without cause.

2. Duties.

A. It shall be the duty of the Zoning Officer to enforce Chapter 92 of the Township's Land Management Code and, pursuant to that duty, to:

(1) Discover and ascertain the existence of any violations of this chapter.

(2) Investigate and inspect any alleged violation of this chapter within his/her knowledge or coming to his/her attention. The zoning officer will not respond to anonymous tips unless he/she determines that the tip provides a well founded suspicion that a zoning violation has occurred. The zoning officer will not reveal the names of any persons who make anonymous complaints unless required to do so by law.

(3) Prevent further or continued violations of this chapter which are known by him/her to exist, and by every lawful means cause the

violators to cease and desist from committing such further violations.

(4) Prosecute violations of this chapter in the manner provided by law.

B. Whenever any building or structure is proposed to be erected, constructed, altered, repaired, converted, used or maintained within the Township of East Amwell, it shall be the duty of the Zoning Officer to ascertain that the same is done in accordance with the provisions of this chapter and not in violation thereof; and whenever any building or structure is proposed to be erected, constructed, altered, repaired, converted, used or maintained contrary to or any land is used in violation of any provision of this chapter, it shall be the duty of the Zoning Officer to proceed with the enforcement of this chapter in the manner herein provided and as otherwise provided by law; and he/she is hereby further authorized and empowered to institute and maintain any further legal actions and proceedings for the enforcement hereof, now existing or heretofore or hereafter provided, which may be available to him/her. When ascertaining whether a violation exists, the Zoning Officer shall consider the intent of the land use ordinance. If the Zoning Officer is unclear as to the intent of the ordinance, the Zoning Officer may seek advice from the ~~{Planning Board Chairperson, Vice Chairperson or other}~~ {appropriate} municipal officials who can provide guidance as to its intent, but the ultimate determination as to whether a violation has occurred shall be made by the Zoning Officer.

3. Enforcement procedure.

Whenever the Zoning Officer shall ascertain that any of the provisions of this chapter are being violated, he/she shall:

A. Promptly notify the person committing such violation to cease and desist from continuing such violation. In addition, he/she should inform the person of the nature of the violation identifying the ordinance or statute that is being violated and explain in everyday language what the violation is. If possible, he/she should offer suggestions as to a remedy that would cure an alleged violation. If such violation consists of the construction or erection of an illegal building or structure or an illegal alteration or conversion of an existing building or structure, he/she shall take such steps that are appropriate and lawful under the circumstances.

B. After advising the Township Committee in writing of his intent to file a complaint, he may file a summons/complaint alleging the violation in the Municipal Court in the manner prescribed by law and the rules governing the practice in such Court. With the advice of the

Municipal Attorney and the permission of the Township Committee, he/she may institute proceedings in the Superior Court when, in his/her opinion, the same are warranted, to enjoin said violation and to effect the discontinuance thereof. Nothing herein shall prevent any person other than the Zoning Officer from instituting a complaint for any violation of this chapter in the manner prescribed by law.

4. Search warrants.

In the enforcement of this chapter, the Zoning Officer may apply to the Judge of the Municipal Court for a warrant or warrants to search and inspect the properties and premises upon which he/she has reason to believe any violation of this chapter has taken or is taking place, and, upon probable cause shown, the Judge may issue such a warrant or warrants in the manner authorized by law; and the information obtained pursuant thereto shall be admissible as evidence in any court of competent jurisdiction for the purposes of proving any case brought for violation of this chapter.

5. Administrative duties.

In addition to the duty of enforcement of this chapter and prosecuting the violations thereof, the Zoning Officer shall:

- A. Make an inspection of every parcel of land, building or structure for which a zoning or land use permit is requested prior to the issuance of such permit, in order to ascertain that said construction, occupancy or use will comply with every standard, regulation and requirement of this chapter for such occupation and use.
- B. After proper inspection and investigation, issue land use permits and certificates of occupancy in appropriate instances and within his/her jurisdiction.
- C. Report to the Board of Adjustment with respect to matters which are properly before the Board, and otherwise conduct investigations, report to and be responsible to the Mayor and Committee with respect to matters pertaining to the Zone Plan and this chapter and otherwise within his/her jurisdiction.
- D. Start and maintain an accurate and complete file with respect to every alleged violation of this chapter or other matter investigated and processed by him/her.
- E. File a monthly report of his/her activities, including the complaints and cases processed by him/her and the disposition thereof, with the Mayor and Committee of the Township of East Amwell.

6. Salary.

The salary of the Zoning Officer shall be as set by the Mayor and Committee of the Township.

7. Alternate Zoning Officer.

- A. The office of Alternate Zoning Officer of the Township of East Amwell is hereby created. Appointments to the office of Alternate Zoning Officer shall be made by the Mayor, subject to confirmation by the Committee of the Township of East Amwell. The term of office shall be one (1) year.
- B. The Alternate Zoning Officer shall fill the office of the Zoning Officer, with all the powers thereof, in the event of incapacity, death, absence, resignation or removal of the Zoning Officer, upon the approval of the Mayor and Committee.
- C. When filling in for the Zoning Officer, the Alternate Zoning Officer shall have concurrent jurisdiction with the Zoning Officer with respect to issuance of notices to individuals to cease and desist from violating the Zoning Ordinance to sign and file complaints alleging the violation of any Zoning Ordinance in a Municipal Court in the Township of East Amwell, as outlined in this chapter, and may take any other action which the Zoning Officer is authorized to take pursuant to this ordinance or at law.
- D. The salary of the Alternate Zoning Officer shall be as set by the Mayor and Committee of the Township.

8. Effective Date.

This Ordinance shall take effect immediately after passage upon publication as required by law.

By Order of the Township Committee,

Kurt Hoffman, Mayor

Attest:

Teresa R. Stahl, RMC/CMC
Municipal Clerk

Introduced: February 9, 2006
Adopted: March 9, 2006

Criteria for Zoning Officer Position in Addition to Ordinance 06-02

The successful candidate will:

Be able to independently make zoning judgments consistent with current Planning and Zoning board rulings and related ordinances.

Have a demonstrated history of meeting the needs of residents while ensuring compliance with zoning regulations and criteria.

Possess critical thinking skills, the ability to interpret complicated guidelines, and the desire to assist applicants toward the goal of compliance with a minimum of discourse.

Have a proven history of working independently in a municipal government setting and working collaboratively with residents.

Serve as the enforcement officer for a variety of zoning related ordinances where resident education is initially used to gain compliance.

Have a history of using enforcement for serious and clear violations of zoning regulations and when reasonable attempts to gain compliance are unsuccessful.

Have a successful record of enforcement and prosecution related to violations requiring court proceedings.

Be willing to provide input to the appropriate authority during the process of developing land use or similar municipal ordinances.