

ORDINANCE 2020-14

AN ORDINANCE OF THE TOWNSHIP OF WOOLWICH, COUNTY OF GLOUCESTER, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING SECTION 203-92 OF THE WOOLWICH TOWNSHIP ZONING CODE ENTITLED “AFFORDABLE HOUSING DEVELOPMENT FEE SCHEDULE”

WHEREAS, the Township Committee of the Township of Woolwich heretofore adopted an Affordable Housing Development Fee Ordinance memorialized by Ordinance 2005-08; and

WHEREAS, the Township Committee has determined that it is in the Township’s best interests to update and amend the nonresidential fee provisions to those prescribed within the New Jersey Statewide Non-Residential Development Fee Act codified within N.J.S.A. 40:55D-8.1;

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Woolwich, County of Gloucester and State of New Jersey, that Section 203-92 of the Woolwich Township Zoning Code is hereby amended and supplemented, as follows:

Section I. Section 203-92.B.(2) of the Zoning Code entitled “Non-residential development fees” is hereby amended and supplemented to read, as follows:

Section 203-92.B.(2)(a): “Within all zoning districts, non-residential developers shall pay a fee of two and one-half (2.5%) percent of the equalized assessed value of the land and improvements, for all new non-residential construction on an unimproved lot or lots”.

Section 203-92.B.(2)(b): “Non-residential developers, shall also pay a fee equal to two and one-half (2.5%) percent of the increase in equalized assessed value resulting from any additions to existing structures to be used for non-residential purposes”.

Section 203-92.B.(2)(c): “The Township shall not collect non-residential development fees from the exempt developments and projects codified within N.J.S.A. 40:55D-8.4(b)(1-6)”. A developer exempted from the non-residential development fee pursuant to P.L.2008, c.46 shall be subject to it at such time the basis for exemption no longer applies, and shall make the payment of the non-residential development fee, in that event, within three years after that event or after the issuance of the final certificate of occupancy of the non-residential development, whichever is later. If a property was exempted from the collection of a non-residential development fee thereafter ceases to be exempt from property taxation, the owner of the property shall remit the fees required pursuant to this section within 45 days of the termination of the property tax exemption. Unpaid non-residential development fees under these circumstances may be enforceable by the Township of Woolwich as a lien against the real property of the owner.

Section II. All Ordinances or Code provisions or parts thereof inconsistent with the provisions of this Ordinance shall be and are hereby repealed to the extent of such inconsistency.

Section III. If any section, subsection, part, clause or phrase of the Ordinance shall be declared invalid by judgment of any court of competent jurisdiction, such section, subsection, part, clause or phrase shall be deemed to be severable from the remainder of this Ordinance.

Section IV. After introduction, the Clerk is hereby directed to submit a copy of the within Ordinance to the JLUB of the Township of Woolwich for its review in accordance with N.J.S.A. 40:55D-26 and N.J.S.A. 40:55D-64.

Section V. This Ordinance shall take effect immediately after final passage and publication as required by law.

TOWNSHIP OF WOOLWICH

Vernon Marino, Mayor

ATTEST:

Jane DiBella, Clerk

CERTIFICATION

The foregoing Ordinance was introduced upon first reading by the Township Committee of the Township of Woolwich at a meeting held on the ___th day of _____t, 2020. It will be further considered for final adoption upon a second reading and subsequent to a public hearing to be held on such ordinance at which time any interested person(s) may be heard. Said meeting is to be conducted on the ___th day of _____, 2020 at the Woolwich Township Building, 120 Village Green Drive, Woolwich Township, New Jersey, commencing at 7:00 p.m.

Jane DiBella, Clerk

CERTIFICATION OF ADOPTION

The foregoing Ordinance was adopted upon second reading and subsequent to a public hearing at a meeting of the Woolwich Township Committee on the ___th day of September, 2020.

Jane DiBella, Clerk