

**CITY OF ABSECON**

**ORDINANCE 01-2018**

**AN ORDINANCE AUTHORIZING THE CONSTRUCTION OF LIGHT POLES AND EQUIPMENT AND THE PAYMENT OF ELECTRICITY COSTS FOR MARIN DRIVE IN THE ABSECON VILLAGE TOWNHOMES**

**WHEREAS**, the Marin Drive Community Committee is the owner of real property in the City of Absecon, County of Atlantic, New Jersey being known and designated as Marin Drive and also known as Absecon Village Townhouses; and

**WHEREAS**, pursuant to N.J.S.A. 40:67-23.1, a municipality is permitted to ... provide for the lighting of, any roads or streets upon which the travel is sufficient, in the opinion of said governing body, to warrant such expenditures, even though such roads or streets shall not have been taken over by said municipal governing body or dedicated and accepted as public highways; and

**WHEREAS**, the municipal governing body has the option, when providing such service, to make suitable improvements to the roadway and structures, including the construction of light poles and equipment, in the area the services are to be performed upon; and

**WHEREAS**, there exists a sufficient need to make suitable improvements to the area by installing light poles and essential equipment to provide lighting on Marin Drive; and

**WHEREAS**, the provision of lighting on Marin Drive will benefit the health, safety and welfare of all residents, visitors and police officers who travel on Marin Drive by foot and vehicle; and;

**WHEREAS**, the City Council of the City of Absecon finds that there is sufficient travel on Marin Drive to warrant the expenditure of funds for the construction of light poles and equipment and the provision of lighting; and

**WHEREAS**, this Ordinance should not be construed as the City of Absecon's acceptance of a dedication of Marin Drive, as it shall remain a private road.

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**NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Absecon, County of Atlantic, State of New Jersey, as follows:**

**Section 1.** The Mayor, City Administrator and all other appropriate officials are hereby authorized to take all action, and sign any and all contracts and agreements to effectuate the purpose of this Ordinance.

**Section 2.** That all ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

**Section 3.** This Ordinance shall take effect immediately upon final passage and publication as required by law.

**DATED: February 15<sup>th</sup>, 2018**

**SIGNED:**   
**John R. Armstrong, Mayor**

**ATTEST:**   
**Carie A. Crone, RMC, Municipal Clerk**

Passed on first reading at a regular meeting of the Municipal Council held on February 1<sup>st</sup>, 2018. Laid over and advertised for public hearing and final adoption on February 15<sup>th</sup>, 2018. Notice is hereby given that the foregoing Ordinance was approved for final adoption by the Municipal Council of the City of Absecon at a regular meeting held on February 15<sup>th</sup>, 2018.