ORDINANCE 2019-17
Borough of Metuchen
County of Middlesex
State of New Jersey

ORDINANCE CREATING THE METUCHEN PARADE COMMISSION

WHEREAS, Borough of Metuchen Chamber of Commerce has historically conducted two (2) parades per year: (1) The Memorial Day Parade and (2) the Winter Festival Parade; and

WHEREAS, the Borough of Metuchen has hosted the two (2) parades per year which have benefitted the Community, its residents and businesses; and

WHEREAS, the Chamber of Commerce has advised the Borough of Metuchen that it will cease organizing the two (2) parades hosted by the Borough; and

WHEREAS, the Mayor and Council of the Borough of Metuchen believe that it is in the best interest of its residents and businesses to continue the tradition of conducting two (2) parades annually: (1) The Memorial Day Parade and (2) the Winter Festival Parade; and

WHEREAS, the Mayor and Council of the Borough of Metuchen have determined that it is in the best interest of the Borough to create a “Metuchen Parade Commission” to organize and oversee the two (2) annual parades conducted in the Borough: (1) The Memorial Day Parade and (2) the Winter Festival Parade;

NOW THEREFORE BE IT ORDAINED by the Council of the Borough of Metuchen that it hereby creates Chapter 10, Article 13 of the Code of the Borough of Metuchen to state as follows:

Article 13.
Metuchen Parade Commission

§ 10-44. Establishment; composition.

There is hereby established a Metuchen Parade Commission to organize, oversee and conduct the two (2) parades annually in the Borough: (1) The Memorial Day Parade and (2) the Winter Festival Parade for the Borough of Metuchen. The Parade Commission shall be made up of five (5) members. The membership of the Commission shall be composed of residents of, or owners or operators of businesses in the Borough of Metuchen. At least one member of the Commission shall have served, or is currently a member of one of the branches of the United States Armed Forces. Each members’ term of office shall be for a period of three (3) years on a staggering basis. The initial appointment of its five (5) members shall be as follows: two (2) members for a term of three (3) years; two members for a term of two (2) years and one (1) member for a term of one year. Thereafter, the term of its members shall be for a period of three (3) years.

§ 10-45. Appointment; selection of Chairperson; vacancies.
The Mayor shall nominate and, with the advice and consent of the Borough Council, appoint all members of the Commission. The Council liaison shall be annually selected by the Borough Council at the reorganization meeting of the Borough held in January of each year. The members of the Commission shall annually select one of its members as Chairperson. Vacancies occurring on the Commission otherwise than by expiration of their term of office shall be filled for the unexpired portion of the term in the same manner as an original appointment. A vacancy shall exist in the event that a member fails to attend and participate in or at Commission meetings for a period of eight (8) consecutive weeks without being excused by a majority of the Commission members at the conclusion of such period, provided, however, that the Commission may refuse to excuse only with respect to those failures to attend and participate which are not due to legitimate illness. The Commission shall promptly advise the Mayor and Council upon a vacancy in its membership.

§ 10-46. Powers and duties.

The Commission shall have the following powers and duties:

A. To establish, amend, and supplement its own bylaws to the extent not inconsistent with this article nor with any other municipal, state or federal regulation or law. The Commission shall meet at a minimum on a monthly basis.

B. To exercise full and exclusive control over the planning, organization, promotion and implementation of the two (2) annual parades conducted in the Borough: (1) The Memorial Day Parade and (2) the Winter Festival Parade.

C. To supervise and control the organization, promotion, maintenance, operation and regulation of the Borough of Metuchen Parades, the same to include all forms of public entertainment activities carried on in connection therewith. The Commission shall effect such expenditures and hire such personnel as may be necessary to carry out these duties in accordance with the budgetary appropriations duly adopted by the Mayor and Council.

D. To recommend, in writing, to the governing body rules, regulations and standards as it shall prescribe for the organization, promotion, maintenance, conduct, management and supervision of the parades conducted within the Borough.

E. To coordinate with all State and local agencies, departments, committees, commissions and any county, state, federal and private agencies for the purpose of the organization, promotion, maintenance, operation and regulation of the Borough of Metuchen Parades set forth herein.

F. To foster, through community effort, good will, cooperation and coordination among the residents, businesses, groups, associations of the Borough in order to effectively organize, promote, maintain, operate, conduct and regulate the Metuchen Parades set forth herein.
F. To make a written semi-annual report in January and June of each year to the Mayor and Council detailing its activities for each Parade, and, if requested, to make presentations before the Mayor and Council at such time as the Council shall request or the Commission deems desirable.

BE IT FURTHER ORDAINED that nothing herein shall be construed to usurp the authority and/or jurisdiction of the Mayor and/or Council and that the governing body of the Borough may, by ordinance, make, alter, amend and repeal rules and regulations for the supervision, regulation and control of all activities carried on, conducted, sponsored, arranged or provided for in connection with the Borough parades, and for the protection of property, and may prescribe and enforce fines and penalties for the violation of any such rule or regulation.

BE IT FURTHER ORDAINED that if any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portion thereof.

BE IT FURTHER ORDAINED that the within ordinance shall become effective upon final passage and publication as provided by law.

Introduction: October 15, 2019
Date of Publication: October 18, 2019

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I hereby certify the foregoing to be a true copy of an ordinance introduced by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on October 15, 2019 which was subsequently amended on October 29, 2019 as reflected above.

________________________
Susan D. Jackson, RMC
Borough Clerk
Adopted: October 29, 2019  
Date of Publication: November 1, 2019

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AB- ABSENT  
NV- NOT VOTING

I hereby certify the foregoing to be a true copy of an ordinance adopted by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on October 29, 2019.

________________________
Susan D. Jackson, RMC
Borough Clerk

ATTEST: 
BOROUGH OF METUCHEN

________________________
By: ________________
Susan D. Jackson, RMC
Borough Clerk  
Jonathan M. Busch  
Mayor