

CHAPTER 231

AN ACT concerning local government water system employees, supplementing various parts of the statutory law, and amending P.L.1987, c.441.

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

C.40:14B-18.1 Residency requirements for employees of municipal authority operating certain water system.

1. Any ordinance, resolution, rule, regulation, order, or directive establishing, as may be permitted by law, a residency requirement for employees of a municipal authority operating a water system that serves more than one municipality shall provide that any person employed or to be hired by the municipal authority in relation to the operation of its water system may reside within any municipality served by the water system, and shall further provide that a non-resident of the municipalities served by the water system may be hired if the municipal authority is unable to hire a qualified resident. Any provision of an ordinance, resolution, rule, regulation, order, or directive to the contrary shall be void and have no force or effect.

Nothing in this section shall be construed as prohibiting a municipal authority from employing or hiring a non-resident of the municipalities served by its water system if no residency requirement is established.

C.40:62-104.1 Residency requirements for employees of municipality operating certain water system.

2. Any ordinance, resolution, rule, regulation, order, or directive establishing, as may be permitted by law, a residency requirement for employees of a municipality operating a water system that serves more than one municipality shall provide that any person employed or to be hired by the municipality in relation to the operation of its water system may reside within any municipality served by the water system, and shall further provide that a non-resident of the municipalities served by the water system may be hired if the municipality is unable to hire a qualified resident. Any provision of an ordinance, resolution, rule, regulation, order, or directive to the contrary shall be void and have no force or effect.

Nothing in this section shall be construed as prohibiting a municipality from employing or hiring a non-resident of the municipalities served by its water system if no residency requirement is established.

C.40:62-135.1 Residency requirements for employees of commission operating certain water system.

3. Any ordinance, resolution, rule, regulation, order, or directive establishing, as may be permitted by law, a residency requirement for employees of a commission operating a water system that serves more than one municipality shall provide that any person employed or to be hired by the commission may reside within any municipality served by the water system, and shall further provide that a non-resident of the municipalities served by the water system may be hired if the commission is unable to hire a qualified resident. Any provision of an ordinance, resolution, rule, regulation, order, or directive to the contrary shall be void and have no force or effect.

Nothing in this section shall be construed as prohibiting a commission from employing or hiring a non-resident of the municipalities served by its water system if no residency requirement is established.

C.40A:31-5.1 Residency requirements for employees of local unit operating certain water system.

4. Any ordinance, resolution, rule, regulation, order, or directive establishing, as may be permitted by law, a residency requirement for employees of a local unit operating a water system that serves more than one municipality shall provide that any person employed or to be hired by the local unit in relation to the operation of its water system may reside within any municipality served by the water system, and shall further provide that a non-resident of the municipalities served by the water system may be hired if the local unit is unable to hire a qualified resident. Any provision of an ordinance, resolution, rule, regulation, order, or directive to the contrary shall be void and have no force or effect.

Nothing in this section shall be construed as prohibiting a local unit from employing or hiring a non-resident of the municipalities served by its water system if no residency requirement is established.

5. Section 1 of P.L.1987, c.441 (C.40A:9-1.15) is amended to read as follows:

C.40A:9-1.15 Residency requirement waiver.

1. Any municipal ordinance which requires that employees of a municipal water works be municipal residents shall include a provision which permits the municipality to hire a non-resident if the municipality is unable to hire a qualified resident. If the municipal water works serves more than one municipality, the ordinance shall comply with the provisions of P.L.2019, c.231 (C.40:14B-18.1 et al.).

6. This act shall take effect immediately.

Approved August 9, 2019.