

**TOWN OF WESTFIELD
WESTFIELD, NEW JERSEY**

GENERAL ORDINANCE NO. 2156

AN ORDINANCE AMENDING THE CODE OF THE TOWN OF WESTFIELD, NEW JERSEY, IN ORDER TO EXPAND THE BOARD OF THE DISTRICT MANAGEMENT CORPORATION OF THE TOWN OF WESTFIELD

WHEREAS, in June 1996, the Town of Westfield created a special improvement district, as authorized under State law, N.J.S.A. 40:56-65 et seq., which district is run by the Downtown Westfield Corporation, Inc. (“DWC”); and

WHEREAS, pursuant to its statutory creation, the DWC’s mission is to strengthen the downtown Special Improvement District as the center of community life; improve the District's economic viability by supporting existing businesses; encourage the establishment of new enterprises; support cultural activities that complement existing stores and services; make Downtown Westfield a safer, cleaner and more attractive pedestrian environment, with adequate public parking to serve the needs of local residents and attract new shoppers and visitors from throughout the region; and preserve the rich architectural legacy of the downtown area; and

WHEREAS, Westfield’s downtown business district continues to be a critically important “center of place,” offering a variety of amenities, activities and conveniences for all ages, and that importance was most recently confirmed in the Town’s December 2019 Master Plan Reexamination Report; and

WHEREAS, the DWC is empowered, among other things, to adopt bylaws for the regulation of its affairs and the conduct of its business, and prescribe rules, regulations, and policies in connection with the performance of its function and duties; and

WHEREAS, the DWC has determined that it can more effectively deliver its mission with an expanded Board, and the Mayor and Town Council have determined it would be wholly appropriate and desirable to expand the DWC’s Board in order to assist the DWC in meeting its mission;

NOW, THEREFORE, BE IT RESOLVED:

SECTION I. Section 2-108 of Article X, “Special Improvement District and District Management Corporation,” within Chapter II, “Administration,” of the Town Code of the Town of Westfield shall be and is hereby deleted in its entirety, and replaced with the following section:

§ 2-108 District management corporation board.

- (a) The corporation shall be governed by a board of directors consisting of eleven members appointed by the mayor with the approval of the Town Council as follows:
 - (1) A member of the Town Council for a one-year term commencing January 1;
 - (2) Three persons who are owners of real estate within the District, or officials of a corporation or entity owning real estate within the district to be called owner directors;
 - (3) Three persons who operate a business within the district but do not own property within the district to be called "operator directors."
 - (4) Four residents of the Town of Westfield who are neither owners of property within the district nor owners or operators of a business within the district to be called "resident directors."
 - (5) Appointments of the real estate owner, business operator, and resident classes shall be for three-year terms, and so staggered that appointments within each class overlap to the greatest extent possible.
 - (6) In addition, the Town Administrator or his/her designee, and the Mayor or his/her designee, shall be ex officio, nonvoting members of the board of directors.
- (b) District Management Advisory Board.
 - (1) There shall be an advisory board of not less than 15 or more than 25 members. The term of the office and manner of appointment shall be provided for in the bylaws of the corporation.
 - (2) Activities of the district management advisory board. The advisory board shall assist the board of directors of the district management corporation by providing advice to the board of directors in development of the annual program, plan and budget for the corporation, and shall provide ongoing advice and counsel to the board of directors as requested by the board of directors.

SECTION II. SECTION II. Severability.

If any section, subsection, paragraph, sentence, clause or phrase of this Ordinance shall

be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Ordinance, which shall continue in full force and effect, and to this end, the provisions of this Ordinance are hereby declared to be severable.

SECTION III. Effective Date.

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