

## CHAPTER 93

**AN ACT** concerning the term of office of town mayors and council members and amending N.J.S.40A:62-2.

**BE IT ENACTED** *by the Senate and General Assembly of the State of New Jersey:*

1. N.J.S.40A:62-2 is amended to read as follows:

Elected officers, terms.

40A:62-2. a. The mayor shall be elected by the voters of the municipality at large and shall be known as the councilman-at-large. The mayor shall serve for a term of four years.

b. (Deleted by amendment, P.L.2005, c.93).

c. The council shall consist of eight members, two elected from each of four wards. The members of council shall serve for a term of four years.

d. Notwithstanding the provisions of subsection c. of this section, any town, whose council immediately prior to the effective date of P.L.1988, c.7 had a council whose method of election, composition or tenure of its membership differed in any way from the provisions set out in subsection c. of this section, shall continue to be governed by those provisions which determined the council's method of election, composition or tenure of its membership, as the case may be, until such time it wishes to adopt the provisions as set out in subsection c. of this section. Any adoption shall be by referendum of voters, after the town council shall have passed an ordinance not less than 60 days preceding any general election calling for the referendum to be placed upon the ballot. The referendum shall not be submitted to the voters more than once in any three-year period.

e. The annual election for town officers shall be held at the same time and places as the general election. No person shall be permitted to vote at any such election unless he is an actual resident of the election district in which he offers his vote.

2. This act shall take effect immediately but the amendatory provisions shall remain inoperative in a municipality until the first election for the office of mayor and members of council next following enactment and shall apply to the terms of those mayors and members of council elected at that election.

Approved June 6, 2005.