

Ordinance 2015-04

AN ORDINANCE AMENDING THE HIGHLANDS AREA EXEMPTION ORDINANCE, PREVIOUSLY ADOPTED AS ORDINANCE 2014-05 TO SUPPLEMENT AND AMEND THE LAND DEVELOPMENT ORDINANCE OF THE CODE OF THE BOROUGH OF CALIFON, HUNTERDON COUNTY, NEW JERSEY, ELIMINATING THE REQUIREMENT FOR PAYMENT OF AN APPLICATION FEE IN CONNECTION WITH AN APPLICATION FOR EXEMPTION 5

WHEREAS, the Zoning Officer for the Borough of Califon has determined that only five (5) new homes have been constructed in the Borough of Califon since August 10, 2004, the date of the adoption of the Highlands Water Protection and Planning Act (N.J.S.A. 13:20-1, et seq.) by the New Jersey Legislature; and

WHEREAS, the locations of these new homes are well known to the Zoning Officer and Tax Assessor of the Borough and are a matter of public record, which makes the Municipal Exemption Determination of qualification for Exemption 5 a comparatively simple matter within the Borough of Califon; and

WHEREAS, it is the desire of the Mayor and Council of the Borough of Califon to limit the cost burdens to its taxpayers and homeowners associated with Califon's Highlands Preservation Area designation and the implementation of the NJDEP Rules for development in the Highlands Preservation Area.

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Califon, in the County of Hunterdon, State of New Jersey, as follows:

**SECTION ONE.** Section 4.7 of the Highlands Area Exemption Ordinance, now included as part of Chapter 16, Land Development Ordinance of the Code of the Borough of Califon, shall hereby be amended to read as follows:

**4.7 Application Fees**

The application fee requirements of this subsection shall apply in addition to all existing fee requirements, including procedural and legal requirements, as set forth in the underlying municipal land use ordinances. The fees provided herein shall apply to applications for Municipal Exemption Determinations pursuant to 4.2 of this Ordinance.

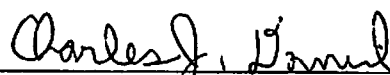
- A. Municipal Exemption Determination: \$150.00 for all applications except those for Exemption 5, for which no application fee shall be required. In addition, for all Municipal Exemption Determinations (except those for Exemptions 5, for which no escrow payment is required), an escrow deposit in the amount of \$500.00 shall be deposited with the Planning Board Secretary.
- B. Resubmission of Denied or Incomplete Application Amended for Compliance: \$50.00 (not applicable to Exemption 5).

**SECTION TWO.** Severability. If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause of provision so adjudged and the remainder of the ordinance shall be deemed valid and effective.

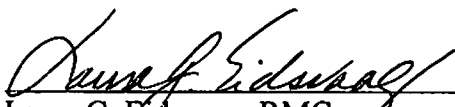
**SECTION THREE.** Effective Date. This Ordinance shall take effect after final passage, adoption and publication according to law.

**SECTION FOUR.** Short title. The short title of the above Ordinance shall be Amendment No. 1 to Highlands Exemption Ordinance.

**SECTION FIVE.** Repealer. All Ordinances or parts of Ordinances inconsistent with or in conflict with the ordinance are hereby repealed to the extent of such inconsistency.

  
\_\_\_\_\_  
Charles Daniel, Mayor

ATTEST:

  
\_\_\_\_\_  
Laura G. Eidsvaag, RMC  
Municipal Clerk/Administrator

Introduction and First Reading: April 6, 2015

Publication: April 15, 2015

Second Reading and Public Hearing: May 4, 2015

Publication by Title: May 13, 2015