

**TOWNSHIP OF WANTAGE
ORDINANCE # 2017-2**

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XXI,
ENTITLED "FEES" OF THE "REVISED GENERAL ORDINANCES OF
THE TOWNSHIP OF WANTAGE, NEW JERSEY"
AUTHORIZING EXEMPTIONS FROM MUNICIPAL FEES**

WHEREAS, in accordance with the Municipal Land Use Law pursuant to N.J.S.A. 40:55D-8, a municipal agency shall adopt and may amend reasonable rules and regulations, not inconsistent with the Municipal Land Use Law or with any applicable ordinance, for the administration of its functions, powers and duties, and shall furnish a copy thereof to any person upon request and may charge a reasonable fee for such copy. Copies of all such rules and regulations and amendments thereto shall be maintained in the office of the administrative officer; and

WHEREAS, a municipal agency may charge fees to an applicant for the filing and review of an application for development by a municipal agency or an appeal and such fees shall be reasonable and shall be established by Ordinance. In addition to covering the administrative costs associated with these applications, these fees shall also be used to defray the cost of tuition for those persons required to take the course in land use and planning in the municipality as required under the Municipal Land Use Law pursuant to N.J.S.A. 40:55D-23.3 et. seq.; and

WHEREAS, a municipality may by Ordinance exempt, according to uniform standards, charitable, philanthropic, fraternal and religious non-profit organizations holding a tax exempt status under the Federal Internal Revenue Code of 1954 (26 U.S.C.s. 501(c) or (d) from the payment of any fee charged under the Municipal Land Use Law or Township Ordinances; and

WHEREAS, a municipality shall exempt the Board of Education from the payment of any fees charged under the Municipal Land Use Law or Township Ordinances; and

WHEREAS, a municipality may by Ordinance exempt, according to uniform standards, a disabled person or a parent or a sibling of a disabled person from the payment of any fees charged under the Municipal Land Use Law or Township Ordinances in connection with any application for development or an appeal; and

WHEREAS, the Mayor and Committee of the Township of Wantage hereby recommend that Chapter XXI Fees of the Revised Ordinances of the Township of Wantage be amended and supplemented in accordance with this Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Committee of the Township of Wantage, County of Sussex, State of New Jersey as follows:

Chapter XXI Fees of the Revised Ordinances of the Township of Wantage are hereby amended and supplemented with the addition of Section 21-20 Municipal Fees; Exemptions.

Section 1 – Fees to be Charged.

Application Fees for development shall be reasonable and shall be established by Ordinance. Such fees shall be used to cover the administrative costs associated with the implementation of P.L. 1975, C. 291, these fees shall also be used to defray the cost of tuition for those persons required to take the course in Land Use and Planning in the municipality as required to P.L. 2005, C. 133 (N.J.S.A. 40:55-23.3 et. al.);

Section 2. Exemptions from Fees.

A. Charitable, philanthropic, fraternal and religious non-profit organizations holding a tax exempt status under the Federal Internal Revenue Code of 1954 (26 U.S.C.s 501(c)) shall be exempt from the payment of any fee charged under the Municipal Land Use Law or Township Ordinances;

B. A Board of Education shall be exempt from the payment of any fee charged under the Municipal Land Use Law or Township Ordinances;

C. A disabled person, or a parent or sibling of a disabled person shall be exempt from the payment of any fee charged under the Municipal Land Use Law or Township Ordinances in connection with any application for development or an appeal which promotes accessibility to his own living unit.

D. For the purposes of this subsection “disabled person” means a person who has the total and permanent inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment, including blindness, and shall include, but not be limited to, any resident of this State who is disabled pursuant to the federal Social Security Act (42 U.S.C.s. 416), or the federal Railroad Retirement Act of 1974 (45 U.S.C.s. 231 et. seq.), or is rated as having a 60% disability or higher pursuant to any Federal law administered by the United States Veterans Act. For purposes of this paragraph “blindness” means central visual acuity of 20/200 or less in the better eye with the use of a correcting lens. An eye which is accompanied by a limitation in the fields of vision such that the widest diameter of the visual field subtends an angle no greater than 20 degrees shall be considered as having the central visual acuity of 20/200 or less.

Section 3

All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

Section 4. Effective Date. This Ordinance shall take effect immediately upon final passage and publication according to law.

Jonathan Morris, Mayor
Township of Wantage

ATTEST:

Debra Millikin, Acting Municipal Clerk
Township of Wantage

**TOWNSHIP OF WANTAGE
NOTICE OF PUBLIC HEARING**

The Ordinance published herewith was introduced and approved at a meeting of the Township Committee of the Township of Wantage held on January 26, 2017. The Ordinance will be further considered for final passage after a public hearing thereon before the Township Committee of the Township of Wantage, during the meeting to be held on February 9, 2017 at the Municipal Building, 888 State Highway 23, Wantage, New Jersey at 7:00 p.m. or as soon thereafter as the matter may be reached or at any meeting to which that meeting may be adjourned at which time any and all persons who may be interested therein will be given an opportunity to be heard. The proposed Ordinance in its entirety is on file in the Municipal Clerk's Office and copies may be obtained without charge between the hours of 8:30 a.m. and 4:30 .m., Monday through Friday. A complete copy may also be obtained from the Wantage Township website www.wantagetwp.com.

Debra Millikin, Acting Municipal Clerk
Township of Wantage