CITY OF CAPE MAY, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

ORDINANCE NO. 589-2026

ORDINANCE CONFIRMING THE APPOINTING AUTHORITY FOR THE SHADE TREE COMMISSION

WHEREAS, N.J.S.A. 40:64-1 provides for the establishment of the Shade Tree Commission and appointment process of members. Pursuant to the statute, the members and alternate members shall be appointed by the mayor; and

WHEREAS, Section 10-106 of the City Code currently provides that commissioner appointments are made by City Council; and

WHEREAS, City Council deems it appropriate to update Section 10-106 of the City Code to conform with the appointment process set forth in the statute; and

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Cape May as follows:

Section 1. Section 10-106 of the City Code is amended as follows (with ~~strikethrough~~ portions indicate deleted language and **bold/underlined** indicating new language):

§ 10-106 Membership; appointment; alternate members.

A. The Commission shall consist of seven members, and two alternate members, appointed by the ~~City Council~~ **Mayor**, all of whom shall be residents of the City and will serve without compensation except as hereinafter provided.

B. The alternate members shall be designated at the time of appointment as "Alternate No. 1" and "Alternate No. 2" and shall serve during the absence or disqualification of any regular member or members. The term of each alternate member shall be five years commencing on January 1 of the year of appointment; provided, however, the initial term of Alternate No. 2 shall be four years and the initial term of Alternate No. 1 shall be five years. The terms of the first alternate members appointed pursuant to this section shall commence on the day of their appointment and shall expire on the fourth or fifth December 31 next ensuing after the date of their appointments, as the case may be. An alternate member may participate in discussions of the proceedings but may not vote except in the absence or disqualification of a regular member. A vote shall not be delayed in order that a regular member may vote instead of an alternate member.

Section 2. All other ordinances in conflict or inconsistent with this Ordinance are hereby repealed, to the extent of such conflict or inconsistency. Should any portion of this Ordinance be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair or repeal the remainder of this Ordinance.

Section 3. This ordinance shall take effect 20 days after passage and publication, according to law

ATTEST:

Erin C. Burke, City Clerk

CITY OF CAPE MAY, a municipal corporation of the State of New Jersey

BY: _____
Zachary M. Mullock, Mayor

NOTICE

Ordinance 589-2026 was introduced at a Regular meeting of the City Council of the City of Cape May, held on January 21, 2026 and was further considered for final passage during a Regular meeting of the City Council, held at the Cape May City Hall Auditorium, 643 Washington Street, Cape May, New Jersey, on February 17, 2026 at 5:00 P.M. at which time a Public Hearing was held.

Erin C. Burke, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain	Motion	Second
Meier	X				X	
McDade	X					X
Bodnar	X					
Baldwin	X					
Mullock			X			

Introduced: January 21, 2026
1st Publication: January 28, 2026
2nd Reading & Adoption: February 17, 2026
Final Publication: February 25, 2026
Effective Date: March 17, 2026