

**ORDINANCE OF THE TOWNSHIP OF PILESGROVE, COUNTY OF SALEM, STATE
OF NEW JERSEY ORDINANCE 26-07**

**AMENDING TOWNSHIP CODE § 145-51.D.(2) (PLANNING BOARD PUBLIC NOTICE
REQUIREMENTS) TO REQUIRE APPLICANTS TO COMPLY WITH THE PUBLIC
NOTICE REQUIREMENTS UNDER NEW JERSEY PUBLIC NOTICE LAW 2025,
CHAPTER 72, EFFECTIVE MARCH 1, 2026**

WHEREAS, the Township of Pilesgrove has adopted land use regulations codified in Chapter 145 of the Township Code, including § 145-51 governing “Provisions applicable to Planning Board”; and

WHEREAS, Township Code § 145-51.D.(2) presently requires that, for certain applications requiring public notice, the applicant provide notice at least ten (10) days prior to the date of the hearing by publication in an official newspaper or a newspaper of general circulation and by personal service or certified mail to specified recipients, with an affidavit of proof of notice filed with the municipal agency, and that notice is deemed complete upon mailing pursuant to N.J.S.A. 40:55D-14; Township Code § 145-51.D.(2) requires applicant notice at least 10 days prior to the hearing by publication and by personal service or certified mail to specified parties, with proof of mailing filed and notice deemed complete upon mailing.

WHEREAS, on June 30, 2025, the State of New Jersey enacted L. 2025, c.72 (the “Public Notice Law 2025”), which updates legal notice publication requirements and becomes operative for public entities on March 1, 2026; L. 2025, c.72 was signed into law on June 30, 2025, with website publication requirements for public entities effective after March 1, 2026.

WHEREAS, the Public Notice Law 2025 provides that, after March 1, 2026, whenever a public entity is required by law to publish or advertise a legal notice, the public entity shall make the complete text of the legal notice publicly accessible on its official Internet website free of charge and maintain such notices on a dedicated legal notices webpage for at least one week or such longer period as otherwise required by law, with a conspicuous homepage link; After March 1, 2026, public entities must publish the complete text of legal notices on their official websites on a dedicated legal notices webpage, free of charge, for at least one week or longer if required, with a conspicuous homepage link.

WHEREAS, the Public Notice Law 2025 further provides that, after March 1, 2026, whenever a private individual or entity is required to publish or advertise a legal notice (including land use applications), such notice must be placed in an eligible online news publication meeting statutory criteria; After March 1, 2026, private

individuals or entities required to publish legal notices, including land use applications, must place the notice in an eligible online news publication.

WHEREAS, in order to enable the Township to comply with the Public Notice Law 2025's website publication mandate for public entity legal notices, it is necessary that applicants provide a copy of their Planning Board hearing notice to the Township Clerk for posting on the Township's official website, in addition to any other notice required by § 145-51.D.(2); Public entities must make legal notices available on their official websites, necessitating procedures to receive and post such notices.

WHEREAS, the Township further desires to align the timing of applicant transmittal to the Township Clerk with the Public Notice Law 2025's minimum online posting duration by requiring that the Clerk receive the applicant's notice sufficiently in advance of the hearing to permit at least twelve (12) days of website posting prior to the hearing date;

WHEREAS, the Township Committee finds it in the public interest to amend §145-51.D.(2) to add these requirements so that Planning Board public hearing notices are timely furnished for Township website advertisement consistent with the Public Notice Law 2025, c.72, effective March 1, 2026; L. 2025, c.72's operative web posting requirements for public entities begin after March 1, 2026.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Pilesgrove, County of Salem, State of New Jersey, that:

1. Amendment to Township Code § 145-51.D.(2). Township Code § 145-51.D.(2) is hereby amended and supplemented in its entirety to read as follows (revised subsection set forth in full; additions indicated by underline, deletions by ~~striketrough~~):

“§ 145-51.D.(2) Applicant public notice; methods and timing.

D. Public notice of a hearing.

(1) *[existing subsection (1) unchanged]*

(2) The Secretary of the Planning Board shall notify the applicant at least two weeks prior to the public hearing at which the application will be discussed. Notice of a hearing requiring public notice shall be given by the applicant at least 10 days prior to the date of the hearing in the following manner:

(a) Publication in an official newspaper of the Township, if there is one, or in a newspaper of general circulation in the Township in the absence of an official newspaper; and

(b) By notification by personal service or certified mail to the following. An affidavit of proof of the giving of the required notice shall be filed by the applicant with the municipal agency at or prior to the hearing. It is not required that a return receipt is obtained since notice is deemed complete upon mailing (N.J.S.A. 40:55D-14); however, evidence that the required notice was mailed to the following shall be provided to the Planning Board prior to the subject public hearing:

[existing subsections [1] through [5] unchanged]

(c) In addition to the notice obligations set forth in Subsections (a) and (b) above, and pursuant to the Public Notice Law 2025, c.72, effective March 1, 2026, the applicant shall transmit to the Township Clerk the complete text of the public notice to be used for the Planning Board hearing, together with any attachments required to accompany such notice, for posting/advertising on the Township's official website legal notices page. The applicant's transmittal to the Township Clerk shall be made so that it is received by the Township Clerk no later than twelve (12) days prior to the date of the public hearing. Delivery to the Township Clerk may be accomplished by any of the following methods:

[1] Email to: Clerk@pilesgrovenj.org; or

[2] Mail; or

[3] Hand delivery.

The mailing or hand-delivery address for the Township Clerk is: 1180 Route 40, Pilesgrove, NJ 08098.

(d) Proof of transmittal to the Township Clerk. The applicant shall provide proof of transmittal to the Township Clerk, demonstrating compliance with Subsection (c), to the Planning Board or its Secretary prior to or at the public hearing. Acceptable proof includes a copy of the transmittal email showing the date and time sent, or a receipt or certification of mailing or delivery identifying the date sent or delivered and the materials transmitted.

(e) Clarification of additional requirement. The requirement to transmit notice materials to the Township Clerk under Subsection (c) is in addition to, and not in lieu of, any and all other applicable notice, service, publication, filing, and proof requirements imposed by the Municipal

Land Use Law (N.J.S.A. 40:55D-1 et seq.), this chapter, or any other applicable law or regulation, including but not limited to the ten (10) day public notice, service upon owners within 200 feet, publication, and notice to governmental agencies as set forth in this section. Nothing herein shall alter the applicant's obligations under Subsections (a) and (b).

2. Severability.

Each section, subsection, sentence, clause, and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause, and phrase, and finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause or reason shall not affect any other portion of this Ordinance.

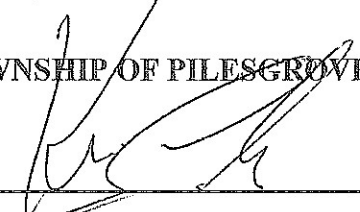
3. Repealer.

All prior Ordinances or parts of Ordinances inconsistent with this Ordinance be and the same are hereby repealed to the extent of such inconsistencies.

4. When effective.

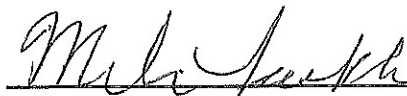
This Ordinance shall take effect immediately upon final passage and publication in accordance with law.

TOWNSHIP OF PILESGROVE

BY: 

Kevin Eachus, Mayor

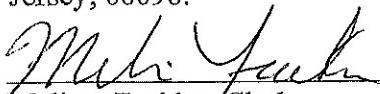
ATTEST:



Melissa Fackler, Municipal Clerk

CERTIFICATION

I hereby certify the above to be a true copy of Ordinance No. 26-07 that was introduced and passed on first reading by the Pilesgrove Township Committee at a public meeting held on May 26, 2026 and adopted following second reading and a public hearing held on June 23, 2026 at 7:00 p.m., at the Pilesgrove Township Municipal Building, 1180 Route 40, Pilesgrove, New Jersey, 08098.


Melissa Fackler, Clerk

6/25/26
Date